

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

33rd Legislative Day

March 24, 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 to join us for the invocation."

Pugh: "May we pray. Omnipotent God of our ancestors, Abraham, Isaac, and Jacob, here us when we call. Oh, God of our righteousness, You have enlarged our hearts when our hearts were in distress. Have mercy upon us and here our prayer. Oh, sons of man, how long will you turn God's glory into shame? How long will we love vanity? We come before You O God, with our own set of peculiarities, our own ideological conformities and our own philosophical enormities. But now that the Lord has set upon him that is godly for himself. Lord, here us when we call. We will stand in awe, and sin not. We will commune with our own heart and be still. What do You require of us, Your people, O God, but that we offer the sacrifices of righteousness and put our trust in You. Give ear to our words this morning, O Lord. Consider the meditations of our heart, hearken unto the voice of our cry. O God, our God, for unto Thee will we pray. Our voice shalt Thou hear in the morning, in the morning we will direct our prayer unto Thee and we will look up. For Thou are not a God that hath pleasure in wickedness. Neither shall evil dwell with Thee. What does the Lord require of us, his people? That we seek peace, pursue justice and walk humbly with our God, Amen."

Speaker Madigan: "We shall be led in the pledge of allegiance by Representative Eileen Lyons."

Lyons, E.-et al: "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands,

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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 reflect that
Representatives Boland and Ronen are excused today."

Speaker Madigan: "Mr. Pugh. Poe. Mr. Poe."

Poe: "Mr. Speaker, let the record show that Tom Johnson is
excused today."

Speaker Madigan: "Mr. Clerk, how is Representative Bellock... Mr.
Clerk, how is Mr. John Jones recorded?"

Clerk Rossi: "Representative John Jones is recorded as
'present'."

Speaker Madigan: "There being... Mr. John Jones, are you recorded
now? Mr. John Jones, have you, are you recorded?
Recognize Mr. John Jones."

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

Speaker Madigan: "Could you wait till we do the roll call? There
being 115 Members responding to the Attendance Roll Call
there is a quorum present. Mr. John Jones."

Jones, J.: "Thank you, Mr. Speaker. We have a group of young
people here today from Rend Lake Community College up in
the balcony and I would like to introduce them and welcome
them to Springfield. Thank you very much for coming."

Speaker Madigan: "Mr. Clerk."

Clerk Rossi: "Representative Ronen, Chairperson from the
Committee on Children and Youth, to which the following
measures were referred, action taken on March 24, 1999,
reported the same back with the following recommendation/s:
'be adopted' Floor Amendment #1 to House Bill 485.
Representative Bob Bugielski, Chairperson from the

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Committee on Financial Institutions, to which the following measure/s were referred, action taken on March 24, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 1740. Representative Judy Erwin, Chairperson from the Committee on Higher Education to which the following measures were referred, action taken on March 24, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 1522 and Floor Amendment #1 to House Bill 1523. Representative Lauren Beth Gash, Chairperson from the Committee on Judiciary II- Criminal Law, to which the following measures were referred, action taken on March 24, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 881. Representative Doug Scott, Chairperson from the Committee on Urban Revitalization, to which the following measures were referred, action taken on March 24, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 306. Representative Jay Hoffman, Chairperson from the Committee on Transportation and Motor Vehicles, to which the following measures were referred, reported back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 1237, Floor Amendment #2 to House Bill 2573 and Floor Amendment #1 to House Bill 2579. Representative Skip Saviano, Chairperson from the Committee on Registration and Regulation, to which the following measures were referred, action taken on March 24, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 245, Floor Amendment #1 to House Bill 1157. Representative Todd Stroger, Chairperson from the Committee on Labor and

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Commerce to which the following measures were referred, action taken on March 24, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 1587. Representative Mary Flowers, Chairperson from the Committee on Health Care Availability, to which the following measures were referred, action taken on March 24, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 2271. Representative Steve Davis, Chairperson from the Committee on Constitutional Officers, to which the following measures were referred, action taken on March 24, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #3 to House Bill 69. Representative Charlie, Charles Morrow, Chairperson from the Committee on Appropriations Public Safety, to which the following measures were referred, action taken on March 24, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 1236. Representative Julie Curry, Chairperson from the Committee on Appropriations Elementary and Secondary Education, to which the following measures were referred, action taken on March 24, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment 1 to House Bill 2383. Representative, Representative Michael Smith, Chairperson from the Committee on Agriculture and Conservation, to which the following measures were referred, action taken on March 24, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 216, Floor Amendment #1 to House Bill 1822. Representative Tom Dart, Chairperson from the Committee on Judiciary I-Civil Law, to which the

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following measures were referred, action taken on March 24, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 721 and Floor Amendment #1 and 2 to House Bill 1113. Representative Dan Burke, Chairperson from the Committee on Executive, to which the following measures were referred, action taken on March 24, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #2 to House Bill 321, Floor Amendment #2 to House Bill 427, Floor Amendment #9 to House Bill 452, Floor Amendment #1 to House Bill 479, Floor Amendment #1 to House Bill 806. Representative Calvin Giles, Chairperson from the Committee on Local Government, to which the following measures were referred, action taken on March 24, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 1124, Floor Amendment #1 to House Bill 2302, Floor Amendment #3 to House Bill 2320, Floor Amendment #1 to House Bill 2683 and Floor Amendment #1 to House Bill 2684."

Speaker Madigan: "The Chair recognizes Mr. Osmond."

Osmond: "Mr. Chairman, I rise for a point of personal privilege."

Speaker Madigan: "State your point."

Osmond: "I would like to introduce a group of students from the College of Lake County that are down visiting us today. And they're up here in the gallery, if they'd stand up. Thank you, Mr. Speaker."

Speaker Madigan: "Yes. Mr. Hartke. On the... on page 40 of the Calendar, on the Order of Third Reading, there appears House Bill 1302. Mr. Durkin. House Bill 1302. Mr. Clerk, read the Bill. Mr. Hartke in the Chair."

Clerk Rossi: "House Bill 1302, a Bill for an Act amending the Property Tax Code. Third Reading of this House Bill."

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Durkin: "Thank you very much, Mr. Speaker. House Bill 1302 basically does what the, it expands the membership of the Illinois Property Tax Bill Board from 5 to 9 members. And also states that, of these 9 members there must be 4 city members from Cook County. This is an issue which brought to me from the Cook County Board of Review. There has been an increase of the number of cases which are going to the Property Tax Bill Board because of the opening which we did four years ago of Cook County. I believe this is reasonable, considering the amount of case load which is coming into the Board of Review these days and I'm ready to answer any questions."

Speaker Madigan: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall House Bill 1302 pass?' All those in favor will 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? Please record yourselves. Have all voted who wish? There still are 7 people that have not voted. Have all voted who wish? This is Third Reading. Mr. Clerk, take the record. On House Bill 1302, there were 75 Members voting 'yes', 34 Members voting 'no', and 1 Member voting 'present'. And this Bill having received the Constitutional Majority is hereby declared passed. On page 40 of the Calendar, on Third Reading, appears House Bill 1181. Representative Delgado. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1181, a Bill for an Act to amend the School Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the House. House Bill 1181, basically, is given to us by the Chicago School

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Board, CPS, which allows them to change their form of payment in terms of a, using a voucher system to checks. This is a very technical change to the School Code. And under the current law all monies raised for the school purposes shall be held by the City Treasurer in separate funds, subject to the order of the School Board upon it's warrant signed by it's president and secretary. And Amendment 1 provides that the money shall be subject to order of the board, not only upon it's warrant, but also upon its check signed by the president, secretary and comptroller and countersigned by the Mayor and the City Comptroller. I'm 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. Will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, it appears that this is in it's purest sense, a voucher Bill. Is that right?"

Delgado: "Representative, in terms of how CPS wants to pay their bills, it just basically, no, it's a form of how they pay their bills within the central office. Basically, all we're doing here is concerning the custody of their school monies and it's for a population exceeding over \$500,000. It has nothing to do..."

Black: "Oh, I see. So, it's allowing them to pay by check rather than by voucher."

Delgado: "...That's correct, Representative."

Black: "Why, what an original idea. Is Paul Vallas and the Mayor and everybody agree with this?"

Delgado: "This is their Bill, Sir."

Black: "Oh, well, my goodness. And I notice, if I read this

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correctly, these checks would be so, what's the word? There are so many checks and balances, before they could issue a check, it's my understanding that they would have to be signed by the School Board President, the secretary, the comptroller and countersigned by the Mayor and the City Comptroller? All of those people would have to sign a check?"

Delgado: "Absolutely. We did a wonderful check and balance. We have a great school system and when we're just moving even further into that. Keeping in mind, Representative that a warrant takes a little bit more time and we'll be able to deal with that money a little bit easier in Chicago, that's all it basically does."

Black: "How, how big would that check have to be to get all those signatures on there? And just as a matter of protocol, is the Mayor's signature going to be first in line?"

Delgado: "I refuse to answer on the basis of self-incrimination, Representative."

Black: "Well, let the record reflect that I would think that protocol would mean, would certainly put the Mayor's signature as the primary signature. I.."

Delgado: "I will definitely make, bring that to the attention of the Mayor, as I'm one of his endorsers and I would make sure, I would, I'm sure he would like that recommendation on your behalf."

Black: "...Oh, absolutely."

Delgado: "But, I'm sure Mr. Vallas and Mr. Chico would have something to say about that, also."

Black: "Well, that's true. I, thank you very much, Representative. Mr. Speaker, I appreciate the opportunity to ask questions and the opportunity to clear this Bill up. This is one of those Bills, quite frankly, that's a very

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good Bill. It's well thought out. It's endorsed by everyone involved with the Chicago School Reform measure and I would encourage my colleagues to vote 'yes'."

Delgado: "Thank you, Representative."

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

Delgado: "We just ask for an 'aye' vote on this, Mr. Speaker and thank you."

Speaker Hartke: "Question is, 'Shall House Bill 1181 pass?' All those in favor of the Bill will vote 'yes'; those opposed will 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 1181, there were 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. On page 42 of the Calendar, appears House Bill 2045. Representative Hoeft. Mr. Clerk, call the Bill."

Clerk Bolin: "House Bill 2045, a Bill for an Act to amend the School Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. (2045) is a Bill that would change the annual financial report which the state has from the school districts, from taking their data and having it done as a district-wide basis to individual school basis. This will give the school districts the capacity to look at efficiencies that they need with individual school buildings. It is supported by the Illinois Chamber, the IEA, the State Board of Education. I know of no one who is opposed to this idea. It'll give the school districts a great deal more data with which they can make decisions."

Speaker Hartke: "Is there any discussion? Seeing that no one is

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seeking recognition, the question is, 'Shall House Bill 2045 pass?' All those in favor will 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 2045, there are 113 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill having received the Constitutional Majority is hereby declared passed. On page 42 of the Calendar, appears House Bill 2021. Representative Feigenholtz. Out of the record. On page 42 of the Calendar, appears House Bill 1940. Representative Fowler. Out of the record. On page 41 of the Calendar, appears House Bill 1707. Representative Fritchey. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1707, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Fritchey."

Fritchey: "Thank you, Speaker, if you'll bear with me for one second here. House Bill 1707 is an initiative of Secretary of State Jesse White and it provides for a late fee for individuals that do not renew their vehicle registrations on time. Presently in Illinois, there is no penalty whether somebody renews a day late, a month late or a year late. What this Bill does is provide that there will be a 45 day grace period, after which any individual renewing their vehicle registration will be subject to an additional \$48 fee. I respectfully request an 'aye' vote on this Bill. Thank you."

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

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

Speaker Hartke: "He indicates he will."

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Cross: "John, this Bill, my understanding is the Amendment became the Bill?"

Fritchey: "On (1707) that is correct. The Amendment was the result of discussions in work with the Senate Republicans and what the Amendment essentially did was change the distribution formula on the Bill. So out of that \$48 fee, \$32, which is 2/3 of that obviously, will go into the Road Fund and the remaining \$16 would be deposited into the Live and Learn Fund, which is the Secretary of State's fund overseeing literacy programs and organ transplant programs."

Cross: "John, and I think we talked about this maybe when you did the Amendment. My real concern is, if I read this correctly, not only do I pay the \$48 for my vehicle registration, if I'm late I pay another \$48 and if I get a traffic ticket for it, I pay probably \$100 for that traffic ticket. So, I mean, I'm in a couple hundred dollars for a \$48 original charge, is that right?"

Fritchey: "More often than not, any traffic citation on this tends to be a compliant citation, where if you show that you've registered the car, that that citation is dismissed. But, you're correct, right now there's a \$48 fee that presently exists and all this does is add a late penalty. We presently have, I think, close to 5% of the vehicles in this state that are unregistered. It's... this is a way for us to provide several millions of dollars into the Road Fund and to the literacy programs just by simply requiring that people comply with the laws that exist now."

Cross: "John, I and I guess my real struggle here is that we, in my mind, we are now having..."

Speaker Hartke: "Ladies and Gentlemen, please, we're on Third Reading. Let's tone it down in here, please."

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Cross: "In my mind now, we are having a two penalty system almost and I realize that in some courtrooms judges may dismiss those tickets upon compliance. But there are situations where they won't dismiss them upon compliance and oftentimes people will just pay the fine. We now are setting up an additional penalty, a late penalty if you don't pay it. And I think the system is already in place that if you don't get your registration paid on time, you will have a potential for getting a traffic ticket and that's the punishment or the way that we should do punishment. And to tack on a the third possibility I find a bit, a bit onerous. I... do we really want people just to be able to register their car to have to pay, and granted I realize they're late, but 48 times 48 or plus 48 plus another 100 or 150. I just don't know if that's where we want to go with this."

Fritchey: "I understand what you're saying and I think there's two separate avenues here. One is, it is illegal to operate your car with expired registration. That is something between law enforcement and a vehicle owner. Then the other avenue is solely within that province of the Secretary of State's Office, that if you don't come in and renew by the time you're supposed to come in and renew we're going to charge you another fee."

Cross: "John, I apologize, just, I know we have some people on this side of the that want to discuss this. Can we take this of Short Debate and you're not going to give me a penalty for that, are you?"

Speaker Hartke: "We will put it on Standard Debate."

Cross: "All right. John, I, well what, is this an initiative of the Secretary of State's Office?"

Fritchey: "Yes it is."

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Cross: "What happens in the event and maybe Representative Rutherford's going to go into this a little further. What if I just have a, you know, if you're driving without proper registration you're going to get the ticket, but what if I fail to get it on time and I've just go that car parked in my, in my driveway or in my garage, 'cause I intend not to, I'm either going to sell it or I don't want to drive it?"

Fritchey: "I looked into this yesterday after discussions with Representative Rutherford. The Secretary of State's Office has a mechanism where an individual can come in and essentially appeal for an exception to the rules. Where they can come in an ask and say, 'I have not planned on using this car or I have not or this car has been garaged for storage or for maintenance work, et cetera and that's why I did not renew.' And the Secretary of State's Office is willing to review those cases, on a case by case basis. The overwhelming number of unregistered vehicles are people that are operating those vehicles on a routine basis and simply do not want to register because they've got no incentive to do so."

Cross: "Are there any opponents to this?"

Fritchey: "None that I know of."

Cross: "Where then do, all right so, of the \$48..."

Fritchey: "Tom, let me clarify that, it's not none that I know of, there are no opponents on record."

Cross: "Just all those late, late payers. Well, I have, obviously, John, some concerns about it and I know you're trying to work it out. I don't anticipate myself supporting this, but I know Representative Rutherford has some questions so, I'll defer to him at the appropriate time. Thanks a lot."

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Fritchey: "Thanks."

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

Rutherford: "Thank you, Mr. Speaker. Sponsor yield?"

Speaker Hartke: "He indicates he will."

Rutherford: "Representative Fritchey, you and I have had the pleasure to talk about this Bill in committee and..."

Fritchey: "The pleasure was mine."

Rutherford: "...the pleasure is mine and I want to be very candid with you. I know what you're attempting to do is good, but let me ask a couple of questions. If I have a convertible car and I have it sitting in my garage during the winter, because I don't want to drive it, if the expiration for the registration comes in December and I don't want to spend the \$48, because in December, because I'm not going to use it till May, why should I be penalized an additional \$48 when I do register it in May?"

Fritchey: "The Secretary of State's Office talked about this, your specific concerns after we had talked and this is what I just told Representative Cross, have mechanisms available where they are willing to hear individual cases. Like I said, that is very much the exception to the rule and somebody would then be able to then go into the Secretary of State's Office and either by letter,..."

Rutherford: "I, and I heard your..."

Fritchey: "...this is why we're not, this is why I'm not doing this right now, please grant me an extension, et cetera, of the car will not be used and here just... let letter certifying the car will not be used until May."

Rutherford: "...All right. Let's say that if my car was in an accident and it requires body work on it and it's going to be in the shop and the registration time comes and it goes

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for two months and I don't want to register it until I'm ready to drive it. Why should I pay an additional \$48?"

Fritchey: "The same situation, upon request from the vehicle owner the Secretary of State's Office will review the request and grant an extension if appropriate."

Rutherford: "Let's say that I have an antique car..."

Fritchey: "Same answer."

Rutherford: "...that is sitting in the shed and I don't want to use it until the time of the antique show and I don't want to register it. Why should I have to pay an additional \$48?"

Fritchey: "Same answer, the Secretary of State's Office will review the situation."

Rutherford: "Well, here's the problem I've got then, to the Bill, Mr. Speaker. The problem I have..."

Speaker Hartke: "To the Bill."

Rutherford: "...the problem I have with this Bill is, we are putting onerous burden upon an individual to have to pay \$48 just because they did not want to register their car at the time, that the previous registration had expired. You have to now go, through Representative Fritchey's explanation, to the Secretary of State, ask for permission, ask for a waiver, ask for some administrative consideration, without being penalized an extra \$48. I stand in support of the idea of having people be registered when they drive their cars. I stand in support of the ability to have them pay an additional fine or penalty if they do not drive with a valid registration. But what Representative Fritchey's Bill does it says, 'When the time of your registration expires, if you do not get it registered then, later when you do, you pay an additional \$48.' Whether you have an antique car sitting in the shed,

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you don't want to drive it then, whether you have a convertible and you don't want to drive in the winter time or whether you have a car that was an accident and you don't want to drive it then. Ladies and Gentlemen, this is not a good Bill for the consumer. I strongly recommend a 'no' vote."

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

Black: "Yes, yes, thank, thank you very much, Mr. Sponsor. Will the Sponsor..."

Speaker Hartke: "The Sponsor will yield."

Black: "...oh, I'm, you're Mr. Speaker. Would the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Black: "Thank you. Representative, I support this concept, I think as others have said. Let me try to focus in on a couple concerns I have. There are people who, whose hobby let's say is to collect antique cars or remember the Corvette show that used be in Springfield, the Bloomington Gold. It's now going back to Bloomington. And there are people who have the means and the talent to restore three, four, five, six classic Corvettes. Now, I don't know what the law is or what practice is, but maybe they don't want all of these licensed in any given year, but then they're going to go to the Bloomington Gold. So they decide I'm going to take my 1956 Corvette to the show, maybe get a trophy or whatever. And he discovers, uh oh, I haven't renewed this registration sticker in 18 months. But, now, because a lot of times they'll put these on a trailer, they are not even going to drive them. So, he decides, well, I better drive it to the show, so he calls the Secretary of State and he says, 'I want to, ya know I need to get this

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sticker on this classic corvette.' And of course, he's late, so, I mean I know you can't make a dozen a dozen exceptions in the rule, but what happens to a legitimate collector or an antique car dealer who often only wants to license it maybe for two of three shows a year?"

Fritchey: "This, this is what, this is what we addressed before. I... presently it's not illegal to own a vehicle that is not registered, it's illegal to operate a vehicle that is not registered. The more likely scenario, even though it's very much the exception to the rule, is what Representative Rutherford had raised, where somebody collects cars that they take out a couple months during the year or there's a car that's going to be in the shop indefinitely because it's somebody that's working on their own car maybe a couple hours a week for a year or two to restore a car. The Secretary of State's Office had the flexibility and the willingness which they have expressed to me that if somebody contacts us and says, 'This is the situation. I am not a scofflaw. I am not flouting the law. I'm not going to be using my car for another six months. That's why I'm not registering it now.'"

Black: "Okay."

Fritchey: "And they will consider that."

Black: "All right, all right."

Fritchey: "This is, we are not looking to penalize innocent people. We are not looking, and this Bill does not penalize, anybody that complies with the law right now, this law will never affect their life."

Black: "All right and I, and I know the Secretary to be a very compassionate individual and I'm sure he's going to take these into consideration. One question that I have that is absolutely an operational concern of the office and it

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doesn't rest with Secretary White, this has been an operational problem, I think, for a number of years. Correct me if I'm wrong and I see Mr. Swinford on the floor. Aren't all second division trucks aren't their registration stickers due on or before June 30th, every year?"

Fritchey: "Bill, I'd rather give you no answer than the wrong answer."

Black: "Yeah, I..."

Fritchey: "I don't know the answer to that."

Black: "...If you could look into it, I think that's true. I think that pickup trucks, especially, all of their registration stickers are due June 30. So, if you have a motor vehicle, your personal car and you just happen to fall into that June 30th renewal date, if you go to most drivers license stations a week prior to June 30 or right around that time, you literally cannot get in the door. They are so backed up trying to get this back log of, of pick-up truck registration, that they often will either tell the individual motor vehicle owner, 'You know, come back tomorrow' or the owner says, 'Gee, I only have, you know, 30 minutes of my lunch hour. I'll have to come back tomorrow or tomorrow.' Well, guess what, maybe they don't get the sticker until the second of July, technically, they're late."

Fritchey: "As you, under this Bill and under the Amendment to the Bill, what we've created is something that doesn't exist right now and that is a 45 day grace period."

Black: "Okay, fine."

Fritchey: "Your notices go out about 45 days before the expiration and we've now created a 45 day grace period, which as I said does not exist. So, you really have a

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three month window, 45 days within compliance, 45 days in the grace period, to come in and get it done."

Black: "Okay, I, I understand that. And..."

Fritchey: "Bill, if I could..."

Black: "...I'm, I'm glad that you brought that up."

Fritchey: "...If, if I could just inject something here. You see what we're trying to do and I think that the concept is good and I believe in the concept. I just talked to Dale, the language from the Amendment came from the Senate Republicans that are interested in this."

Black: "Okay."

Fritchey: "And they see it as a viable way of putting millions of dollars into the Road Fund. If there is language that we can work out to address these situations to give everybody a comfort level, I've got a commitment which I think is good and I'd imagine you would as well, from the Secretary's Office to work this out on the Senate side. The Bill will come back here and hopefully, we can address all those concerns at that point."

Black: "Okay and my last question and I appreciate your indulgence. Is there, is there a procedure in existing practice or will there be under this, if this law, if this Bill becomes law? Let's say that a motorist comes in and I'm working on one of these constituent cases right now, John, where the constituent says, 'I did not receive a notice. I, I did not get a notice. It slipped my mind.' I think his registration was up in December and of course he's very, he has contacted me and said, 'Now look, if I don't get a notice of renewal, I don't think I ought to have to pay this late fee.' And I don't know whether there's a way under existing practice that he have, that he has a due process hearing or whether we'll have to set up a

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due process hearing."

Fritchey: "Well, I think that the Secretary of State's Office, actually I know this from when I was at the Attorney General's Office, they have an administrative review process, as well."

Black: "Okay."

Fritchey: "And I think that you can come into the Secretary's office, I think you'll acknowledge even under, when our present Governor was Secretary of State, he and continuing now, it's always been a consumer-friendly office and they've always made every effort to work with people. I can't imagine that that's going to change."

Black: "Okay, thank, John, thank you. I appreciate your forthright answers to the questions. Thank you very much."

Speaker Hartke: "For what reason does the Gentleman from Kendall, Representative Cross, seek recognition? You have already spoken in debate."

Cross: "Well, thank you, Mr. Speaker, I just, as you can see I'm holding a piece of John Turner's birthday cake and it's right out, down front and we appreciate, we don't know if this is for next year's birthday or for yesterday's, but we appreciate the cake."

Speaker Hartke: "Thank you, Mr. Cross. Further discussion? The Chair recognizes the Gentleman from Madison, Representative Hoffman."

Hoffman: "Thanks, Speaker Hartke. Will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Hoffman: "Representative, with regard to the Bill, there's just some concern, I think. First of all, you indicated that there is a 45 day window, correct?"

Fritchey: "There's, there's 45, the notices go out about 45 days in advance of expiration now and the Bill creates a 45 day

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grace period after expiration."

Hoffman: "The concern, I guess, from some people on this side of the aisle is with regard to, for instance, an individual who is leaving town for an extended period of time, maybe going to Florida. Maybe he leaves his car parked in a garage, you know, and they're gone for three months or four months over the, over the winter break. How does this Bill address that issue?"

Fritchey: "Again, if an individual foresees not using their vehicle for whatever reason because it's stored, because it's being worked on, because they're going to be for military service, whatever it might be. They can contact the Secretary of State's Office, that's going to make every effort to accommodate them. What it's sounding like and as I just said before to Representative Black, you know, if we need additional language to address those concerns, the Senate Republicans and everybody over there, I'm sure will put that language on. The Secretary's Office is amendable to putting whatever language is necessary to address, you know, these worries."

Hoffman: "So, you're, you're making that commitment. The problem I think that, that concern that I have and I think others is that in those types of instances, right now they're not punished and they shouldn't be punished. What you're doing is, you're punishing them and then making them come in and affirmatively show that they indeed, should not have had this, this late fee because they were either out of town or they could have their license suspended and they're not driving the car. So, there would be no reason to have a registration updated."

Fritchey: "We, obviously, I'm sorry. We obviously, we are not, that's not the intention of this Bill to punish the

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innocent, noncomplier. What we are going after are the hundreds of thousands of vehicles on the road that are unregistered for no reason that are being used everyday with either expired plate stickers or no plate stickers. We've got an opportunity to put millions and millions of dollars into the Road Fund whether than taking it out, to put millions of dollars into literacy programs, into organ donations programs, simply be requiring people to comply with the law. The few vehicles, and when you're talking about the big picture here, the few vehicles have fallen to the windows of concern that you have raised and some of the other speakers have raised, are very much the exception to the rule. If we need language to address that, I've got a commitment as I said from the Secretary's Office that they will work with the Senate to do that and they will bring the Bill back here. That commitment's good enough for me, I would hope it would be good enough for everybody else."

Hoffman: "Well, the concern, I guess, you know, I support the replating Bill. And one of the reasons I support the replating Bill is because it would have addressed the problems that you're attempting to address in this Bill. In that a new, a new design would insure that people would have to comply, there by bringing additional money in. So, I mean if you... it's my opinion that if you want to address this in conjunction with the replating Bill and make sure that, that they work together or even do, do something on a replating Bill that would attempt to address this, it would not be onerous to people who really are law abiding. They just are either out of town, they may have just forgot. They're not trying to break any rules or regulations, they're just, they're just gone. So, I appreciate your commitment to address it in the Senate. I

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still have some, some grave concerns."

Fritchey: "All right, but with respect to replating, let me just bring two issues from his concern. Even if we do replating, as of right now that is not going to address the myriad of speciality plates that are out there right now, the peace plates, et cetera, et cetera. And that will only, the replating will address this situation on a onetime fix. Then once people fail to renew those new plates, then we're back in the same situation again. I know that there's been mention on the Senate side that this Bill and some type of replating package may ultimately be tried to worked into together. Because this is pumping money into the Road Fund that could potentially be used to offset any replating costs. And I think that's part of the thinking that's going on on the other side of this building."

Hoffman: "Thank you, Representative. I just felt it was my obligation to point out to the other Members some of the concerns. Thank you."

Fritchey: "I appreciate it."

Speaker Hartke: "The Chair would like to recognize the Treasurer of the State of Illinois, Judy Baar Topinka, is on the floor. Further discussion? The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker and Republicans, especially, I'd like to bring you back to a philosophical, the philosophical point of debate on this issue. The Democrats think all the money belongs to the government and when they give a tax, a tax cut, they call it a tax expenditure. This is very similar to that. All, all the vehicle registration money belongs to the state. The next thing they're going to be saying is the car belongs to the state. If you don't register that

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car on time, this Bill only says you have to pay a penalty. Next time, they'll probably want the car. I urge you all to vote 'no'. Let the, the Democrats want to vote for this fee increase Bill, which will affect some of us, because I'll lay you odds everybody on this House Floor doesn't pay their license by whatever time our term is up and our new term begins in January. Vote 'yes' and then when you have to pay the extra \$48 you can thank yourself."

Speaker Hartke: "Further 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.: "Representative, when you first began presenting this Bill several minutes ago, did I understand you to say that this is an initiative to of the Secretary of State?"

Fritchey: "Yes."

Turner, J.: "And the Secretary of the State of Illinois supports this initiative?"

Fritchey: "He came to me with the idea and asked me to, to run the Bill for him."

Turner, J.: "It's his idea to put this penalty on people who innocently don't decide to renew their registration or decide to delay it for a few months past the 45 days."

Fritchey: "Absolutely not, I mean, I think I've said three or four times now. The last thing they want to do is go after innocent noncompliers and they presently and will continue to address those situations that people contact the Secretary and saying, 'This is why I'm not renewing right now. I'm not going to be operating the vehicle ba da da da, for whatever reason', that those people are not presently prosecuted and will not be going, will not be going after them now. We have, John, we have hundreds of thousands of

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cars that do not fall within that category. These are cars that are being operated everyday and draining revenue from the state. This is a means of, hopefully, not even having people be late because the people that are presently late will pay on time so they don't have to have this, the penalty fee."

Turner, J.: "Well Representative, you say that you don't want to go after the innocent non complier, but your Bill does that, does it not?"

Fritchey: "It creates a grace period that presently doesn't exist under the law. It, the Secretary presently addresses and takes in requests for exceptions and as I've said, I've got a commitment from Secretary, from one of Secretary White's staffers that they will put language on if need be to address this exact concern over on the Senate side. You know, we're down to the last couple of days. It's the Senate that came up with the Amendment to the Bill, as far as the distribution of the funds. They want to see this Bill go forward. I'd like to see the Bill go forward. If we could put language on the other side, we'll put the language on and it's going to come back here and if that language isn't satisfactory, we'll deal with it then."

Turner, J.: "Well, this Bill, you're right it's not satisfactory the way it's drafted. There's no requirement under the law for someone to buy a registration if they don't want to purchase a registration for a vehicle and they're not going to drive that vehicle, is there?"

Fritchey: "Correct."

Turner, J.: "And nevertheless, you're going to penalize these people by putting on this additional fee and I don't understand how that could possibly be something that the Secretary of State of Illinois would want to impose upon

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these constituents throughout the entire state."

Fritchey: "A vehicle that is not required to be registered now, would not be required to be registered under this Bill. It is not, it is not illegal and would not be illegal to own an unregistered vehicle. It is illegal to operate an unregistered vehicle."

Turner, J.: "Well, just to the Bill."

Speaker Hartke: "To the Bill."

Turner, J.: "I think the Representative has acknowledged, excuse me Mr. Speaker?"

Speaker Hartke: "To the Bill."

Turner, J.: "To the Bill. I believe that the Representative has acknowledged that the Bill is flawed. He's heard from people on his side of the aisle, certainly you've heard from many people on this side of the aisle. This Bill penalizes people for something that is not wrong in the first instance. I can't imagine how anybody on this floor could support this measure and I urge a 'no' vote."

Speaker Hartke: "The final person seeking recognition, the Chair recognizes the Gentleman from Cook, Representative Murphy. Representative Harold Murphy."

Murphy: "Thank you, Mr. Speaker. I stand in behalf and support this Bill. I've heard several arguments here on the floor today as it relates to penalizing people who, who have antique cars and those who have convertibles and of course those who just store their cars and some people that leave for vacation to the warm states during the wintertime. However, I think the intention of this Bill is very good. I support it based on the intent. I think if we pass this Bill out here, out to the Senate we could make all kinds of adjustments as it relates to, to addressing those issues so that innocent people would not be penalized. But, let me

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just share this with you. We have a big problem with the Road Fund right now and I believe the Secretary of State is trying to address that. And we have all the potholes and all this kind of thing on the highways and that we often complain, but there's no money there. Now, I can tell you there are people who take advantage of this situation and as several ways you could take advantage of this situation and one of them would be just don't register your vehicle. Register one if you have more than, more than one vehicle, transfer the plates or go in for lost plates and tag them on. And think this is what the Secretary of State is trying to eliminate. Remember if you have more than one vehicle, more than one vehicle, then what happens a lot of people buy plates for one vehicle turn around and buy replacement plates and put it on the vehicle they never registered in the first place. And so, and so to avoid that and to make sure that we have enough money in the Road Fund, the Secretary of State is trying to prevent these kinds of things from happening. So, I would urge all my colleagues to vote 'aye' and whatever has to happen to this Bill to correct it, we can take care of that in the Senate and vote on the intent of the Bill. Thank you."

Speaker Hartke: "Representative Fritchey, to close."

Fritchey: "Thank you. It is not the..."

Speaker Hartke: "For what reason does the Gentleman from Madison seek recognition?"

Stephens: "To address the Bill. Are we okay?"

Speaker Hartke: "Representative, Representative Stephens, this Bill was moved to Standard Debate, there were seven individuals who addressed this Bill and I announced Representative Murphy would be the last debater."

Stephens: "Standard Debate is not limited to seven."

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Speaker Hartke: "Your light was not on when I announced that Representative Fritchey, to close."

Stephens: "Mr. Speaker, to the, to your ruling. When did you say my light was not on?"

Speaker Hartke: "When I recognized Representative Murphy I did not see your light."

Stephens: "Is the, is the rule of debate that you can, may only seek recognition before the last person that you recognize is recognized?"

Speaker Hartke: "Representative Stephens,..."

Stephens: "I would not know if his light was on or not."

Speaker Hartke: "...this Bill was moved from Short Debate to Standard Debate and that allows for seven people to address the issue. Seven people did address that issue. We've had the Standard Debate. I announced Representative Murphy would be the last person seeking recognition and then I went to..."

Stephens: "Mr. Speaker, your ruling is very clear and I understand it. I just wish that, I would just ask that you and future Speakers just recognize that we maybe seeking recognition and you might have noted that and that's all I ask. You've been very fair in your ruling and I appreciate your clear explanation. Thank you."

Speaker Hartke: "...For what reason does Representative Cross seek recognition?"

Cross: "I guess for the future, Mr. Speaker. I'm just curious how are we to know when the last light is on, so we don't get into this situation again?"

Speaker Hartke: "Well, if you count the number of individuals that are seeking recognition, I think I'm trying to put it from both sides of the aisle, so we all have an opportunity to discuss this Bill. The Bill was on Short Debate, it was

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requested by you to move to Standard Debate, which I did."

Cross: "Right and I, and I, Mr. Speaker, I appreciate that. But I'm concerned about not getting into a situation like Representative Stephens did where it's obvious that this Bill means a lot to him and he wanted to ask some questions, wanted to debate on this Bill. And we're trying to make a decision, we don't want to do something hastily as to whether or not we're going to ask questions in support of this Bill or not be in support of this Bill. And I just need some guidance from the Chair so all of us on this side of the aisle can find out how we're going to proceed in the future and if you could spend a little time with me letting me know where we are I'd appreciate it."

Speaker Hartke: "Okay, well, we'll try to accommodate you."

Cross: "I mean can we do that now, Mr. Speaker."

Speaker Hartke: "We'll try to accommodate you."

Cross: "But what do you suggest we do if the next Bill comes up and we have a problem?"

Speaker Hartke: "I will... when we have seven Members seeking recognition I will announce those seven and we'll go from there."

Cross: "Are we then going to also be told who's for and who's against a Bill before, so we can have some idea where we are in the process and so we don't lose an opportunity to speak?"

Speaker Hartke: "We will try to keep you advised. Representative Fritchey, to close."

Fritchey: "Thank you, Speaker. There are a lot of valid issues raised on this Bill. As I've said, this is not an intention to go after innocent, noncompliers. This is an intention to get the people that are operating their vehicles on the back of the rest of us that do pay on time."

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We have the ability to put millions of dollars into the Road Fund, into literacy programs here. I've got a commitment from the Secretary of State's Office, we will try to work on this on the Senate side. We need to move this forward so we can do this. Seeking a late fee in this is no different than number of other agencies and companies that have late fees for when you don't pay on time. On behalf of Secretary White and myself I request an 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall House Bill 1707 pass?' All those in favor of this legislation will 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 1707, there are 44 Members voting 'yes', 63 Members voting 'no', 6 Members voting 'present'."

Fritchey: "Postpone."

Speaker Hartke: "I'm sorry Mr. Fritchey, you do not have the required number of votes to seek postponement consideration. Six Members voting 'present'. And this Bill having failed to receive the Constitutional Majority is declared lost. On page 42 of the Calendar, appears House Bill 1874, Representative Klingler. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1874, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Klingler."

Klingler: "Thank you, Mr. Speaker. This Bill was brought to me by the police chiefs of a couple of the small municipalities in my district. What they're asking for is a license plate that would indicate that their municipal police further identify them as official police cars. This

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measure was, the Amendment changes to be effective with the 2001 registration year because the 2000 plates already had begun to be made. The police indicated that this is important as one additional tool for motorists to understand who would be making a legitimate traffic stop. And I'd appreciate your support."

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

Howard: "Yes, Mr. Speaker, thank you. I rise on a point of personal privilege."

Speaker Hartke: "State your point."

Howard: "Yesterday I was overjoyed when this Body, along with other Resolutions, approved of House Resolution 153. It is a congratulatory Resolution for members of my sorority who are here in Springfield today. Let me just, for those who did not know about the contents of the resolution, read very quickly. 'Whereas Alpha Kappa Alpha Sorority Incorporated was founded in 1908 as the first sorority established by African American College Women and whereas Alpha Kappa Alpha is an international organization with over 200,000 undergraduate and alumni members and whereas Alpha Kappa Alpha itself is an organization with a commitment to promoting education, healthy minds and bodies, family unity, economic development, political empowerment, cultural heritage, and the arts. And whereas Alpha Kappa Alpha members who have distinguished themselves individually include Rosa Parkes, Coretta Scott King, Hazel O'Leary, Maya Angelou, Toni Morrison, Ella Fitzgerald, Felicia Rashad, Zena Garrison, and Illinoisan, Linda White, international president-elect of Alpha Kappa Alpha. Therefore, be it resolved by the House of Representatives of the 91st General Assembly of the State of Illinois that

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the Members of this Body in recognition of the achievements of the members of Alpha Kappa Alpha Sorority and the values to which they stride do proclaim Wednesday, March 24, 1999, as AKA Day throughout this State of Illinois. And be it further resolved that a suitable copy of this resolution be presented to Linda White, international president-elect of Alpha Kappa Alpha.' My colleagues please help me to welcome members of my sorority from across this state in the Speaker's Gallery. Thank you so much."

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

Delgado: "Actually, Mr. Speaker, I rise on a personal privilege."

Speaker Hartke: "State your point."

Delgado: "I want to introduce the Executive Director of the West Humboldt Park YMCA Street Intervention Program, who has joined us, also, Mr. Kenneth Ruiz, who is here from Street Intervention and the YMCA. Thank you, Mr. Speaker."

Speaker Hartke: "Seeing that no one is seeking recognition in opposition to House Bill 1874...the Chair recognizes the Gentleman from Madison, Representative Hoffman."

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

Speaker Hartke: "She indicates she will."

Hoffman: "Representative, what's the current status with regard to these plates?"

Klingler: "The current status for as far as the municipal police is there are no plates for municipal police. The Amendment, which removed the objection of the Secretary of State, would allow such plates to be issued beginning the 2001 year."

Hoffman: "So, currently, there are municipal plates, however, are they charged a fee each year?"

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Klingler: "No, there are, there are no plates which indicate municipal police on the plate."

Hoffman: "Okay, these are just from municipal police?"

Klingler: "That's correct."

Hoffman: "It's my... what, now they would get 'M' plates? I mean municipalities, I think the ones..."

Klingler: "Correct, that's right. Correct, there are, there are..."

Hoffman: "... 'U' plates, 'U' plates, it would be a 'U' plate or okay. So, currently they would get 'U' plate. Now this would say a specific one for police?"

Klingler: "...That's correct. Instead of simply the general 'M' plate it would be State Police and the argument that they make is beginning in 1991 vehicles owned by the county sheriffs' and deputy sheriffs' have such designated license plates. And they felt that this would be an additional identifier to the average citizen to know that this was a law enforcement officer."

Hoffman: "So, the only concern, I guess that I would have is, is right now I assume that there are certain types of fees that go along with, with municipal plates for police officers. And are you getting rid of those fees and then saying it's going to be a onetime \$8 charge?"

Klingler: "No, that, that is the existing fee and that would remain. There is no change in that."

Hoffman: "So, the,... this won't cost our Road Fund any money by doing this?"

Klingler: "It would be the same fee that has been there correct and it would not affect the Road Fund."

Hoffman: "Okay, thank you, Representative."

Klingler: "Thank you."

Speaker Hartke: "Further discussion? This Bill is on Short

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Debate. The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Can we have a modicum of, can we have a modicum of quiet in the chamber? Thank you. Representative, this is a very interesting Bill and I'm always amazed at the irony that we are in, that we get ourselves into here. I think it was in Monday's paper all of the, the various police organizations throughout the State of Illinois and I tend to agree with them said we have to do something about the proliferation of license plates in the State of Illinois. There are hundreds of them and police officers can't always distinguish between all the license plates that we've created. And now here is the ultimate irony, the police come in and want a special license plate. Now, that is the ultimate irony of all. What's wrong with the permanent registration plate that they get now? It's an 'M' plate, a municipal plate. They've had them for as long as I can remember. Why is that no longer adequate?"

Klingler: "Representative, the concern is a public safety concern and the fact that not all municipal police cars are, in fact, striped to indicate that they are police cars but, sometimes the lights would be put on when they are making a stop. We've had situations where persons have tried to impersonate police officers with attaching lights on the car. This will again be one additional measure for a citizen to look and if they could see this was a municipal police car might give an additional degree of assurance to them that this was a legitimate stop."

Black: "Well, now let me, let me understand this. This is not for their personal cars, correct? This is for a police vehicle owned by a municipality, correct?"

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Klingler: "That's correct."

Black: "They already are marked. They are 'M' plates. Now, if the department so chooses they can have a 123, ABC plate on an unmarked car, but I have never seen a marked police vehicle that did not have an 'M' plate, a municipal plate. I don't know what, what are they asking for?"

Klingler: "Representative, the 'M' plate could refer to anyone in the municipal government, be it a public works official, anybody in the administrative office of the municipal government. And this would be to specifically identify those who are the law enforcement officers. Again, this is something that the sheriffs have and this is supported by the Sheriffs' Association, the Fraternal Order of Police, the Association of Chiefs of Police, as something that would be important, again to let the citizens know that this was a official police car, not simply a general municipal car."

Black: "Thank you, Representative. Mr. Speaker, to the Bill, as difficult as it may be with the noise level. This drains,... I mean the incredulity of this just absolutely blows my mind. On Monday, and I don't remember the Legislator who was quoted in the paper as saying that, 'I'm going to work with all of the police agencies in the State of Illinois because we have to do something about the proliferation of special license plates in the State of Illinois.' And then two days after I read the article here comes a Bill to make a special license plate for police cars, at the same rate that they already get a municipal plate. And for years if they want an unmarked car the license plate can be anything the city or the police department wants. Now they want a special plate designated for police. I can see it now, the license plate will be in

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the shape of handcuffs or a night stick. I, the... you know, nobody supports the police officers anymore on this floor than I do and I, nobody's talked to me about this plate. I haven't heard from any of my police entities back home. But all I know is there was this huge article about the police were concerned about the prolif... awe the heck with it, too many license plates and then two days later they come in and want their own special license plate, not for their personal car, but for the city-owned police car that is already easily identified by a municipal plate. I don't understand this at all and I intend to vote 'no'."

Speaker Hartke: "Ladies and Gentlemen, this Bill is on Short Debate. Please, there are 7 people seeking recognition. Would you like to move it to Standard Debate, Representative Rutherford?"

Rutherford: "Yes."

Speaker Hartke: "Your request is honored. Would staff please retire to the rear of the chamber? Let's cut the noise here of the room, please."

Rutherford: "Mr. Speaker,..."

Speaker Hartke: "Staff, would staff please retire to the rear of the chamber? Please. Representative Rutherford."

Rutherford: "...Mr. Speaker, thank you. I will keep this brief. I was the original Sponsor for the universal charitable license plates to help cut down on the proliferation of special plates in this state. Since that Bill has become law I have never voted for a new special license plate in the State of Illinois. But I stand in support of Representative Klingler's legislation. This is not a special plate with doves or cardinals or anything else fancy and pretty on it. This is a special license plate specifically requested by law enforcement for the specific

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use on their law enforcement vehicles, not on their personal cars. This is a plate specifically to help them have the, the person that may be stopped identify them, whether it's a marked or unmarked car as a municipal police officer. I believe this is a matter of public safety and I stand in support of Representative Klingler's Bill."

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

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

Speaker Hartke: "The Sponsor will yield."

Klingler: "Yes."

Murphy: "Representative, could you tell me the opponents and proponents on this Bill, please?"

Klingler: "At this point the proponents are the Southern View Police, the Leland Grove Police. These are small municipalities within my district. The Illinois Association of Chiefs of Police, the Illinois Sheriffs' Association, the Illinois Fraternal Order of Police and the City of Chicago. The Secretary of State has withdrawn it's opposition because we changed the year to 2001 and not 2000."

Murphy: "So, there are no opponents? There are no opponents to the Bill?"

Klingler: "Originally IDOT had filed an opposition, but I believe that because of understanding that the fee would be paid that I don't believe that continues. That would be the only one if it's still there."

Murphy: "Okay. You don't know how the Secretary of State stands on this Bill?"

Klingler: "The Secretary of State is for the Bill, since we did the Amendment yesterday, which moved the effective date from the year 2000 to 2001."

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Murphy: "Thank you very much."

Klingler: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from St. Clair, Representative Holbrook."

Holbrook: "Thank you, Mr. Chairman (sic Mr. Speaker). Ladies and Gentlemen, this is a matter of public safety here. Our state police cars, marked and unmarked, have special plates designated as state police. Our county cars, our sheriffs' cars have special plates for their marked and unmarked cars. This has been requested by law enforcement in the State of Illinois, many areas that their marked and unmarked cars have special plates. It's a matter of public safety. Let's be safe. Let's give the general public a little bit of identification on these people when they're pulled over. Thank you, I'd urge an 'aye' vote."

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

Fritchey: "Thank you, Speaker. I rise on point of personal privilege. The last thing I'm going to do..."

Speaker Hartke: "State your point."

Fritchey: "...is get up and speak on a License Plate Fee Bill. Mr. Speaker, Ladies and Gentlemen of the chamber, if I have your attention, I'd like to welcome some very special guests that we have sitting in the Speaker's Gallery today. For decades now, the Red Cross symbol has been a sign of help and aid in times of disaster. We have a group of chapter executives, volunteers, and board members that have traveled a good deal to be with us today. I'd like to take this opportunity to ask the Members of the House to join me to thanking, in thanking the American Red Cross for their rapid response in disasters wherever they may occur. And especially for their rapid response and crucial assistance

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in the recent train disaster in Bourbonnais. Members,
American Red Cross in the Speaker's Gallery."

Speaker Hartke: "Welcome to Springfield. The Chair recognizes
the Lady from Cook, Representative Shirley Jones."

Jones, S.: "Yes, will the Sponsor yield?"

Speaker Hartke: "She indicates she will."

Jones, S.: "Yes, Klingler, could you tell me, now on my Amendment
it states here that the opponent is Secretary of State and
IDOT. Could you tell me what, why did they..."

Klingler: "The Secretary of State originally opposed the Bill
because of the effective date of the year 2000.
Apparently, the Secretary of State's Office has already
begun manufacturing the 2000 license plates. So, they
requested that we delay it by one year, to 2001. We did a
Floor Amendment yesterday which changed that effective date
and that removed the opposition."

Jones, S.: "...So, the Floor Amendment that I have on my computer
now is not the, the exact, I mean, the right Amendment?"

Klingler: "The Floor Amendment we passed yesterday and that was
to change the date from 2000 to 2001. We adopted that
yesterday."

Jones, J. "Right, you adopted it. In the Amendment that I have
here it does say 2000 to 2001, but still on that same
Amendment it has the Secretary of State, IDOT opposes."

Klingler: "I do not know about IDOT, but I have talked with the
Secretary of State's liaison and they indicate that if we
had made that date change that they would not oppose the
Bill."

Jones, S.: "Okay. I just hope someone is on the floor from the
Secretary of State so they can clear this up with me.
Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the

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Gentleman from Logan, Representative Turner."

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

Speaker Hartke: "She indicates she will."

Turner, J.: "Representative, a couple of the Representatives have said this is a safety issue. I'm trying to follow that line of reasoning. Can, I don't think you actually said that, but I know others have. What are they referring to when they say this is a safety issue and why is this a safety issue?"

Klingler: "Again, if you could see that a car is about to try to make a stop perhaps with a light and it was an unmarked car, but if it said municipal police or it said Sheriffs' Association or Deputy Sheriffs' as those license plates already occur. Again, it would give the person being stopped reason to know that that in fact was an official car."

Turner, J.: "Well, does it only apply to municipal police officers or does it apply to cars for other agencies as well, other police agencies?"

Klingler: "No, this is only municipal police officers. The sheriffs already have this license plate indicating that they are sheriffs."

Turner, J.: "What would the, what would the plates say?"

Klingler: "The plates would say Municipal Police at the bottom."

Turner, J.: "What if you have an undercover municipal officer? For example, on the task force, drug task force or something, it looks like that the language is mandatory. What if, what if they're doing an undercover type of operation? Do we want to mandate that they have Municipal Police on their license plate?"

Klingler: "No, that would not refer to that type of vehicle. But again, they're vehicles that the police use in the official

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line of duty that, that they feel that right now have an 'M' plate which could simply indicate any department, such as public works, within the city government. And this would specifically let those observing the car know that this was in fact a police or a law enforcement car. Just as they would also know if a car were a sheriff's car, belonged to the sheriff's department."

Turner, J.: "Okay. So, in my example then, there's an exception in the Bill for police cars from municipalities that are used in undercover operations?"

Klingler: "That's correct."

Turner, J.: "All right. I, I don't see it in there, but I'll take you at your word then. For state police car vehicles, are state police cars marked in such a fashion? Because if this is a safety issue, it would seem to me that all, if indeed it is a safety issue, all police cars should be marked."

Klingler: "Yes, they are. The state police do have such a mark. In fact, the municipal police are the only law enforcement agencies that do not have such identifying license plates and this is why they requested, requested that to be consistent with other law enforcement groups."

Turner, J.: "And is the language mandatory? In other words, if we pass this, do all municipalities have to comply?"

Klingler: "The language said that 'these shall available', it doesn't say that municipalities have to get them. Again, the local officials are the ones that requested this, especially, the smaller towns wanted to be able to have an identifier for their cars. It does not say they have to get one."

Turner, J.: "Okay, so it's permissive then and a municipality may decide that they don't want in their municipality to

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purchase these special plates?"

Klingler: "That's correct."

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

Speaker Hartke: "The last person seeking recognition is Representative Bost from Jackson County."

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

Speaker Hartke: "She indicates she will."

Bost: "I just, I just want to go on the same line that Representative Turner was. When you say that, that there's not a special plate now for police officers, is it not true that all municipal plates are marked 'M' and then whatever number it is?"

Klingler: "That's correct."

Bost: "Okay. With that line of thinking then, can you main, or can you receive a municipal plate without being a municipal government? Can you get a plate that looks like a municipal plate without being a municipal government?"

Klingler: "I suppose any plate could perhaps be designed to it. Are you saying could a municipal plate be impersonated, is that your question? I don't..."

Bost: "Well, not even impersonated. What I'm saying, right now municipal plates are issued to municipalities. So, police cars are marked with specific plates in a municipality, now. They might match the, they might match the utility trucks. They might match the water commissioner's car. They might match whoever's vehicle is a municipal plate. However, they are marked and whenever many of the Representatives stand up and say, 'Well, it's a safety issue.' If you are going to take the time, as a, as a citizen when you're pulled over by a police officer and I don't know how many people do, to actually look at the license plate when you're being pulled over, to make sure

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for safety purposes that it is a police officer. Isn't it just as easy to look and see that it's a municipal plate? And based on that, that it would be, they would be safe in being pulled over by that vehicle because it is a municipal plate."

Klingler: "Well, Representative, a city employee that drives a car with a municipal plate does not have the authority to make, to make stops and to pull over people."

Bost: "I'm not saying that. But, right now our police officer, police cars are marked with municipal plates. Therefore, they have specific plates that do identify them as police cars or as property of a municipality. Based on that, the safety argument goes out the window. It can't be a safety argument if they have specific plates now that identify them as a municipal vehicle."

Klingler: "I don't think the argument goes out the window because someone who works for the city utility or public works has no business again to pull someone over. But again, in addition Representative, if I can continue if this car is, say for instance, parked in a downtown square area and the officer is perhaps sitting inside and writing down information. If a person were concerned about something and they saw this car with the license plate indicating municipal police, they would know that's someone they could go to for, for law enforcement help. Whereas, if it were simply an 'M' plate that might, that could be a meter reader. It could be a public works person. It could be a health department official. Again, I think the law enforcement responsibilities are much more expansive than those of the others within the municipalities."

Bost: "Well, Representative, I have to agree with many of the other speakers on the floor here today that, I think this

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legislation is, is questionable at best, because right now we can identify police cars. We can identify the ones that need to be identified. Either they have lights or they have the municipal plate or there's some marking and the extra cost in a place where unfortunately we just move the decimal point around, the extra cost, I feel like, is not as large of a benefit as the claims to safety here. And I can not support your Bill."

Speaker Hartke: "Representative Klingler, to close."

Klingler: "Thank you very much. We've had certainly a very good debate and full debate on this issue. Again, this Bill was brought to me by two smaller municipalities within my district and other law enforcement officers from other municipalities throughout the state support it. They feel that this is a public safety issue, that it would help the average citizen to know what is the police car and who would perhaps be a safe person for them to, to contact in times of danger or concern. I would urge support for this Bill on behalf of the municipal police."

Speaker Hartke: "The question is, 'Shall House Bill 1874 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? Have all voted who wish? Mr. Clerk, take the record. On House Bill 1874, there are 81 Members voting 'yes', 25 Members voting 'no', 8 Members voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. On page 42 of the Calendar, appears House Bill 2021. Representative Feigenholtz. Take that Bill out of the record. On page 40 of the Calendar, appears House Bill 1232. Representative Hamos. This Bill's on Short Debate. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 1232, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Hamos."

Hamos: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Session we have talked a lot about child support and about delinquents who refuse to pay child support. This Bill is about, usually fathers, but noncustodial parents who do in fact pay, but the money is not received by their children. Under the current law, if a person is on TANF, on welfare, they are required to cooperate with the child support system. However, if child support starts to come in, they receive only \$50 and that's called a 'pass through'. Last year all of these noncustodial parents in TANF cases sent \$88,000,000 to the state government in child support. Their families received only \$10,000,000. They sent in \$88,000,000 and they received only \$10,000,000. The children received only \$10,000,000. House Bill 1232 changes that formula. Under this Bill two out of three dollars collected would be received by the family. This is exactly the same formula we used when a TANF family works, two out of three dollars in earnings is kept by the family. With Amendment #3 that we adopted just a few days ago, we are applying this Bill only to families that are in fact working. So, families who work and receive child support and then receive a much smaller reduced TANF grant. The fathers will have an incentive under this Bill to participate because their children will be receiving their child support. The mothers will become self-sufficient sooner and we hope will get off of TANF. And of course, the children will be the real benefits of this Bill. And I ask you for your

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favorable support."

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

Lyons, E.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in strong support of this legislation. And I must commend the Sponsor of this legislation, as a freshman to come down here and make a dramatic difference in public policy. Right now, there are disincentives to the system and this is a dramatic change in our public policy, so that we can help those families who are involved in child support, but also in the, the Work Pays Program. I think this is a limited effort and we are trying to help those who are cooperating with the state. As I said, there are disincentives in the system and what this will do is help those who are trying to help themselves. And I urge a very strong 'aye' vote."

Speaker Hartke: "Does anyone stand in opposition to this Bill? Seeing that no one is seeking recognition, the question is, 'Shall House... the Chair recognizes..., the question is, 'Shall House Bill 1232 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 1232, there are 105 Members voting 'yes', 10 Members voting 'no', 0 voting 'present'. And House Bill 1232 having received the Constitutional Majority is hereby declared passed. On page 43 of the Calendar, appears House Bill 2647. Representative Zickus. This Bill is on Short Debate. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2647, a Bill for an Act concerning regulated professions. Third Reading of this House Bill."

Speaker Hartke: "For what reason does the Lady from Lake,

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Representative Andrea Moore, seek recognition?"

Moore: "Thank you, Mr. Speaker. It's just a point of information. Is the electrician here, because there is some difficulty with some of the switches?"

Speaker Hartke: "The electrician see Andrea Moore at her desk. Representative Zickus, present your Bill."

Zickus: "Thank you, Mr. Speaker, Members of the House. House Bill 2647 contains the rewrite language for the following Acts that are scheduled to sunset December 31st of 1999. That would be the Professional Engineering Practice Act, the Structural Engineering License Act, the Illinois Architecture Practice Act and the Illinois Professional Land Surveyor Act. The professions makeup the design professions as provided in the, for in the Civil Administrative Code of Illinois. And the associations that worked on this are the Illinois Society of Professional Engineers, America Institute of Architect Structural Engineer Associations and Professional Land Surveyors. Everyone has worked on this, there is no opposition to the Bill and I ask for a favorable vote."

Speaker Hartke: "Is there anyone standing in opposition to this Bill? Seeing that no one is seeking recognition, the question is, 'Shall House Bill 2647 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 2647, there are 115 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill having received the Constitutional Majority is hereby declared passed. On page 40 of the Calendar,... on page 43 of the Calendar, appears House Bill 2752. Representative Schoenberg. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 2752, a Bill for an Act to amend the Illinois Highway Code. Third Reading of this House Bill."

Speaker Hartke: "This Bill is on... out of the record. On page 43 of the Calendar, appears House Bill 2379. Representative Silva. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2379, a Bill for an Act concerning nutritional services for children. Third Reading of this House Bill."

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

Silva: "Thank you the opportunity to come before you and request that you vote 'aye'. Essentially, what the Bill does it expands the free breakfast and lunch summer program for the children of Illinois. Currently, the national average for participation by schools in the State of Illinois, is at the 49% level, out of 50 states. Only 19% of Illinois' children receive free lunch and also the summer food service program. Low-income children throughout the State of Illinois can benefit from this. And I would encourage you to vote 'aye'. I'm available for any questions."

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

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. To the Bill."

Speaker Hartke: "To the Bill."

Black: "This Sponsor is as well intended as anybody could possibly be by her sponsorship of this Bill. My wife is a school teacher and she goes to school every morning about ten of seven, because she monitors the breakfast program that is offered at the elementary school where she teaches. But I want all of you to focus this is one of these Bills

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that is no easy to vote against, because it's a 'feel good' Bill, and if you read the synopsis, it would make somewhat, I think, good sense. But the fact is, and in all due respect to the Sponsor, who's very well intentioned with this Bill, it creates a mandate on every school district in the State of Illinois to create a breakfast and summer school, summer food service program. That may be a very laudable goal. I would simply submit to you, that it is not in our purvey to mandate that every school in the State of Illinois, assuming that federal funds are available, and that's an assumption, must offer a breakfast program and a summer food service program. Some of our schools are not open and available during the summer. There would be no staff there to take care of the meal preparation and distribution. This is one of those Bills where if we just wanted to sit down and say, 'Oh, the heck with it', would get a 117 a 118 votes. But unfortunately, we're also sent here on occasion to look at something and say, 'How would it be run? How much would it cost? Who will foot the Bill? Who will staff all of these setters?' And last but not least, we must ask the question, 'How many mandates, functions, noneducational related, do we want to put on a public school system that is already overburdened and in many cases, struggling actually to pay their bills and keep their doors open.' A most laudable goal, a most well-intentioned Sponsor, but Ladies and Gentlemen, if some of you have a problem with mandates, this creates a statewide mandate that I do not think we should, #1, create, nor #2, could in all honesty, be carried out throughout the State of Illinois. I would urge a 'no' vote."

Speaker Hartke: "The Chair recognizes the Gentleman from

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Whiteside, Representative Mitchell. This Bill is on Short Debate."

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

Speaker Hartke: "She indicates she will."

Mitchell: "Representative Silva, do you view this as a mandate to school districts for summer school lunch programs?"

Silva: "Representative, there's also a provision there, that if the school district or the school cannot provide that, they can indeed work with a not-for-profit group, church, community-based organization. They may want to do that."

Mitchell: "But if they don't have groups that would want to work with them in a summer school program and they have requests that they run the prog... even if there's not summer school. According to our analysis, school districts will still be obliged to run the summer school lunch program and breakfast program if they have 40% of their students that qualify for free and reduced lunch.

Silva: "Well, it would seem..."

Mitchell: "That means that now, if they have to have the program, does that mean also that they have to notify the students they have to come to school to eat breakfast and then get home? And whose responsible (sic-responsibility) is it to get them there and get them home?"

Silva: "I think that anyone that's reasonable, would understand that if in fact, people chose not to utilize that, that they would not do that. I also think that if... when you're talking about 40% of the children who are in need and who are hungry, it would seem to me that that school district would make every effort to work with a community-based organization to provide that service. And I would also contend that there is literature that links

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directly, children being hungry and being unable to learn. If you're worried about being hungry when you're in school, you're not going to be at your best and you're not going to be at that potential."

Mitchell: "Well, Representative, I read that same literature and I don't disagree with that literature. However, this Bill simply says that you have to have a free lunch program and a breakfast program even when there's not school. So, learning's not even going to come into it. If you had enough families that thought that was a good idea and went to a local church, you have obligated that school district to have these programs even though everybody's home for the summer. They're going to have to hire help to come in because they can't count on volunteers, school districts know that. The concept is good, but the way this is written and the mandate that it puts on our local schools, is going to be a burden. I just can't see how this is going to work even though what you're saying applies to the regular school year and that does make sense. And many of the districts that I'm in, in fact, where I was superintendent, we tried a breakfast program. We sent out information to the parents. We tried to get them there, and we had less than 5% of the students that would show up for breakfast. We had a lot of waste. We had a lot of cost, because no one was there."

Silva: "Well, I could tell you that if you had only 5% of the people that were interested, maybe the income level is not there in your particular area, but there are areas in Illinois, whether they're in the inner city, in rural Illinois, Central or Southern Illinois, where these kids can benefit."

Mitchell: "Representative..."

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Silva: "Let me also remind you that there are some summer school programs that... and there are schools that are open during the entire year."

Mitchell: "Representative, that summer school... that breakfast program was tried in the poorest school in my district, and the free and reduced lunch rate was well over 60%, yet the students still didn't come for breakfast. Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Mitchell: "This is as Representative Black said, is a laudable concept. But the way this Bill is crafted, puts a undue burden on our already over-burdened school districts. You can't sit in Springfield and decide which districts need a program, which districts do not, and since we can't decide that, then we say, 'well, then' all of them have to have it.' You have to look at the areas. If the Representative's district... she had needs in her district, she needs to look at that and not try to dictate to every school district. I stand along with Representative Black and recommend that this get a resounding 'no' vote."

Speaker Hartke: "Further discussion? This is on Short Debate. The Chair recognizes the Gentleman from Kane, Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. Sponsor yield?"

Speaker Hartke: "Sponsor indicates she will yield. Would you like to move this to Standard Debate?"

Hoeft: "I think that it is important enough that we would like to do that if you would be so kind."

Speaker Hartke: "This Bill will move to Standard Debate. Next is Hoffman and Monique Davis. Representative Hoeft."

Hoeft: "Thank you. Representative, to get some of the nitty-gritty. Transportation is a requirement in the State

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of Illinois. Would a school district be responsible for transporting students to and from this program?"

Silva: "This Bill does not speak to transportation."

Hoeft: "Fine, I'm not asking if it speaks or it doesn't. I'm saying, will the school districts be required to transport?"

Silva: "According to this Bill, no."

Hoeft: "Okay. I need to know if a building is open and a program is provided in most of Illinois, outside of Chicago, the students have a distance to go. And school districts are required to transport children to and from program. Is this... can you make a definitive statement, school districts will not be required to transport?"

Silva: "This Bill does not require any transportation."

Hoeft: "I know your Bill doesn't. My question is will you... is it your intent to have transportation included?"

Silva: "No."

Hoeft: "Okay, now, you're discriminating against the kids who are within walking distance and those kids that are far out. So, there are certain children in their schools that will have the capacity to do this, and a vast majority of the children who will be unable to do this. You're talking about transporting for breakfast and lunch?"

Silva: "This Bill does not address transportation."

Hoeft: "Is this for breakfast and lunch?"

Silva: "This Bill talks about the expansion of breakfast and lunch, yes."

Hoeft: "Fine. What are the kids gonna do then in between breakfast and lunch? They've come eight miles to the school to get breakfast, are they gonna go back to their house and then come back to the school? Are... is the school responsible for the students in between the period?"

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Silva: "No."

Hoeft: "Then what are they gonna do, if in fact, this is a area where they are transported beyond the mile and a half limit?"

Silva: "Representative, this Bill talks about the lunch program, the breakfast program, does not address the issue of transportation."

Hoeft: "I think the Bill addresses a goal and a desire for us, but it doesn't address the things necessary to make it successful. This has huge implications in terms of mandates. Mr. Speaker, a question. Is this an unfunded mandate? Is the mandates note applicable here?"

Speaker Hartke: "We will check with the Parliamentarian."

Hoeft: "Secondly, do you realize that the school lunch program, the State and Federal Government only cover a portion of the cost of the school lunch program? And that this could drive many school districts in the State of Illinois into real financial distress. Is this going to cover 100% all local costs?"

Silva: "I would disagree the way that you've defined that. In fact, the Illinois Hunger Coalition estimates that for every dollar spent, the federal return is eight dollars."

Hoeft: "The Federal Government is going to give considerable amount of high percentage of the funds. But my question is, are we going to have a 100% reimbursement for the school districts' cost on this, in terms of heating, air-conditioning, personnel, transportation, all of the overhead expenses? Is this... are you intending to have 100% of all costs in school districts covered?"

Silva: "Could you restate the question? I don't understand what you're trying to ask."

Hoeft: "The State Board of Education says that, 'the school

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districts will be receiving a cost to this and that the school districts will have to absorb that cost.' That's from our own State Board of Education. Ladies and Gentlemen, to the Bill, please."

Speaker Hartke: "To the Bill."

Hoelt: "The goal is laudable. The details are very troubling. This is a huge step away from the goal of public education in Illinois. I can agree with breakfast and lunch programs for children during the regular school year because it enhances learning. We all agree with this. This is beyond that in saying the public schools are now responsible for an entirely different social level. And that is, they are responsible for finding the funds, finding the personnel and finding the transportation for childrens' feeding. And we then are asking the public schools to become the feeding apparatus for a fairly large portion of the children in the State of Illinois. This is entirely outside the realm, the goal of our public school system, and is going to cost considerable troubles with school districts virtually across the state. Almost all of you have a school in your district that would fall under this classification. How are these administrators going to possibly prepare a program during the summer, many of which in schools that don't have air-conditioning? How are they gonna be able to do this and who is going to sustain the cost? I applaud the goal. The mechanics of this make this totally unworkable. This is something that I would urge you to vote 'no'. I would suggest to the Sponsor, that if they would do the same thing and make it voluntary for school districts, allowing school districts to access these funds if they find it appropriate, that would be a much more reasonable Bill. But as it's written right now this

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is a very grave mandate upon our schools' financial resources."

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

Huffman: "Will the Sponsor yield?"

Speaker Hartke: "She indicates she will."

Hoffman: "Now, Representative, I've heard the previous speakers, but it's my understanding that the Bill is very, very specific, and that the Bill indicates that the school breakfast and the other program established under this Section, shall be supported entirely, the words are 'entirely by federal funds and commodities'. Is that right?"

Silva: "Correct."

Hoffman: "So, in other words, there will be no cost to these local school districts and there will be no cost to the state because of this. Is that right?"

Silva: "The only cost to the state, is very minimal for the entire state. It would include an additional \$1.2 million for the entire state."

Hoffman: "But it's very specific. It's my understanding that in the actual legislation, it indicates that this shall be supported by federal funds. And it's my understanding that these federal funds are currently available..."

Silva: "Yes, they are."

Hoffman: "...and they're not being utilized. Is that right?"

Silva: "That's correct."

Hoffman: "So, the situation that we have in this state currently, is there are federal funds that are available to feed our children for breakfast and other types of meals. Now, some of the arguments that we're hearing from the other side of the aisle, I submit to you, may have been made years ago

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prior to the free school lunch program. And those arguments were the exact same. And I think that what they're do... what you're doing, is you're really just using spurious arguments to not access federal money that's available. In my opinion, this is something whose time has come... we're talking about feeding poor children breakfast. We're talking about making sure that they have the nutrition and the nutritional values and get a square meal so that they can go to school and be productive learners. We're talking about the basic necessities of life. We're talking about avoiding hunger for our children, and to stand up and say that we're not willing to do this, simply because the heating bills may go up, or the air-conditioning bills may go up, I think is absolutely ridiculous. It's time we vote 'aye'. It's time we have these programs. It's time we access federal funds. I urge an 'aye' vote."

Speaker Hartke: "The Chair recognizes the Lady from Cook, Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. I too, add my voice to the support of this legislation. We know because of biological science, that children who are not fed nutritionally or children who attend school that are hungry, do not learn very well. We have an opportunity to take advantage of federal dollars in assisting states in providing needed meals for children. Now, who are the proponents of this legislation? The voice is for Illinois children. The National Association of Social Workers, the Illinois Hunger Coalition, the Illinois Education Association, the National Clearing House for Legal Services, and a vast number of other organizations are supporting this Bill. I urge an 'aye' vote for those who really care about the children in

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the State of Illinois who don't want to just continue to talk about it, and vote 'no' when they get a chance to do something about it. We're all voting 'yes' on this side of the aisle. Thank you, Mr. Speaker."

Speaker Hartke: "The Chair recognizes the Gentleman from Logan, it's the last person seeking recognition, Representative Turner."

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

Speaker Hartke: "Yes, the Lady will yield."

Turner, J.: "Representative, a moment ago, another Representative I believe from that side of the aisle, asked you if this Bill if passed, would be funded federally, and that would be the only source of funding, there was no other source of funding, and I believe that you responded that that was true. Am I stating that correctly?"

Silva: "There is a portion that the state does put in."

Turner, J.: "Well, the question to you was, is this gonna be funded entirely with federal dollars, and you said, yes. Now, I don't believe that's correct, is it?"

Silva: "No, it is correct."

Turner, J.: "It is correct? I'd like for you to look at..."

Silva: "And it's also subject to appropriations for whatever portion we may put in. If you recall..."

Turner, J.: "On page 3 of your Bill..."

Silva: "...if you recall the free lunch program also includes fees that students pay, the reduced meals."

Turner, J.: "Representative, looking at page 3 of your Bill, line 30, 31, 32, 33 and 34. Unless this language has been changed, it says that beginning at line 31, 'Shall be supported entirely by federal funds and commodities, charges to students and other participants and other available state and local resources'. Now, when I read

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that language that it doesn't sound like to me it's total federal money or monies. It sounds like to me that there could be charges to students and other participants. If not, what does that language mean?"

Silva: "You know specifically, that the free lunch program has been around for a number of years and it's also done based on income. There are some kids that get reduced meals. If you want to call them charges, then you can call them charges."

Turner, J.: "Okay, Representative, let's try a different approach. What does the language 'charges to students and other participants' mean? What does that mean in this context of this Bill?"

Silva: "There are people who are not income eligible and therefore, pay for those lunches. For the people who are..."

Turner, J.: "Well, if there are people..."

Silva: "...unable to afford..."

Turner, J.: "...who pay for those..."

Silva: "Can you let me finish? You asked me a question, let me finish it. There are people who are low income, in which case, their income eligible, they would not pay. There are working poor people who might be charged a fee and that would be their option. And it's adjusted for their income."

Turner, J.: "Okay, so there are charges to students and other participants, are there not?"

Silva: "Fees."

Turner, J.: "And there are also, other available state and local resources that may be used..."

Silva: "If available."

Turner, J.: "...to implement this program. Is that right?"

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Silva: "If available."

Turner, J.: "So, this is not entirely funded with federal monies.
That's an incorrect response that you gave..."

Silva: "You know that..."

Turner, J.: "...to a question from the former Representative."

Silva: "...available resources mean exactly that. If they are
not available..."

Turner, J.: "Excuse me?"

Silva: "...then they're not there. If they're there, then they
are available."

Turner, J.: "Well, if they're not available then the school
district picks up the cost? Is that right?"

Silva: "It doesn't say that."

Turner, J.: "Okay, then who picks it up if they're not
available?"

Silva: "They're not available. They're not there."

Turner, J.: "Then, what happens then? What happens?"

Silva: "Then you have a limited program."

Turner, J.: "Costs that exceed reimbursement would have to
absorbed by the school districts according to the state
board. You disagree with that?"

Silva: "That's not in the Bill."

Turner, J.: "Is that not how under current law and current rules,
is that not how it, works though?"

Silva: "Could you... This Bill does not require that to the
extent that they're available. It'll be there."

Turner, J.: "Well, if it doesn't require that..."

Silva: "They're not available, it won't be there."

Turner, J.: "...if it doesn't require that, why is the language
in the Bill on page 3, under subsection (e)?"

Silva: "You keep asking the same question, I keep giving you the
same response."

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Turner, J.: "Okay, so that's your answer then? That's the final answer then for my question? You've responded to it in the..."

Silva: "Yes, I have."

Turner, J.: "...to the point that you want, and explicate it that want it."

Silva: "To the extent that you want to be progressive, you want to take the children who are income eligible and provide for this lunch program and for this breakfast program that is federally funded and to the extent that there are state or other available resources, then it can be done."

Turner, J.: "Okay, thank you, Representative. Echoing some of the comments made by other Members on this side of the aisle, while the intention may be very good, indeed is very good. This Bill should not pass this chamber and I would urge a 'no' vote."

Speaker Hartke: "Representative Hoeft, we have an answer to your inquiry."

Parliamentarian Uhe: "Representative Hoeft, in response to your inquiry, as the House Parliamentarian I'm not empowered to rule upon the question whether a Bill is an unfunded state mandate, and so therefore, I must respectfully decline to answer your inquiry."

Speaker Hartke: "There was a request for a state mandates note on the... Representative Hoeft, a State Mandates Note was filed and there was no request, but one was filed on the Bill, so it is available for your inspection."

Hoeft: "Excuse me, I..."

Speaker Hartke: "Representative Silva, to close."

Silva: "I want to tell you that approximately, there are 600,000 Illinois children. Some of them which are up in the gallery. I think that it's a travesty that we would even

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think about voting 'no' against a Bill that would help children, feed them because their parents cannot afford it. For those who could afford it, it's a low, it's a very low fee. I think that it's a travesty that we would consider that we give corporate giveaways. We have corporate welfare, but that we would fight so hard to keep those breakfasts and lunches from the very children in our own state. I think that one of the reasons, if you take a look at it, the State of Illinois ranks 43rd out of 50 states. And if you think about that, there are kids in this state, in this very rich state, who might as well be living in an underdeveloped third world country because the richest country on this earth and the State of Illinois, refuses to want to provide that overhead if available. I would urge an 'aye' vote."

Speaker Hartke: "The question is, 'Shall House Bill 2379 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. Representative Mulligan."

Mulligan: "Mr. Speaker, obviously my switch isn't working. I would register an 'aye' on this Bill."

Speaker Hartke: "The Journal will reflect. On House Bill 2379, there were 77 Members voting 'yes', 37 Members voting 'no', and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. Is Representative... is Representative Saviano in the chamber? On page 43 of the Calendar, appears House Bill 2787. Representative Saviano. This is on Short Debate. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2787, a Bill for an Act to amend the

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Code of Civil Procedure. Third Reading of this House Bill."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 2787 is an initiative of the Illinois Land Surveyors Association. We recently amended the Bill at the request of the Illinois State Bar Association. It's a limited liability Bill to Illinois land surveyors. It's an Agreed Bill and I would ask for your favorable vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall House Bill 2787 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? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2787, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill having received the Constitutional Majority is hereby declared passed. Representative Lyons, for what reason do you see recognition?"

Lyons, J.: "Thank you, Mr. Speaker. I rise to make an announcement on a committee meeting."

Speaker Hartke: "State your announcement."

Lyons, J.: "Thank you, Mr. Chairman (sic-Speaker), Ladies and Gentlemen fo the House. I neglected yesterday to announce that we are going to have a Child Support Enforcement Meeting in Chicago, on Monday, the 29th of March. It's for oral testimony only for those in the Chicago area who wish to participate and make oral testimony on the issue of Child Support Enforcement from the Greater Metropolitan Area instead of asking them to come down for oral testimony. So, I cleared it with Representative Black and

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Eileen Lyons, that I did miss this by a day posting this, and I'm doing this for the purpose of being on the record requesting such."

Speaker Hartke: "The Gentleman moves for the waiving of the posting requirements for the hearing to be held in Chicago on Monday. Is there any objection? Seeing no one is objecting, all those in favor of the Gentleman's Motion signify by saying 'aye'; opposed 'no'. In the opinion of the Chair the 'ayes' have it, and the waiving ... the posting requirement has been waived. Representative Mitchell, for what reason do you seek recognition?"

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

Speaker Hartke: "State your point."

Mitchell: "Ladies and Gentlemen of the House, I'd like to introduce to you, Miss Leslie Fredrick, the instructor for the Sauk Valley Community College, the student government class, and we have six students down here from Sauk Valley College. They're up in the gallery to my right. I'd like you all to welcome the students from Sauk Valley College."

Speaker Hartke: "Welcome to your State Capitol. On page 42 of the Calendar, appears House Bill 2046. Representative Silva. This is on Standard Debate. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2046, a Bill for an Act in relation to day labor. Third Reading of this House Bill."

Speaker Hartke: "Representative Silva."

Silva: "Thank you. Hopefully, you won't be too harsh on me this time. Essentially, this Bill creates the Day Labor Benefits Act. There are day laborers, primarily working in manufacturing. They're springing up all over Chicago in minority communities. And one of the problems that we have

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had is that they actually wind up displacing workers in factories that have essentially built up seniority, vacation time, perhaps maybe sick time, and they get perhaps health care benefits. One of the uses of day labor services, in my district and districts in Chicago, is that they use these temporary workers to essentially displace workers who have that time. This Bill essentially would define what 'temporary' means and a violation of that Act would be a business offense. The time limit would be 90 days. After 90 days, we would seek to enjoy the same benefits that a permanent worker would enjoy. I would encourage your 'aye' vote."

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

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

Speaker Hartke: "She indicates she will."

Black: "Representative, I know that you said this in your opening remarks, and I missed it with apologies. How many days would a temporary person have to work before they would be considered a full-time employee or..."

Silva: "Ninety day period."

Black: "Okay. So, it would have to be 90 days continuous?"

Silva: "Correct."

Black: "So, If I..."

Silva: "Well, 90 days."

Black: "Ninety days. Ninety days collectively..."

Silva: "Continuous."

Black: "...or ninety days continuous?"

Silva: "Continuous."

Black: "All right. If I'm called out as a temporary and I only work one day, is it your intent that I be covered under any

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benefit contractual periods of that employer?"

Silva: "I didn't understand the question."

Black: "Well, if a company calls you know, a temporary employment service and they need a receptionist for one day. Under your Bill, if I go out to that job and I do it for one day, eight hours, does that mean I'm to be covered under any benefit packages that the company may offer a full-time employee?"

Silva: "No, Representative Black. This does not speak to receptionists or clerical workers. This is primarily the manufacturing area. If it's one day, it's one day. But, I can tell you that in my district, in Cicero Township, there's a company where we've had employees that have worked there up to 30 years. They wind up laying 'em off and then they bring day laborers who are there for all intents and purposes as permanent workers and they bring 'em in by bus loads, and yet the people that have been there to build that particular company or enterprise, are left out in the cold. It's 90 days."

Black: "Okay, but Representative, I think we need to focus on something you just said. You said it doesn't apply to clerical or office personnel. If that's in the Bill, could you give me a page and line reference? You said it only applies to industrial workers. I don't think that's in the Bill."

Silva: "Well, there are a lot of things that are not in a lot of Bills. This speaks to day labor."

Black: "Well, fine, but day labor could mean..."

Silva: "Well, I can't point to you a specific line about receptionist or..."

Black: "I know."

Silva: "...computer inputters..."

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Black: "I know."

Silva: "...or data inputters."

Black: "Representative, the reason I asked the question, is not to put you on the defensive, it's your Bill. You told me earlier that this doesn't apply to clerical workers or office workers. I believe it does. I can't find anywhere in your Bill that it says that it doesn't apply to office or clerical workers, that it only applies, your words, 'to industrial workers'. The Bill doesn't say that. It says, 'day worker'."

Silva: "No, it says 'day labor'."

Black: "Well, day labor. A day... a day laborer as you've defined in your Bill, line 7, I think it's page 1, 'day labor means temporary labor or employment that is occasional or irregular', ta dah ta dah on and on. It doesn't say that day labor is only an industrial worker and that's the question I asked you. It applies to anybody hired under a temporary labor agreement. Isn't that correct?"

Silva: "No, Representative Black, because I think... if you're familiar with the day labor services, I don't know if there's any out in your district, but in my district in many minority communities, in Chicago, it specifically says day labor, and it does not in any way... clerical people do not go there. They're factory workers."

Black: "Representative, if you could give me a cite..."

Silva: "That's the intent."

Black: "...I don't care what the intent is. Now you're saying something that, quite frankly, is not accurate. This Bill does not make any distinguishing characteristics of what day labor is. The definition is in your Bill. It says 'anyone who is employed temporarily' da dah, that doesn't

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just mean industrial workers, and yes, I have day labor companies in my district. Manpower Incorporated, Office Specialties Incorporated, OSI, I think most of us do. There's nothing in the language of your Bill that limits it to Chicago. There's nothing in you Bill that limits it to industrial workers. It covers... the Bill is very clear. It covers anybody employed on a temporary basis. That's the point I'm trying to get to. You're intent may be laudable, but that's not what your Bill says. It says 'anyone', let me quote again, 'Day labor means temporary labor or employment that is occasional or irregular'. No definition, no splitting of hairs, I'm not trying to trick you up. It just says that's what day labor is. And I'm not sure that that's what you want this Bill to say."

Speaker Hartke: "Representative Black, have you concluded?"

Black: "Okay, I... to the Bill, Mr. Speaker."

Speaker Hartke: "To the Bill."

Black: "I made a good faith effort to get an answer to a question. I read you the applicable line in the Bill, this does not make any distinguishing remarks in the Bill, that it only applies to industrial workers. It applies to anyone hired as a day laborer, whether you're doing clerical work, a receptionist or whatever. Now, that I don't that is her intent, but that's what the Bill says. And since that's what the Bill says, I can't vote for this because I don't think we ought to be mandating and micromanaging somebody who needs a temporary receptionist or a temporary secretary or a temporary whatever for five, six, seven days. The Bill, I think in all due respect to the Sponsor, should be clarified. I think I know what she's trying to do. Believe it or not, we get Chicago papers downstate and some of us even have learned how to

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read them. And I know there are companies who are very unsavory and have existed in the Chicago market for years, that literally go around and pick people up off the street corner, make them work in a factory for a day or two, pay them substandard wages, off the books, generally pay them in cash. And, I would agree with the Sponsor, that's wrong. That's wrong, and if she wants to bring something back that tries to get at that abuse of human beings, I'm all for it. But this Bill goes far beyond that, and that's why I must rise in opposition to the Bill."

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

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

Speaker Hartke: "She indicates she will."

Persico: "Representative, like Mr. Black, I'm trying to understand your Bill, as well. Representative..."

Silva: "Representative..."

Persico: "I have a couple of questions for you. I have a couple of questions for you."

Silva: "I can't hear you."

Persico: "Would you yield for some questions?"

Silva: "Yes."

Persico: "Okay. What are you... when you speak about 90 days, are you talking about they enter a contract then for 90 straight days or more, and this is what your Bill covers?"

Silva: "This... if you've worked for 90 days consecutively, yes, we would ask. One of the things that we don't want to set up in this country, is a two-tier system of employees. One, it displaces current employees. They bring in day laborers. They don't pay 'em any benefits, and they pay 'em lower wages. That cannot be good for families on either side."

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Persico: "If a person enters this contract, and he or she misses two or three days in a row, does that count against their... do they start over again for a 90 day period or... is that what you mean by continuous?"

Silva: "The term of hiring is 90 days or more."

Persico: "The term of hiring is 90 days or more. When is a person eligible to receive unemployment benefits? After how long before a person is working somewhere?"

Silva: "Well, Representative, as you know, unemployment benefits are based on a previous quarter in the previous year. So, I don't see how that relates to it now."

Persico: "Well, if..."

Silva: "Unless they were employed a year ago in that quarter of the previous year."

Persico: "I have some temporary services in my district as well, and one of the complaints I always receive is that they hire people and after 90... or after 30 days they quit and they're entitled to unemployment benefits."

Silva: "Again, unemployment benefits, this is not applicable, because each situation is unique to the employment and when they were employed, but unemployment benefits are based on the year before in that quarter."

Persico: "So, what you're trying to do in this Bill, is to have them accumulate sick days and vacation days and pensions, and so on. Is that what this Bill is doing?"

Silva: "If they're acting as permanent employees and are called temporary, under that guise, they're denying benefits that all workers in the US of A, ought to be entitled to."

Persico: "And what is the penalty if an employer doesn't follow the law, if this Bill becomes law?"

Silva: "If he doesn't follow the law, there's a penalty, yes. The penalty is 2000, not to exceed."

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Persico: "Yes, Representative, how... what does your Bill say if an employer doesn't offer benefits to their full-time employ... what does your Bill say if an employer now doesn't offer benefits to their full-time employers (sic-employees), not the ones they hire from a temporary service?"

Silva: "I believe that the majority of companies do provide some type of benefit, some more and some less."

Persico: "Would this then become an incentive for employers not to offer their employees full-time benefits?"

Silva: "No, I don't believe it does. All we're asking is that, if in fact, they have worked beyond the 90 continuous days, that they enjoy the same benefits of that company, whatever they give to their permanent employees."

Persico: "Thank you, Representative."

Silva: "You're welcome."

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

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, from the dialogue that we've heard, you can see that there are problems with this legislation. Let me just tell you what's gonna happen in the real world with these temp services, who for the most part, provide a worthwhile and meaningful job alternative to small businesses specifically, but not exclusively. What's gonna happens is that they're going to let the part-time temporary employee go before 90 days is achieved. Because they have to. They can't afford to provide all these benefits for these temps, so they're not going to use 'em beyond 90 days. Or, the alternative that the small business man or woman's gonna have to do, is in the real world, since they have to match the benefits that are provided to their employees on a

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full-time basis, they may drop some of those benefits because they can't afford to provide those benefits for their temps. So, what we find is, though the Bill's Sponsor is well intended to solve a problem that she perceives in her area, and to try and make sure this is good public policy, she on the other hand, is creating a greater problem and that is the problem of actually ending up hiring temps. And it may even affect the bottom line on some of the temp companies that are doing a good job in our state. Ladies and Gentlemen, even though the Sponsor's well intended in trying to solve a problem, this Bill is not good public policy. I would ask the Body to vote 'no'."

Speaker Hartke: "Seeing that no one else is seeking recognition, Representative Silva, to close."

Silva: "Thank you. I think that one of the things that we have to think about, I also have manufacturing in my district. I have the good fortune that a great majority of them are conscientious, because they're conscientious about their workers because they know that they work hard and happy workers... employees will produce more. But again, we have some that would rather have bigger profits, and consequently, the very people that allow them to be successful, are penalized by getting laid off and they are displaced after 20, 25, 30 years they've enjoyed, they helped build up some of these companies and then they're laid off. They're laid off because the profit margin is something that's more important to them. I would encourage an 'aye' vote."

Speaker Hartke: "The question is, 'Shall House Bill 2046 pass?' All those in favor will vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have

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all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2046, there are 49 Members voting 'yes', 60 Members voting 'no', and 6 Members voting 'present'. And this Bill... the Lady has requested Postponed Consideration. Place this Bill on Postponed. On page 43 on the Calendar, appears House Bill 2359. Representative O'Connor. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2359, a Bill for an Act to amend the Township Code. Third Reading of this House Bill."

Speaker Hartke: "Representative O'Connor. This Bill's on Short Debate."

O'Connor: "Thank you, Mr. Speaker, Members of the House. House Bill 2359, would amend the Township Code. It would allow a township board to transfer excess funds from the Township General Assistance Fund to the Township General Fund. Such transferred funds would then be used only for the support and maintenance of children or the aged. There is.. it is supported by the township officials. There are no known opponents. It was reported out of committee, 13 to 0, and I would a 'no' vote... a 'yes' vote... or whatever you think. This is not my first Bill, and I would be happy to answer any questions, except from the individuals directly around me."

Speaker Hartke: "Does anybody stand this... for this Bill which he wants people to vote against? Representative Lang. Representative Lang."

Lang: "Thank you. Mr. Speaker, Ladies and Gentlemen, I rise in support of the Gentleman's good Bill. There's a lot of townships around the State of Illinois that have excess money in their General Assistance Funds, because there's a lot of people working today in the State of Illinois. It

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would be a good idea to allow townships to use this money for worthwhile purposes and that's what this Bill will do. So, please support it."

Speaker Hartke: "Standing in opposition of the Bill, the Chair recognizes the Gentleman from Madison, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. I don't know that I'm definitely in opposition. I just want to clarify it. We can't find our file over here, it's missing. But did you have anything to do with stealing that file, Representative?"

O'Connor: "Pardon me?"

Hoffman: "No, Representative, no. This... explain to me exactly, would you be able to utilize excess funds in some other area, is that what this is doing?"

O'Connor: "Yes, it's only excess funds for children or senior services as defined in the Bill."

Hoffman: "And the funds would be ut... would be utilized from... could go from where to where?"

O'Connor: "The funds are currently in the Township General Assistance Fund, and they are not being used. And, what this permits, is a township board on a discretionary basis to make a decision by a vote of the board to use those funds which would otherwise not be used for these two limited purposes."

Hoffman: "The only, I guess concern, it's my understanding that the dollars that are in the General Fund, essentially, come from local taxpayers, is that right? Or do they come from the State or Federal Government? Do you know?"

O'Connor: "They... they come... it's my understanding it comes from local taxpayers."

Hoffman: "So, the concern would be is that... so that money comes

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from local taxpayers for a certain purpose."

O'Connor: "Correct."

Hoffman: "And then you transfer it for another use. My only concern, and I'm gonna vote for your Bill, I think, after hearing that. But my only concern would be that they would transfer this money and then utilize the fact that there was no money in this General Fund in order to further collect taxes from the local taxpayer."

O'Connor: "Let me say two things about that, Representative Hoffman. The first is, is that the historic experience of the townships has been that money in the General Assistance Funds have been in certain instances, greater than the actual needs. When the money goes into those funds, they can't use them for any purpose and they accrue interest and they just grow. And so the idea is, on a discretionary basis, to let the township officials make the determination with respect to the use of the money. The second point simply is that the township officials that looked at this, don't expect the township officials who are making the decision will act in a responsible manner."

Hoffman: "So, you have safeguards built into the Bill. You have safeguards built into the Bill to ensure that my scenario does not indeed happen, where the township board would say, 'Well, this is excess money, we're gonna use it for the other purposes and then we're gonna replenish our fund with taxpayers money,' thereby, essentially costing the taxpayers more dollars. Do you understand what I'm saying?"

O'Connor: "I understand what you're saying. In the Bill itself, I can't tell you that there is a safeguard of that nature, but in the Township Code, I believe there is."

Hoffman: "And in addition, these individuals... this would have

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to be approved by an elected board, the elected township board, who has to ultimately answer to the taxpayers, correct?"

O'Connor: "That's correct."

Hoffman: "Okay. I rose not sure how we're gonna vote, but I think is an okay Bill, Rer... Mr. Speaker. Thank you."

Speaker Hartke: "Does anyone stand in opposition to this Bill? The Chair recognizes the Gentle... the Lady from Lake, Representative Andrea Moore to speak in opposition."

Moore, A.: "Do you have to decide? Is there not debate enough to help us in assistance?"

Speaker Hartke: "This is on Short Debate."

Moore, A.: "Well, I do have a question, Mr. Speaker, if the Sponsor will yield."

Speaker Hartke: "State your question to the Sponsor."

Moore, A.: "Representative, I'm a little confused. Why can't the township... this is a tax cap township?"

O'Connor: "It applies to all townships."

Moore, A.: "And so, is the township that you're trying to help specifically under the tax cap?"

O'Connor: "I'm trying to help all the townships in Illinois. Some of them are under the tax... I don't... it applies to all townships."

Moore, A.: "Well, in my area, in Lake County, we have a tax cap. And it is my understanding that they can only levy to a certain degree, depending on the growth that might be happening in the township, and with increase in the CBI. But it's the aggregate of all the levies, General Assistance, the General Fund, all added together. Why can't the townships just levy less in the General Assistance and levy more in the General Fund, until the General Fund... until you spend your General Assistance

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money?"

O'Connor: "That's a... that... that would be an option."

Moore, A.: "That is an option now."

O'Connor: "That is an option, yes. The difference is, is that right now, there are funds that are greatly in excess of the needs, and the idea would be is to take some of those monies and transfer them from the General Assistance Fund to the General Fund as a pretty..."

Moore, A.: "Could you give me an example, Representative, of do what you mean by 'greatly in excess of need'? I mean, many township, at least in my area, are coming to us telling the Legislature that they're very concerned because the General Assistance is now being overtaxed because of the new Welfare-To-Work requirements and the kinds of changes that have been made in Welfare-To-Work. The people are coming to... for temporary assistance more often, and they're having trouble keeping that fund up. What do you mean by 'great excess'? Are we talking..."

O'Connor: "It would be..."

Moore, A.: "...millions of dollars in the General Assistance Fund?"

O'Connor: "I don't... it would depend upon the township and whether there's excess or not, would be up to the township board itself. There are townships which I'm aware of that have excesses in the hundreds of thousands of dollars. There are some that have excesses which they might consider to be in the tens of thousand dollar range. It depends upon the township. And all this does is, it puts the township in a dec... in a position to make a discretionary decision with respect to it. Obviously, if the... if there's insufficient funds in the General Assistance Fund then they obviously wouldn't transfer the money."

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Moore, A.: "The point is one of integrity when you levy for general assistance, and don't need the money or don't spend the money on general assistance but spend it on other things, I think it's not the most direct way to approach the voters with the way you're running your government. I mean, if they have been artificially levying in excess of what they actually needed... I think they have options within the law, Representative. Currently I..."

O'Connor: "No... no they..."

Moore, A.: "...they can spend their money out of general assistance on items that qualify for general assistance and levy less next year. Go ahead and increase your General Fund that's allowed, and don't levy as much money in your general assistance and keep spending out of that fun... out of that fund, and put your money next year into the general... the regular General Revenue Fund."

O'Connor: "Well, it's my understanding that they could do that, this is a management, a cash-management tool, basically, for the townships. The law now is clear that you can't make the transfer from the General Assistance Fund to the General Fund."

Moore, A.: "And is the law is clear, because there's a special levy for general assistance. That's what they got that money for, and they were obviously not levying the right amount if they've got hundreds of thousands of dollars that they haven't spent. So, I mean, I think it's more of an integrity issue. If they levied money for general assistance, they ought to spend it on general assistance. And if they don't need it next year, then they can levy more on the other fund. But transferring it and spending it on trucks or something else, is not what was intended for use. I'm sorry to stand in opposition to your Bill."

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O'Connor: "Okay. Well, I... I, as always, appreciate your comments. The only point on the integrity issue is that a vote with respect to these funds would be taking... would be taken at a public meeting, subject to the Open Meetings Act, and subject to a full debate. So that it would... I don't think it would be hidden in anyway. It would have to an official act of the township."

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

Harris: "Speaker, will the Sponsor yield?"

Speaker Hartke: "Yes."

Harris: "Is there any opposition to this Bill?"

O'Connor: "None that I'm aware of, other than Representative, perhaps, Moore."

Harris: "Thank you."

Speaker Hartke: "Representative Persico."

Persico: "Thank you, Mr. Speaker. I'm just a little bit confused. Representative, it sounds like from your testimony, that you're in favor of this Bill. But why did you urge us to vote 'no' in your opening statement? That's my only question."

O'Connor: "The actual answer to that is somewhat complex, but let me just say that I'm easily confused and not very bright."

Persico: "So, you definitely are in favor and you're urging us to vote 'aye'?"

O'Connor: "I am urging you to vote 'aye'. I'd be very grateful if you would."

Persico: "Will you say that in your closing statement?"

O'Connor: "I'll do my best, but I could be confused again."

Speaker Hartke: "Representative Connor, to close."

O'Connor: "I would urge an 'aye' vote on this. I think it's a good Bill. I think it permits the townships a mechanism

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for using funds that would otherwise not be used, and I would appreciate an 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall House Bill 2359 pass?' All those in favor will vote 'yes'; all those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... please record yourselves. Mr. Clerk, take the record. On House Bill 2359, there are 106 Members voting 'yes', 8 Members voting 'no', 0 voting 'present'. And House Bill 2359 having received the Constitutional Majority is hereby declared passed. On page 40 of the Calendar, appears House Bill 1176. Representative Howard. This Bill is on Short Debate. Representative Howard. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1176, a Bill for an Act amending the Illinois Educational Labor Relations Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Howard."

Howard: "Thank you, Mr. Speaker. House Bill 1176, restores collective bargaining rights for City Colleges of Chicago employees. Bargaining rights for these employees were lost in 1995 when House Bill 206 stripped teachers of their right to bargain about non economic matters. I will answer any questions."

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

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

Speaker Hartke: "She indicates she will."

Cross: "Representative, I'm sorry we're unable to hear on this side of the aisle. Can you explain to us again what your Bill does?"

Howard: "Yes. This Bill restores collective bargaining rights to

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City Colleges of Chicago teachers and other employees."

Cross: "Representative, are there any opponents to this Bill?"

Howard: "Yes, I'm certain that your analysis shows opponents."

Cross: "I'm sorry I asked that. Well then, could you maybe... could we find out... you know, who they are and who the proponents are?"

Howard: "Those that I have indicated here are: Community College Trustees Association, City Colleges of Chicago, and the Chicago Board of Education."

Cross: "Why do we need to make this change? I'm not sure that I'm following."

Howard: "Because we're trying to restore rights to some of those teachers who do not have rights that every other teacher in every other district in this state has. We're trying to make things equal for Chicago teachers."

Cross: "Representative, am I reading our file correctly, that the current law is a result of the Chicago School Reform Bill we passed several years ago?"

Howard: "That is correct."

Cross: "My understanding is that if, at least in general terms, people were very happy, both in the Chicago system and outside, with what we did in the Chicago School Reform Bill. So, why are we changing something that I understood to be working?"

Howard: "We're changing it because we are sensitive about the fact that there are some individuals who are teachers and employees in this state, who are not being treated equally to others, and we are now trying to correct that... that problem."

Cross: "How are... All right, Mr. Speaker, in the event this gets the requisite number of votes, we request a verification."

Speaker Hartke: "Your request will be granted. Further

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discussion? The Chair recognizes the Gentleman from Cook, Representative Fritchey."

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

Speaker Hartke: "She indicates she will."

Fritchey: "Representative, is this same language contained in House Bill 897?"

Howard: "This Bill differs from the other Bill in that it only talks about City Colleges of Chicago teachers."

Fritchey: "But 89... but..."

Howard: "Chicago public schools is not included in this Bill."

Fritchey: "I understand that, but this language is included... I realize not everything in 897 is in this, but this is in 897, correct?"

Howard: "That is correct."

Fritchey: "Eight ninety-seven's on Postponed Consideration?"

Howard: "That is correct."

Fritchey: "Are you the Sponsor of 897?"

Howard: "I am."

Fritchey: "Is it your intention to try move that off Postponed Consideration and have it recalled?"

Howard: "I certainly would like that to be the case."

Fritchey: "Regardless of whether or not this Bill passes?"

Howard: "I'm sorry?"

Fritchey: "Regardless of whether this Bill passes? If you pass this Bill, are you still intending on pursuing 897?"

Howard: "I'm not certain."

Fritchey: "Okay. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall House Bill 1176 pass?' There has been a a request for verification, so, vote your own switches. Those in favor of this Bill will vote 'yes'; those opposed to this Bill will vote 'no'.

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The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Mr. Cross, do you persist in your verification?"

Cross: "No."

Speaker Hartke: "Did you say yes or no?"

Cross: "Well, I really had said 'no', but I... do you want me to do one? I... it's your... it's up to you. I... what do you think I should do?"

Speaker Hartke: "I don't think it's necessary."

Cross: "All right, I might kind of agree with you, but I didn't want to defer to you, Mr. Speaker."

Speaker Hartke: "I didn't hear your... your waving it off, so..."

Cross: "Well, when you see that 68 up there it's pretty feeble you know, no. So, I was a little upset."

Speaker Hartke: "On House Bill 1176, there 68 Members voting 'yes', 44 Members voting 'no', and 2 Members voting 'present'. And this Bill having received the Constitutional Majority, is hereby declared passed. On page 43 of the Calendar, appears House Bill 2246. Representative Winters. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2246, a Bill for an Act amending the Election Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Winters."

Winters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill will amend the 1998 Ethics Act, in that certain non profit organizations that accept contributions and work only on behalf of or against questions of public policy that are not directly involved in any partisan campaigns, would not be required to disclose their contributors. Urge its adoption."

Speaker Hartke: "Is there any discussion? Seeing that no one is

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seeking recognition, the question is, 'Shall House Bill 2246 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 2246, there are 112 Members voting 'yes', 1 Member voting 'no', and 2 Members voting 'present'. And this Bill having received the Constitutional Majority is hereby declared passed. On page 41 of the Calendar, appears House Bill 1771. Representative Hamos."

Hamos: "Thank you, Mr. Speaker and Ladies and Gentlemen. This..."

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

Clerk Bolin: "House Bill 1771. A Bill for an Act to amend the Wrongful Death Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Hamos."

Hamos: "This Bill... this Bill merely provides that in an action to recover damages by a beneficiary, the beneficiary along with the decedent can recover but only if he was less than 50% contributorily negligent. And this Bill brings these kind of cases involving beneficiaries to enter the policy of the state. And I ask for your favorable support."

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

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

Speaker Hartke: "She indicates she will."

Durkin: "Representative, can you explain to me what is the law right now with respect to contributory negligence compared to fault, on wrongful death cases?"

Hamos: "The law right now, which is not really widely known, is that in cases of wrongful death involving beneficiaries, if

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the beneficiary was even 1% contributorily negligent, he would not be able to recover. And so this is really a fairness kind of legislation. It was approved a few years ago by... on both sides. It was an approved concept, and the Supreme Court has since struck it down."

Durkin: "Will your Bill, if there the jury returns a verdict in favor of a plaintiff or an estate for a wrongful death case, will that person's percentage of negligence be deducted from the jury award?"

Hamos: "Yes."

Durkin: "Okay. Is this strictly dealing in wrongful death cases, or is it for all tort actions?"

Hamos: "I believe that this is only dealing with wrongful death cases because this is already the law in other tort actions."

Durkin: "All right, I just want to make sure, because, you know, there's all sorts of other types of... you know, areas of tort, dealing with negligence, in which, I believe this is not intended to apply to, b t I just want to make perfectly clear that this is strictly on wrongful death, actions correct?"

Hamos: "That's right."

Durkin: "Thank you."

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

Hamos: "I just ask for your favorable roll call. Thank you."

Speaker Hartke: "The question is, 'Shall House Bill 1771 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? Have all voted who wish? Mr. Clerk, take the record. On House Bill 1771, there are 76 Members voting 'yes', 36 Members

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voting 'no', and 0 voting 'present. And House Bill 1771 having received a Constitutional Majority is hereby declared passed. Mr. Schoenberg, would you like to call House Bill 2752? Representative Feigenholtz, would you like to call House Bill 2021? Representative Lang, would you like to call House Bill 1234? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1234, a Bill for an Act to amend the Beer Industry Fair Dealing Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 1234 is what we're calling the Beer Bill. Some of you have said, 'Well, it's just like the Wine Bill and we passed the Wine Bill.' There are some differences here. Some of the language of the Bill is the same. However, there's a major difference between the wine distributors and the beer distributors which makes this story even more compelling. In the case of the wine distributors, and as you know, we passed that Bill out last week. In the case of the wine distributors, a wine distributor usually has more than one line of wine that they sell, two, three, five, ten different wines that they sell. And so, if a wine distributor is eliminated by the winery, they still are in business. They still have wine to distribute. The beer business is not that way. In the beer business, if you're a beer distributor you distribute one line of beer. You distribute Bud, you distribute Miller, whatever the kind of beer is. And overnight, under the... today's law with the simple fax, the brewery can say, 'Mr. Beer distributor or Madam Beer distributor, you're out of business.' They don't just take the line away, when they take away the beer

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distributorship for that beer, they take away the person's entire business. And in many cases, the beer distributor has put hundreds of thousands of dollars of their own time and effort into building up the line, advertising, shoe leather, whatever it takes to build up that line. And since there is no arm's length contract between the brewery and the beer distributor because the beer distributor is forced to take whatever the contract is, the beer distributor is at a disadvantage. This Bill says that if a beer distributor has their distributorship removed by the brewery, that irreparable harm is assumed. Well, of course, there is irreparable harm. If you're a beer distributor and you've received a fax when you come into work in the morning and says, 'You're out of business', obviously, if you're put out of business with a simple fax, you've been irreparably harmed. You're out of business. You have no beer to distribute. Accordingly, this is a fair proposal to put some fairness between the brewery and the beer distributors. You've all been lobbied to death on this. I would ask for your support."

Speaker Hartke: "On this issue, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker. I once again rise on the side of free markets, and capitalism. And I think that good business practices tell us that if a distributor does a good job for the provider, the distributor will continue to have the contract with that provider in order to provide his goods. I think that we are singling out certain industries in this state that get special privileges that no other industry gets. Those of us who sell furniture, those people who sell food products would love to have some

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kind of special arrangement so that the distributor of that project would have to show irreparable harm or other things in order to break a contract with them. I think the state has no business in this. I think that the state should stay out. Let the fair market decide whether these people stay in contract with one another. And therefore, I would request a 'no' vote."

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

Lang: "Thank you, Mr. Speaker. Just briefly, while I respect the previous speaker, he's incorrect. The law, the Beer Industry Fair Dealing Act, already sets aside the beer industry as the Wine and Spirits Act sets aside them, as the Auto Dealers Act sets aside them. There's industries already set aside. This is not the same kind of thing as the Wine Bill. These people are simply out of business if their distributorship is ended. This is a good Bill to protect Illinois business. Please vote 'aye'."

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

Cross: "I'm sorry, slow to the switch. I had a few questions, Mr. Speaker, if I could, just if the Sponsor would yield."

Speaker Hartke: "Will the Sponsor yield?"

Lang: "Sure."

Speaker Hartke: "Yes, Mr. Cross."

Cross: "Representative, it's a little confusing for us with respect to the Amendments. Did you adopt any Amendments on this Bill?"

Lang: "Amendment #1 is on the Bill."

Cross: "Can you explain to us and I know... I'm sure there was a time in which you did, but can you explain what the Amendment does to the Bill?"

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Lang: "This Amendment, Representative, this Amendment is really a clarifying Amendment. It says, 'Even though irreparable harm will be assumed, all other aspects of injunctive relief still must be proven.'"

Cross: "All right. Was there any opposition to the Amendment?"

Lang: "No, there was no opposition to the Amendment."

Cross: "All right. Are there any opponents or proponents to this Bill? And if so, could you tell us who they are?"

Lang: "Well, surely the beer distributors support this. And surely the breweries oppose it."

Cross: "How about the Liquor Commission?"

Lang: "I have not heard from them, Sir."

Cross: "Do you have a definition of... oppressive or coercive conduct, Representative?"

Lang: "Where are you referring to in the Bill, please, Representative?"

Cross: "Well, let me go back. I had looked at another reference to it, Lou."

Lang: "Well, if you are referring to page 4 of the Bill, line 14 that's current law. The terms 'induce or coerce'. That's already in the law. We did not add that, Representative."

Cross: "Yeah. I was talking about page 5, Lou. I... "

Lang: "Well, I see where you're looking, the new language, but it just refers back to the other language or the current law under the Fair Industry Fair, Dealing Act has already used those terms. I presume wherever there's been litigation, there's been some action on that. But the law, I do not believe currently defines those terms, specifically."

Cross: "Do you, in this Bill, allow for the use of an arbitrator to resolve disputes?"

Lang: "What the Bill says is that you cannot force binding arbitration. The parties can agree to arbitration, but it

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cannot be forced. So, some of the breweries, in a situation where there's no arms-length negotiation between the parties, have simply amended their contracts to require arbitration. And it seems to me that if their contract is going to be amended, it needs to be with the agreement of the parties, not just simply one side adding an Amendment to the contract."

Cross: "Thank you for answering the question. I have no further questions."

Speaker Hartke: "Representative Lang, would you like to close again?"

Lang: "I've already done that. Thank you, Sir."

Speaker Hartke: "The question is, 'Shall House Bill 1234 pass?' All those in favor will 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 1234, were are 88 Members voting 'yes', 21 Members voting 'no', and 6 Members voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. On page 42 of the Calendar, appears House Bill 1981, Representative Pugh. This Bill is on Standard Debate. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1981, a Bill for an Act amending the Illinois Municipal Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Pugh."

Pugh: "Thank you, Mr. Speaker. House Bill 1981 is a Bill designed to amend the Home Rule Municipal Use Tax of the Illinois Municipal Code. It mandates that the Department of Revenue collect a tax imposed on non retail purchases of motor vehicles titled or registered in the municipality;

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provides that the tax shall be collected when the application for the title or registration is made. This is a piece of legislation that the City of Chicago is interested in. The City of... The City Council passed an ordinance in 1994 which was effective July, 1995. The state has a similar Vehicle Use Tax, and there were apparent discussions prior to the enactment of this ordinance between the city and state regarding the state collecting the city tax. No procedure has been developed for this to occur. The state currently collects the Home Rule's Use Tax for title personal property if the sale occurs in any county contiguous to Cook County. The state charges a 2% collection fee. So there is a... resources to the state as a result of this legislation. The state estimates collection of \$44 million from this Vehicle Use Tax in 1999 if 25% of the state's non retail transfers occur in Chicago and the average age of a vehicle for such a transaction is five years, then the city could expect approximately \$2 million from the collection of this tax. I stand ready to answer any questions."

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

Stephens: "Thank you. Will the Gentleman yield?"

Speaker Hartke: "The Sponsor will yield."

Stephens: "Representative, the... If you come to Troy, Illinois, and buy a car, take it back to Chicago and register it, or you register the car and you take it back to the City of Chicago and register it at... and it's registered at a Chicago address, where does the money wind up, the new tax that you're imposing? Does it wind up in the City of Troy or the City of Chicago?"

Pugh: "Representative Stephens, if the car is bought in the city,

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it's purchased in the City of Troy, comes back to the City of Chicago, it's registered in the City of Chicago, subsequently sold in the City of Chicago, the City of Chicago will impose the Use Tax on that transfer."

Stephens: "So where does the money wind up?"

Pugh: "With the City of Chicago. If you took your car back to Troy, Illinois, and sold your car in Troy, Illinois, this tax would not apply to you."

Stephens: "Excuse me?"

Pugh: "If you took your car back... If the car was sold in Troy, Illinois, then the resources would go to Troy, Illinois."

Stephens: "Well, you've answered the question several different ways. Let me make sure that I understand. If the car is resold in Chicago, the money is going to go to Chicago. If it's resold in Troy, does it go to Troy, Illinois?"

Pugh: "This is... This is for the City of Chicago, Sir."

Stephens: "Okay, all right."

Pugh: "It's not for Troy, Illinois. If the car is sold in Troy, Illinois..."

Stephens: "All right, well..."

Pugh: "There's a municipal law and the City of Troy, Illinois, would determine where the resources are distributed."

Stephens: "Well, thank you. I think you spoke volumes when you said it was for the City of Chicago and not for the City of Troy. And I hope that everybody on our side of the aisle was listening to that. That's exactly the way we view this. There are two major problems with the legislation. One, it is a tax increase on the people of the State of Illinois; and two, it's for the City of Chicago and not for the City of Troy. And for that and many other reasons, I stand in opposition."

Pugh: "Representative, I'm sorry..."

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Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Kendall..."

Stephens: "That was not a question, Mr. Speaker."

Pugh: "I'd like to respond to his comment which was... which was not authentic."

Speaker Hartke: "I think he was speaking to the Bill."

Pugh: "But the comment was not a true..."

Speaker Hartke: "You'll have an opportunity..."

Pugh: "... comment. It was not... It was not a true..."

Speaker Hartke: "Representative Pugh, you will have an opportunity to address that in your closing remarks. Representative Cross."

Cross: "Thank you, Mr. Speaker. In the event this gets the requisite number of votes, we request a verification. And will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Cross: "Representative, who suggested this idea? This isn't an idea of the assessor in Cook County, is it?"

Pugh: "This piece of legislation is designed for the City of Chicago to collect a tax on cars sold in the City of Chicago."

Cross: "Used cars, correct?"

Pugh: "Used cars."

Cross: "I don't see a definition in your Bill of 'non retail'. How do we know that it does not... excuse me, apply to new cars?"

Pugh: "There's currently a... The state currently imposes a tax for new cars."

Cross: "Well, don't you... I would encourage you to have a definition of 'non retail'. I'll tell you, not only is the tax increase, as Representative Stephens mentioned, a real problem, but I think you also create a logistic nightmare

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for the Department of Revenue. How do you envision the Department of Revenue regulating the collection of this tax?"

Pugh: "The Department of Revenue currently collects a tax for the sale of state-run automobiles, Sir. This is not a tax increase. This is not a state wide referendum that could be considered a tax increase. This is a piece of legislation that is designed by the City of Chicago to allow for the sale of used cars between individuals to be taxed, only in the City of Chicago."

Cross: "How though, Representative, is the Department of Revenue going to go about enforcing and collecting this tax was my, with all due respect, question?"

Pugh: "The city... The State of Illinois, the Department of Revenue, currently collects a tax on the vehicles that are sold through car dealerships and other means. The state collects for other use taxes, the home rule use tax for the title property. The state charges a 2% and will receive 2% of the resources that are collected. So the state will receive resources as a result of the collection of these taxes."

Cross: "How much revenue will this... How much new revenue will this generate for the City of Chicago?"

Pugh: "The state estimates collection... The state will collect \$44 million. The state will receive \$44 million as a result of this, from its Use Tax in 1999. If 25% of that states non retail transfer occurs in Chicago, 2.4 million from the collection would go to the City of Chicago."

Cross: "Do you have a use for this windfall, the new tax for the citizens of the City of Chicago? What's going to be the use of the money?"

Pugh: "To build... To build a bridge between Chicago and

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downstate."

Cross: "Pardon me?"

Pugh: "To build a bridge between Chicago and downstate."

Cross: "It's a pretty expensive bridge."

Pugh: "Well, it depends on how you look at it. Everything's relative."

Cross: "Well, what are your intentions with the money?"

Pugh: "Again, the City of Chicago will collect the resources and will enhance the city's efforts to build bridges and to collect more taxes."

Cross: "I'm sorry, Coy, I didn't hear. What are they going to use all... What we..."

Pugh: "Again, Representative Cross, this is not... This is not a tax increase."

Cross: "What?"

Pugh: "This is... This is not a tax increase. The people of the State of Illinois will not be taxed as a result of this legislation. This is a mere attempt by the City of Chicago to stop individuals from taking their cars out of the City of Chicago and going to Troy, Illinois, to sell them. And..."

Cross: "You're not suggesting this isn't a tax increase for residents of the City of Chicago, are you?"

Pugh: "No, Sir, I'm not suggesting that this is a tax increase for anybody. I'm not in favor of tax increases."

Cross: "Well, then... Maybe I'm reading this wrong, but it says that right now the tax is 6.25 and under your Bill, it would be 8.75. It seems like that is an increase, Coy. And I'd still like to know what the money's going to be used for."

Pugh: "When you... When you're attempting to... The tax increase will be made available to the City of Chicago to... on a

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tape, which identifies the vehicles and the cars that are registered to the City of Chicago. The city has no information, nor does it have the wherewithal to develop this information, on retail sale of cars right now. This is what those dollars will be used for."

Cross: "I... Representative, I apologize. I, and maybe it's the inability to hear in here, but I have yet to hear a use for these monies. And there's no designation in this Bill that I can see of... see that provides for how the city's going to use this money. And if you're asking the Illinois General Assembly to raise taxes..."

Pugh: "But, Sir, I did. I... and I'm... I apologize for the level of noise in the... And I've repeated this twice and I'll repeat it a third time for you. And I'm sure that there are some components that..."

Speaker Hartke: "Excuse me, Mr. Pugh."

Pugh: "... the technician has that allows you to have one of those little things for your hearing problem. There's a component that you can stick into the... into the box that'll allow you to hear."

Speaker Hartke: "Ladies and Gentlemen, it's very difficult to hear in here. Would the staff please again retire to the rear of the chamber. Move your conversations to the back. Like I tell my grandchildren, let's use our inside voices."

Cross: "Give them a time-out, Mr. Speaker."

Speaker Hartke: "I should."

Cross: "I think a time-out."

Speaker Hartke: "Continue, Mr. Pugh."

Pugh: "This Bill is for the enforcement of vehicle stickers. It makes the city a tape which identifies all vehicles that are registered in the City of Chicago. The city compares this tape and record of vehicle owners who have purchased

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city stickers and can then determine who has purchased a city sticker. This is designed to address those individuals who are avoiding purchasing stickers in the City of Chicago. The city currently has no information, nor does it have the wherewithal to develop information regarding the non retail sale of vehicles which have been registered in the City of Chicago."

Cross: "Well, I may have a hearing problem, but I can read, and this is a tax increase, Mr. Speaker. And anyway you look at it, and I would encourage everybody, at least on this side of the aisle, and even for that matter the people in the City of Chicago, to take a strong look at this tax increase. As Representative Stephens said, this is a tax increase. I think Representative Stephens was right. It is a tax increase. And I would encourage a 'no' vote."

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

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

Speaker Hartke: "He indicates he will."

Durkin: "Representative, what is the intent of the city of... What are they going to do with this money, hypothetically, if this Bill does pass? What is the... What is... What are they going to do with it?"

Pugh: "And again, again, I apologize to those Members of the committee who don't have... or the council who don't have hearing problems. But for the fifth time, for the fifth time, I will explain what the city is attempting to do with the resources."

Durkin: "I'm all ears."

Pugh: "Currently, the City of Chicago does not have the wherewithal to develop information regarding the non retail sale of vehicles which are registered or titled in the City

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of Chicago. The Secretary of State..."

Speaker Hartke: "Mr. Novak, will you tone it down?"

Pugh: "This will allow... This will allow the city to compare to its record of vehicle owners who have purchased city stickers and can then determine who has not purchased a city sticker. This is not a tax increase. This is a fee that's charged for the sale of vehicles in the City of Chicago for a service that is provided to people who are selling or reselling their cars."

Durkin: "Well, why don't you do this and add on here this is allowable if you can do it through a front door referendum, as we do with other types of issues which deal with a fee increase or a tax increase?"

Pugh: "That's a good suggestion."

Durkin: "Well, why don't you pull it out of the record and put it on the Bill."

Pugh: "Pardon me?"

Durkin: "I said why don't you pull the Bill out of the record and amend it and put that in your Bill."

Pugh: "I'm not at liberty to..."

Durkin: "Sure you are, you're the Sponsor. You can do it. You can do whatever you want with the Bill. Quite frankly, I don't feel that it's our role here as... down in Springfield to come in and to impose taxes on people who live within the City of Chicago. I think this is something... To the Bill, Mr. Speaker. I think this is something which the Chicago City Council, I think they could probably accomplish on their own means. I don't think it's something which we need to do, is to dictate and to tell people of the City of Chicago, 'We're going to tax you, as being a resident, if you're going to go outside the confines of the City of Chicago to purchase an automobile.'

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This is a tax increase. There is no referendum, which is included on this Bill, and I would recommend everybody in this chamber to vote 'no'."

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

Currie: "Thank you, Speaker and Members of the House. I think there's a lot of confusion about this measure. As I read it, this does not impose a Auto Transfer Tax in the City of Chicago. All it says is that should the City Council decide to do that under its home rule powers, the State Department of Revenue would collect the tax, as they currently do with automobiles that are bought by people in the City of Chicago, outside the city limits under an ordinance already imposed in the City of Chicago. My question, whether this doesn't in fact provide equity to people who choose to buy their cars one way or another in the City of Chicago? And if you'll note, the Department of Revenue is entitled to the same 2% collection fee under this measure as it currently isn't able to collect when people buy their automobiles from car dealers outside the city limits. I think the opponents have way overblown the language and the mission of House Bill 1981. It does not itself impose a tax. It merely says that should the tax exist, and I can appreciate why the members of the city council might want to provide parity among automobile buyers within the City of Chicago, should that tax be imposed, then the State Department of Revenue will collect it the way it currently collects taxes on sales from car dealers outside the city... the boundaries itself. The 2% collection fee is there. Don't overblow this issue. It's simple, it's straightforward. I support Representative Pugh's initiative."

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

Beaubien: "Yes. Will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Beaubien: "Yes, just a few brief questions and comments. My understanding of this Bill is that Department of Revenue is to collect the tax. And in order to do that, the Department of Revenue informs me they need to go to the Secretary of State's Office to get that information. Is that your understanding?"

Pugh: "The Department of Revenue currently goes to the Secretary of State to impose a tax. This... The same form that they use when a new car is purchased, when a car is purchased from a dealership, is the same procedure that will take place if this legislation is passed."

Beaubien: "Is there any reason the City of Chicago couldn't go to the Secretary of State and give information itself?"

Pugh: "The City of Chicago does not have the wherewithal to develop another system or database, nor does it have the financial requirements regarding this process."

Beaubien: "I'm also under the impression the 2% fee would raise approximately \$40 thousand. It's my opinion that that probably would not cover the cost of collecting this tax and that therefore, I would urge the fellow council Members to vote 'no'. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Lake, Representative Andrea Moore."

Moore: "Thank you. To the Bill."

Speaker Hartke: "To the Bill."

Moore: "This is just one more case of the city trying to ask State Government to do a job that they have the authority to do. They just don't want to spend the money. I do not

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feel that it is fair to impose that kind of administrative burden on the Department of Revenue. There was Sales Tax reform in this state a number of years ago, and little by little, we are trying to inch our way back into putting an unrealistic burden on the Department of Revenue to do what individual home rule communities have the authority to do. This is not something we want to start. Representative, I understand your Bill and why you would want it, but this... You should encourage the City of Chicago to go ahead and implement their own administrative program to collect the tax and use the authority they currently have. I would urge a 'no' vote."

Speaker Hartke: "Representative Pugh, to close."

Pugh: "I encourage an 'aye' vote."

Speaker Hartke: "The question is, 'Shall House Bill 1981 pass?' There has been a request for a verification, so you should vote your own switches. Those in favor of the Bill will vote 'yes'; those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 1981, there were 25 Members voting 'yes', 87 Members voting 'no' and 0 voting 'present'. And this Bill having failed to receive a Constitutional Majority is hereby declared failed. On page 39 of the Calendar, appears House Bill 626, Representative Flowers. This Bill is on Standard Debate. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 626, a Bill for an Act concerning delivery of health care services. Third Reading of this House Bill."

Flowers: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I proudly present to you House Bill 626. This is the Patient Protection Consumer Bill of Rights and the

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issues outlining this Bill deserve our serious consideration. And its been an ongoing dialogue for the last three years. Again on behalf of the patient... or the people of the State of Illinois..."

Speaker Hartke: "Excuse me, Representative Flowers. Ladies and Gentlemen, this is a very, very important piece of legislation, and I would encourage each of you to sit and listen to this debate. Please let us, let us tone it down in here, please. It is very difficult to hear with as many people that are in the gallery and the floor. Will the staff please retire to the rear? Representative Flowers."

Flowers: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The issues outlined in this Bill deserve our serious consideration and dialogue, so that we may continue to shape policy and law as it pertains to the delivery of health care services in the State of Illinois. House Bill 626 creates the Managed Care Reform Act. The basic purpose of this Bill is to ensure that growth and managed care in Illinois does not harm the quality of patient care and the rights of patients to assess needed medical care. In regards to the disclosure of information, the Bill calls for managed care plans must disclose any type of information to enrollees and prospective enrollees, such as: the description of coverage, the grievance procedures, the utilization review, financial conditions of the plans, methods by which the plan may pay its health care providers, emergency care requirements, patients' access to specialists, quality assurance procedures, professional qualifications of participating health care providers. Also, it talks about the protection of patients' confidentiality and the drug formulas in the Bill. It sets forth a grievance procedure. It says managed care plans

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must implement a two-step grievance procedure. In regards to due process for physicians, a managed care plan must provide a due process hearing before terminating or refusing to renew a contract with a physician. The plan also says that you shall not have gag clauses that would prevent health care providers from providing or discussing alternative methods or forms of treatment. It says you shall not retaliate against a physician or a health care provider for advocating on behalf of a patient for the appropriate health care services. It says you shall not transfer civil/criminal liability to health care providers. It says the plan shall not provide financial incentives to health care providers to deny or limit medical treatment. It mandates that there be a network of providers. It talks about the selection of the enrollees. It states that enrollees in the managed care plan may select any primary care physician belonging to the plan. It talks about the transition of service. It states that patients should have a right to the continuity of care for about 90 days from the time a physician has left a plan. It talks about due process in regards to reporting infractions. It has a utilization review. It talks about the violation of patient confidentiality, revoke a previous approval of treatment, require prior authorization of emergency care, compensate their personal needs on the level of denial. It talks about the patient's right: the patient's right to have quality medical care consistent with professional standards, a full explanation of their bills and privacy confidentiality. And it says that the managed care plan can be sued. And it talks about the prescription of drugs, and I'll be more than happy to answer any questions you may have in regards to House Bill 626."

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Speaker Hartke: "Is there any 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, I want to get directly just to one issue on this. This is the liability issue. With it, you've created a right to sue. Why have you put this in the Amendment?"

Flowers: "Thank you very much. In regards to the liability section, along with other patient protection, House Bill 626 contains language to hold HMOs and other managed care entities accountable for treatment and medical decisions, which causes harm to an insured consumer. This language assures that those responsible for the medical malpractice are held and that they are accountable. A similar law was passed in Texas in 1997. To date, no one has filed suit under this law, although there has been instances in which the independent review organization or the arbitration have stepped in to resolve the question. But the answer to your question, Sir, this Bill only hold those responsible for withholding, or whoever made the decision, to be held accountable for the decision in which they made, in regards to the quality of the patient's care."

Durkin: "Okay, let me narrow the question a little bit. Why do we need to legislate a right to sue?"

Flowers: "Right now, Representative, anyone can sue the hospitals. Anyone can sue the doctors. Anyone can sue any part of that entity. But the fact of the matter is, it is the HMO that is making the medical decision that is preventing the doctor from doing its business. That managed care is only there to pay the bill, but they go beyond that. There's a formula in which they use to make

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the medical decision to say whether or not you should have a service in which your doctor, who is qualified to make that decision, that managed care entity, that businessman, is overruling the doctor's decision. So as a result of his overruling and if that ruling causes you further harm and injury, you are already in a position, Sir, to hold that doctor liable, but because that doctor didn't make the decision, you can now hold that HMO liable."

Durkin: "All right, you're saying that under the law right now that you cannot hold an HMO liable, correct? Representative, I just want to know right now. My question is, 'Are you saying that the law right now insulates an HMO from any type of liability, correct?'"

Flowers: "Only for damages. Right now, Sir, if a HMO denied me the cost of a mammogram and it was further, it further caused harm to me, and if I wanted to sue, I can only sue them for the cost of that mammogram. That's all, as today as we speak."

Durkin: "Well, right now, I think that HMOs can be held liable for making these decisions, and I have the case in my hand that was brought down from the Circuit Court, the Appellate Court, Illinois from May 22 of 1998, the case of Petrovich v. Share Health Plan of Illinois, which states that HMOs are the agents for decisions made by their physicians. Physicians are agents of HMOs. And they are held under the theory of a parent agency and they can be sued for the torts. Mr. Speaker, I have the requisite number of hands. We'd like to take this off of Standard Debate and put this on Full Debate."

Flowers: "To answer your question, Sir, if that's the truth..."

Durkin: "Yeah..."

Flowers: "...then you should not have a problem with this section

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of the Bill, because the only thing we're doing is codifying that legislation or that regulation."

Speaker Hannig: "If I could, excuse me, if I could suggest to the people in the gallery that there be no demonstrations or we'll have to clear the galleries. We welcome you here to listen to the debate, but this is not to be cheered for and against. So, would you please just listen and at that, Representative, would you please proceed."

Durkin: "Mr. Speaker, I made a request to take this off Standard Debate and put this on Full Debate. Would that be possible?"

Speaker Hannig: "Representative, we have a call from Speaker Madigan to put this on Full Debate."

Durkin: "Thank you very much."

Speaker Hannig: "And according to the Rules, it shall be done. And only the Speaker can do that, and... but it shall be done."

Durkin: "Thank you. Representative, I think a lot of us over here, and I am for HMO reform. However, when we legislate rights to sue, when there already is a theory of liability, which our courts created, I think what it does, is that we have an overburdened court system right now as it is. And I think when you, when we legislate a right to sue, I think that we get into an area in which we are going to once again, we have frivolous lawsuits which are filed on a daily basis. I represent a lot of people who have been, lawsuits been filed against them, and they're very frivolous. I agree with managed care reform. However, I think that we're sending the wrong message when we are going to state that we're going to legislate a right to sue..."

Flowers: "But, Representative..."

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Durkin: "I wish that I... I don't know if I can support your Bill, because I have a very, very difficult time with that concept of legislating a right to sue."

Flowers: "But you know what, Representative? And I agree with you 100%. And that's... for that reason, Sir, that's the reason why we have steps in the Bill. There's the grievance process. There's the utilization review process. There's the arbitration review process. I agree. We... It should not be our business, but the fact of the matter is, I also disagree with the fact that HMOs, business people, accountants, are making decisions which a doctor should be making. And so, for that matter, if they want to step in that arena, they should take the consequences in which the medical field must answer to."

Durkin: "Well, they are and our Appellate Court has already said that. Under two cases, like I said, Petrovich and also a case of Raglin v...."

Flowers: "Has the Supreme Court decided on that, Sir?.."

Durkin: "Raglin v. HMO of Illinois."

Flowers: "Has the Supreme Court decided upon that?"

Durkin: "Right now, it hasn't gone up to the Supreme Court, however..."

Flowers: "But, but..."

Durkin: "...but this is the Appellate Court..."

Flowers: "...so my point, my point, Sir..."

Durkin: "...This is the law of Illinois right now, Ma'am."

Flowers: "So, therefore, it's still in litigation."

Durkin: "All right. Next question, okay?"

Flowers: "Yes, Sir."

Durkin: "Before you have a right to sue, under your... Do you have to go through an administrative grievance process?"

Flowers: "Yes, you do."

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Durkin: "Okay, now when you go..."

Flowers: "It's an arbitration, Sir."

Durkin: "An arbitration. Who would be the arbitrator where...
What agency would we be handling the arbitration?"

Flowers: "There's a grievance procedure. There's a grievance procedure according to... under the... under the Uniform Arbitration Act. It is agreed to... Okay, arbitrators are agreed to... Let me just read this straight from the section, okay? 'Arbitrators agree to upon by the parties to the contract'... Excuse me, excuse me. 'The arbitrators are agreed to by the parties to the contract.'"

Durkin: "All right. My question now is, now if a person has a... and they wish to seek a cause of action against an HMO, do they have to go through this administrative grievance procedure prior to filing a lawsuit in a circuit court for a negligence action against an HMO?"

Flowers: "Representative, see, there lies the difference. The only... The only way that they can sue is once harm has been established. See... or injury. See, we're not talking about coverage. You know, should I have or should I not have. I'm talking about as a result of me not having, and the doctor said that I should have. You have further caused me injury. So from that point, I can go to sue. There's no grievance there anymore."

Durkin: "No, my question, it's a procedural question. If someone is going... wish to sue an HMO, do they have to go through your grievance procedure prior, prior to seeking an action in the Circuit Court?"

Flowers: "Yes, Sir."

Durkin: "Okay. Now with that lawsuit, traditionally in Illinois and every administrative act throughout the United States and anywhere, when you have a grievance procedure, which is

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taken through an administrative agency, and you take, and if you're not satisfied with that decision, that is an appeal. That is not a true lawsuit. You go... It's a form of an appeal. When you... If you're denied some type of benefit from a state agency, your right of recourse is to appeal to the Circuit Court of Cook County. It's not like filing a lawsuit. It's filing an appeal. So my question is, 'What type of suit... Can you actually file a lawsuit for negligence or is an appeal that you're taking from that administrative action?' Or is this a... simple straight cause of action?"

Flowers: "You can only take a cause of action only after there has been an injury, an allegation of an injury or harm."

Durkin: "I know, what I'm trying to get at is that... It's just that this is a, could be a very complicated procedure, which we're... legal procedure in which we're engaging in. And if we're going through a true administrative action at first, the only rights and only type of lawsuit which can be brought at the Circuit Court level is going to be in the form of an appeal from the decision was rendered by a arbitrator at the administrative end. Now, is that what you're saying that... your... that is what your law requires?"

Flowers: "No. My law requires that if there's been found harm to be caused, you go straight... you can sue."

Durkin: "Well, but, you said there's a grievance procedure. Do they have to go through the grievance procedure though?"

Flowers: "No, well, see..."

Durkin: "Do they have to go through the..."

Flowers: "Let me tell you..."

Durkin: "...administrative procedure?"

Flowers: "Let me tell what I'm going to the grievance procedure."

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See, before, once I realized, Sir, that there's a service that I was denied, if it... now see, you're asking me, you're asking me about the process."

Durkin: "Well, I think that's important. We're creating..."

Flowers: "Well..."

Durkin: "... We're creating..."

Flowers: "But let me... The only... The only time I can get, once I've been harmed, not denied a service, as a result of me not having the MIR (sic-MRI) and it's deemed that my cancer could have been, you know, taken care of, had I just had the proper tests. And now, you know, it's in a situation where I cannot be cured. I can then sue you. But... but, prior... but prior to... it got... prior to me getting to the point where I could sue you, what I have done, I have gone through the grievance process for the denial of the services in which you said that I was entitled to, but according to the contract in which I have signed, it says that I can. My employer did negotiate me to have an MIR (sic-MRI), so that was included in the contract."

Durkin: "I just want to make it perfectly clear that under what this House Bill 626 says is that if you have a... if you wish to proceed with the lawsuit or some type of action against an HMO, that you have to go through the grievance procedure first. And then, are you saying that you have the option of either going through the grievance procedure through an arbitrator or can you go straight to the circuit court? I think this is important, because I think it's not clear."

Flowers: "Let me just ask you this. Let's, let's, let's, just deal with it from another perspective. If I were... If you were to cause me harm, I can go straight to court and sue you today. I don't have to go through no grievance process

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or anything. That's the same principle with this Bill. I can go straight to court and sue you for the harm, for the harm, or the injury. I can do that today. That's... that's nothing new."

Durkin: "Then what's the purpose of having setting up this administrative procedure, which has arbitrators..."

Flowers: "Because of the denial..."

Durkin: "...who are going to hear grievances. If you're saying that they have a..."

Flowers: "Because of the denial of services. Because... Let me... Let me just give you some examples as to the reason why I could do that. For the distance that I have to travel to get to a specialist, I want to grieve about that. The waiting time, every time I come to the doctor's office, you always making me wait 3 and 4 hours. I can grieve about that. Every time, there's no one there that speaks my language, so therefore, I need someone to... I need an interpreter, you know. I want you to hire somebody, every time I come there... I can grieve about that. So those are the things that I can grieve about."

Durkin: "Is that spelled out in the Bill that... perhaps an action, which is a nonmedical decision action, is something which is only thing you can go and grieve before an arbitrator?"

Flowers: "It says specifically, just give me a moment and I'll find it. Section 85, nope. I'm sorry, nope, not Section 85. One minute, please. Okay, Representative, if you would please turn to Section 80."

Durkin: "What page under the Amendment is it you're looking at?"

Flowers: "On page 44. And if you want to, go straight down to line 22. It says in the Bill that you're liable for damages for harm to an injured... to an injured."

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Durkin: "I understand. I think what I'm just trying to get at is I just want to know whether or not we're creating this administrative review grievance procedure. Do you have to exhaust all your administrative remedies prior to going to and seeking an action?"

Flowers: "No, Sir. No, Sir."

Durkin: "Okay. All right, all right. But I think I'm still kind of confused, 'cause I'm not quite sure, 'cause even though 'B' says that you have a duty of ordinary care, but it doesn't really specify what types of procedures or what types of complaints are strictly to be left in the area of the grievance procedure as opposed to what you..."

Flowers: "No."

Durkin: "... can go directly to the Circuit Court for."

Flowers: "Sir, it... when you deny, when you deny, ordinary care, ordinary care, not extraordinary care, and harm is caused when making a health care treatment decision, you are liable for damages and harm."

Durkin: "All right, let me ask the question again."

Flowers: "That has... But... I have to... No, well, you know what? Let me say this. Let me say this, because again we're talking about two different Sections. And you're asking me two questions, and I'm going try to answer, or I'll try to answer the both of them. One of them, you asked me about the grievance. And you asked me for what reason would I grieve. I gave you a list of reasons in which I would grieve. I would grieve about the length of time. I would grieve to say, yes, I should have had this service, because that's what my policy says I should have. And then we will go to the external review or whatever and they will make the decision, yes or no."

Durkin: "All right."

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Flowers: "Now you asked me another question. You said under what conditions can I sue. I said, once you violated the ordinary care, I can then, that has caused me damage and harm, I can go straight to court. I don't have to go to an arbitrator. I don't have to go to a grievance. I will go straight to court as I would today. If I wanted to sue a doctor, if I wanted to sue a lawyer, I will go straight to court and the principle would be the same here."

Durkin: "Thank you very much. To the Bill, Mr. Speaker."

Speaker Hartke: "To the Bill."

Durkin: "I still haven't had that answer... The question has not been answered. I think that there is right now, a very big question hanging out there, whether or not a person who seeks to having civil action against an HMO has to exhaust his administrative remedies prior to going to the Circuit Court of any county to seek some type of negligence action against a health care provider. I think I... wish that this was not part of the... right to sue liability was not part of this Bill. I would support it, but the fact is I think that we send a wrong message, and it's not really great public policy for us to legislate rights to sue when our courts have already stated that HMOs are liable for health care decisions in the same way that... and for negligence, which is perpetrated by, on behalf of, their physicians. So, I would urge Members on this side of the aisle to cast a 'present' vote. I am voting 'present', 'cause I just do not believe in this right to sue provision. Thank you very much."

Speaker Hartke: "Further discussion? The Chair would remind Members that this Bill is on extended debate. We will be following Rule 52(a) 3. And for your refreshment, to refresh your memory, that means that the Sponsor of the

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Bill has five minutes. There will be four other proponents of the Bill and five people to object. The five minute timer will be placed on starting with the next speakers on the Bill. The Chair recognizes the Gentleman from Cook, Representative Lang. The Lady from Cook, Representative Silva."

Silva: "Thank you, Speaker. I rise in support of House Bill 626. For the last five minutes, we've heard a lot of, a lot of information, most of it technicalities. But I want to speak to the realities of the people here and the people of the State of Illinois. Of the 1.5 million Illinois residents who are uninsured, 66% of them are employed. Many of those people have real families. They have real faces, real illnesses. I want to tell you one of the abuses that has gone on as a result of not having a Bill like 626. In January of last year, one of my sisters, who belongs to an HMO, went for a mammogram. The doctor told her that the mammogram was suspect. My sister, knowing that there was a history of that in my family, talked to the doctor and said, 'Don't you think that we ought to have a little bit more scrutiny? Maybe I ought to go and get a more in-depth test.' The HMO denied it. Her doctor told her, basically, to go away and come back in six months to see how she was. For one month, she battled the HMO and was still denied, was still told to come back in six months. Today, she is still receiving chemotherapy and radiation as a result of it. She went out and spent the money that she needed to spend to get that exam, that further exam. To this date, the HMO has still fought and said that there was no basis for her wanting a more in-depth exam. That's a real story. If my sister would have waited the six months, maybe she wouldn't be here

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today. That's one of the abuses. And there are many others. And there are people in all of our districts that have gone through similar type experiences. And I would submit to you, that when you vote, think about those families. Think about all the heartache that this has caused and the costs in the long run that are incurred trying to fight legitimate claims. Patients ought to have the right to a second opinion. The doctors should not have gag orders and tell their patients that they can't have further examinations. I think that these are real issues and issues that need to be resolved. I, for one, resent and I know that taxpayers who work and employers who are providing that service, resent that they pay, oftentimes for those services just like I do, and are denied the right to know about prescriptions, the right to second opinions and to not even know that your doctors cannot tell you about different kinds of treatments. I hope that you think about what's happened to my sister, because it's happened over and over again. And I would urge an 'aye' vote."

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

Winters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield?"

Speaker Hartke: "She indicates she will."

Winters: "Representative Flowers, many of the phrases that we use down here sometimes start to lose a lack of meaning, but one of the most popular phrases is that we like to keep everybody on a 'level playing field', that we don't tilt our legislation to favor one group or another. Would you generally assent to that statement, that we ought to keep a level playing field, that every player on the field ought to have an equal chance?"

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Flowers: "In general, for the most part, yeah."

Winters: "I'm... I'm sorry."

Flowers: "In general, for the most part, yes."

Winters: "In general. There may..."

Flowers: "In general."

Winters: "Okay, so you would like to see a level playing field..."

Flowers: "In general."

Winters: "Okay, but there might be specific cases where you'd like to put somebody up on a little higher level and give them an advantage?"

Flowers: "Kinda, sort of, sometimes."

Winters: "Okay, okay. Well, is there any provision in this Bill that you think might give someone a little better advantage than any other citizen might have opportunity to get to?"

Flowers: "I..."

Winters: "Are you tilting the playing field in any way with this Bill?"

Flowers: "No. No."

Winters: "Not at all."

Flowers: "Not at all."

Winters: "Well, you know I... I agree that we need HMO reform. I think there are many provisions that you have in this Bill that I could sign off on. But when I see the Amendment that was put on, that specifically carves out, and when I see the word 'carve out', I, I kind of get suspicious. There seems to be a 'carve out' for here for one type of HMO that would not be allowed to be sued. And that happens to be an HMO that is organized by a union. Now, any company that sets up an HMO or any insurance company that sets up an HMO, they are under this Bill, going to be fully liable to, to tort lawsuits, extremely high penalties,

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punitive damages. And yet, the HMO sponsored and organized by a union is not. And I'm wondering, are you sending a message to the union members of this state, that in fact, if their union sets up an HMO, they have fewer rights than any other worker in this state? Are you actually going against the unions with this Amendment?"

Flowers: "Na, na, na, na, you can't say that about me. Let me explain something to you."

Winters: "Well, that's what your Amendment says."

Flowers: "No, that's not..."

Winters: "I'm reading your..."

Flowers: "No, no, no, no, no, no, no, no, no, that's not what my Amendment says."

Winters: "You are not affording those union members the same rights that anybody else in the state would have with their HMO."

Flowers: "Would... Are you asking me the question? Are you asking me a question? Are you ready for that answer?"

Winters: "I'd like you to address that, yes."

Flowers: "Okay, let me, let me..."

Winters: "And with only two and a half minutes left, I'd like a relatively short, short answer."

Flowers: "Okay. First of all, I want to say to you that that union is unique. And let me tell you the reason why. Let me tell you the reason why. First of all, they've been in business for about 38 years. Not one time, not one time has there been any type of grievance or any negatives against them in the 38 years. That's number 1."

Winters: "If that..."

Flowers: "No, no, no, let me..."

Winters: "If that's... If that's the case, let me..."

Flowers: "Wait, wait, wait, wait, wait, wait..."

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Winters: "Now, I'm answering... I'm asking the questions here."

Flowers: "Wait. No, you're asking me why, and I want to answer you. Number 2, number 2, this group of people that happen to be in a union, can already sue their doctors. That is a part of the union."

Winters: "But not their HMO. Anybody can sue a doctor."

Flowers: "They do not, they do not have to go outside their... their HMO to get permission to go to the doctor. They... It's within the circle. They do not have to get permission. A regular HMO has to get permission. They have... they don't have to get permission. And as far as, again, as far as the liability section, because there is no one else out there that they have to get permission from, they can already sue the doctor."

Winters: "Well, I believe..."

Flowers: "Or the medical director."

Winters: "...that anybody, anybody can sue their doctor. Okay, that's kind of..."

Flowers: "That's right. That's right."

Winters: "...common, common practice. So they haven't got any special privileges under that union. Now..."

Flowers: "They have no special privileges..."

Winters: "If in fact their union has been protecting them for 38 years, and they've never had a grievance filed upon that union by the actions of their HMO, if they, if they have a sterling, error free, have never made a mistake in the history of that union's HMO, then why the heck are you carving them out?"

Flowers: "I will be more than happy to continue."

Winters: "Why are you trying to protect that HMO against the union members?"

Flowers: "I will be more than happy to continue to answer your

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question. Now, again, this union is unique. It is a non
for profit..."

Winters: "It's unique..."

Flowers: "There is nothing, Sir..."

Winters: "...in that you are trying to protect the union instead
of the union workers."

Flowers: "...There is nothing, Sir, there is nothing, Sir, to
gain by..."

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

Flowers: "No, Sir, I'm going to answer your question."

Winters: "To the Bill."

Speaker Hartke: "To the Bill."

Flowers: "There is nothing to gain..."

Speaker Hartke: "Representative Flowers."

Flowers: "...by withholding services from this... from these
people that's enrolled in this HMO. They do not have to
know."

Speaker Hartke: "Representative Flowers."

Flowers: "Most of the money..."

Winters: "Thank you, Mr. Speaker."

Flowers: "...the union members are paying are going back to the
HMO."

Winters: "I think this is an..."

Speaker Hartke: "Representative Flowers. You will have an
opportunity to answer that in the closing remarks."

Winters: "I think this is an incredible, yes. May I have an
additional minute? Those were fairly long answers that
we're rambling. May... May I have..."

Speaker Hartke: "The response is, 'no'. Further discussion? The
Chair recognizes the Gentleman from Cook, Representative
Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill

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626 is a Bill we must pass and we must pass it today. The people in our districts have said to all of us that they care about health care. And a larger and larger percentage of our constituents rely on managed care for their primary health care. Now, this Bill does a number of things that are essential, if we're to repair this health care problem in Illinois. First, it establishes rules regarding claims for the emergency room, which is essential and was also part of my Bill, House Bill 161, that's already in the Senate. It also deals with utilization review. The process by which insurance companies and HMOs determine whether they're going to pay your claim, how they're going to pay your claim, how much of your claim they're going to pay. The Bill provides for due process hearings, a way to contact your HMO if your claim has been denied or if the coverage has been denied. These are things that are wanting. Today you make a claim, you contact your HMO and you say, 'Will you cover this?' and they say, 'No', and you don't know who to call. Some nameless, faceless bureaucrat says, 'No', and you don't know who to call. This Bill fixes that. This Bill gives you an opportunity to have a hearing and to talk to somebody, at least on a telephone about why they said that you're not getting coverage for that particular claim. The HMO liability in this Bill is critical. It's critical because, when you go to your doctor and your doctor makes an error, you can sue your doctor for malpractice. But if you make an HMO claim and your HMO says, 'No, we're not going to cover that'. And your medical condition worsens or your medical condition isn't diagnosed properly, or you die because of it or one of your family members has a worsening medical condition because the HMO, without reason and without recourse to

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you, has denied your claim, you do not have the same recourse that you do against the medical provider. This is a 'can do HMO malpractice'. It's not exactly the same. But your damage and your injuries, based on their negligence, is no less damaging to you than it would be if a doctor denied you the proper care you deserved or a doctor gave you improper care. Surely, whether it's the doctor, directly, that gives you improper care or the HMO that denies you the care you need that is covered under your policy, your injuries are no less severe and the liability is no less apparent. There should be an opportunity to sue an HMO for what is akin to malpractice. The comments on this floor regarding labor unions and all these other nit-picky things, Ladies and Gentlemen, are simply red herrings. They're designed to divert you from the importance of this piece of legislation. And they're designed to give those who would talk about these things some cover, some excuse, some reason, some explanation why they won't vote for this good, excellent piece of legislation. Don't fall for those red herrings; leave them aside. Don't give people an excuse or a reason or an explanation to give them a way to get out from under a 'no' vote or a 'present' vote. Let's ignore those small things that can be fixed in the Senate, if you're really serious. Let's focus on what this Bill does. And what it does is focus for us in a very real way, on what the people of our districts sent us here to do. They sent us here to take care of education. We've tried to do that. They sent us here to take care of crime on the streets. We certainly try to do that. But they also sent us here to take care of their health care. And people in the State of Illinois have some real problems with their insurance and some major

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problems with their HMOs. If we do not address them with a good-reasoned Bill, such as this, a Bill that's signed off, believe it or not, both by the trial lawyers and the doctors, and you should probably vote for it or for no other reason than that, if people like that can sign off on this Bill and they are constituents can sign off on this Bill, there is no excuse for us to deny simple, proper, legitimate health care coverage to the citizens of Illinois that have HMO managed-care coverage. This is a Bill we ought to support if our constituents were on this floor sitting with us today, they would be tugging at our sleeves telling us to vote for this Bill. Let's do this today. Let's do the right thing and take care of health care in our state."

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

Parke: "Thank you, Mr. Speaker. First of all, if this receives the required number, I would ask for a verification of the roll call."

Speaker Hartke: "Your request will be granted."

Parke: "Thank you, second of all, I would like a parliamentary inquiry."

Speaker Hartke: "State your inquiry."

Parke: "Yes, I would like to know if the Parliamentarian will rule on how many votes is necessary? I believe this affects home rule and requires 71. On page 56, lines 17 through 24, relays to exceptions under the Illinois Constitution for home rule. And if the Chair could rule before we vote on this Bill, I would appreciate it."

Speaker Hartke: "The Parliamentarian will rule."

Parke: "Thank you, Sir. I would like to ask the speaker (sic-Sponsor) some questions, Mr. Speaker."

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Speaker Hartke: "The Sponsor will yield."

Parke: "Thank you. Representative Flowers, it says here that the primary... What is the definition of a primary care physician and is chiropractors covered under this legislation, as you present it?"

Flowers: "Not covered, Sir."

Parke: "I'm sorry, I didn't hear the answer. Was it..."

Speaker Hartke: "Would you repeat your answer?"

Flowers: "Not covered, Sir."

Parke: "Okay. So, under this legislation, no primary care physicians will be chiropractors. How about podiatrists?"

Flowers: "This is a Patient's Bill of Rights, not a Specialist's Bill of Rights."

Parke: "So, therefore..."

Flowers: "So, the answer your question is..."

Parke: "Thank you."

Flowers: "As far as being providers are concerned, I cannot tell the HMOs who to hire."

Parke: "Well, you can tell them an awful lot more with your Bill. On page 4, lines 17 through 19, it has an ERISA exemption. Is that correct?"

Flowers: "Representative, you know what? I need to say this. I'm not trying to change the structure of HMOs. My only concern about what this Bill address is the quality of care that they are to provide..."

Parke: "Representative, I appreciate that."

Flowers: "...to the consumers of the State of Illinois."

Parke: "But can you answer my question?"

Flowers: "But as I told those, the chiropractors, that's another issue..."

Parke: "No, that question's over."

Flowers: "And I will be more than..."

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Parke: "Mr. Speaker..."

Flowers: "... happy to assist them."

Parke: "Mr. Speaker, that's not my question. Can she just answer my question?"

Flowers: "What is your question, Sir?"

Parke: "My question..."

Flowers: "I'm so sorry."

Parke: "Is the ERISA exemption under your plan? Is ERISA plans covered?"

Flowers: "Well, Sir, you know that we can't exempt ERISA. But to the extent that it is possible, that language is there, to the extent that is possible. But we're not the Federal Courts, we can't do that."

Parke: "Okay, so the answer is 'no'. Do you know what the percentage of people in the State of Illinois is covered under this plan? Is it 50% of the managed-care system plans or 50% of the citizens of this state? Do you have any idea how many people are covered under your plan as you apply it?"

Flowers: "I would... According to staff, they're saying about... approximately 40%."

Parke: "So, 40%... So 60% of the people, according to your numbers, 60% of the citizens of Illinois will not be covered by your plan. Is that correct?"

Flowers: "As we speak, but you know Congress is working everyday around the clock..."

Parke: "Thank you, Representative..."

Flowers: "...constantly..."

Parke: "...I appreciate that."

Flowers: "...changing Bills, so there's a possibility that they can be covered."

Parke: "Thank you. On Section 30, Subsection (e) 2 and 3, says,

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'that limits its reviewers to be state licensed physicians or state licensed professionals.' Does this mean that a reviewer, such as from an outstanding hospital in a particular field, such as Mayo or John (sic-Johns) Hopkins, is not available and that cannot be used to review an Illinois case?"

Flowers: "Does he want to practice here in the State of Illinois, Sir?"

Parke: "They're a reviewer of a case. Are you saying that if they're from Mayo Clinic or John (sic-Johns) Hopkins and they're not licensed in Illinois, they cannot be used even though they're considered the best in their field?"

Flowers: "But... But the answer to your question is 'yes'."

Parke: "Yes, they are covered?"

Flowers: "No."

Parke: "No, they're not covered. Okay."

Flowers: "It depends."

Parke: "Thank you. To the Bill, Mr. Speaker. I'm running out of time."

Speaker Hartke: "To the Bill."

Parke: "Ladies and Gentlemen of the House, citizens that are here listening today. Let me point out some major flaws. I think most of us are interested in managed-care reform, but not the kind of managed care reform found in this Bill. There are exemptions, such as labor unions that cannot be covered. We're finding that there is a small percentage of the people of Illinois are covered. That means, small businesses. This applies to small businesses. It does not apply to those major businesses that are either self-insured or covered under an ERISA. We're going to put a huge financial burden, because this plan undoes managed care. That is the intent of this. It is not a Patient's

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Right's Bill. It is a pure, economic Bill to try to do away with managed care. That's what this Bill does. It is flawed. It is mistaken. There are other Bills that are coming from the Senate that I think apply better. It provides and protects patients' rights. It applies to the system as a whole. It allows chiropractors to be primary care people. This Bill exempts them and exempts primary care physicians who are not gatekeepers. Ladies and Gentlemen, this is a flawed Bill. I would ask you to vote 'no' on this Bill."

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

Scott: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in strong support of House Bill 626 for a number of reasons. When we all campaigned last fall, wherever I went, and I went around a lot of places around the state, this is one of the issues that people were talking about. And when you go to groups, when you talk about the issue of health care and you talk about the issue of managed care, and you ask about stories people have had or problems that people have had with managed care, compared to any other issue that you found, this was the issue where people would start nodding their heads. They'd start raising their hands, and wanting to tell you about what had been happening to them. It's an issue that's incredibly personal and incredibly important to everybody in this state. And it isn't because of some media campaign that somebody dreamed up. It isn't because of a lot of dollars that were spent on TV to try to get people interested in it. It's because it's a very important issue that people deal with, if not everyday, then they deal with sometime during every year. And the number of horror

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stories out there are tremendous. One of my personal favorites is a person who called me up one day and said that they were going to a physician for a particular condition. The physician wanted to prescribe a medicine; we'll call it 'drug A'. And 'drug A' is what he needed, but the HMO involved said, 'You can't prescribe 'drug A', you have to prescribe 'drug B' which is manufactured by another company.' It didn't have anything to do with the care that was involved in the case, because everybody could agree that 'drug A' was the best drug, but 'drug B' had to be prescribed because this managed-care entity had a contract with a drug company that made 'drug B' and not with the company that made 'drug A'. And so all of their physicians had to prescribe the drugs that were made by the second company. Well, the problem with that, as this Gentleman's doctor explained to me, was that 'drug B' could kill this person, because he had a separate medical condition. This was a completely inappropriate medical use, a decision that was made, not even by somebody in the same town as the doctor, but made by somebody in the town of the managed-care entity, which was several hundred miles away. That's exactly the kind of thing that House Bill 626 is designed to get at, through a couple of ways. First of all, and we're kind of glossing over that, because everybody, I think, accepts that this is a very good thing. But it's not, it's necessary to point that out, is the mediation. An appeal process. Someway, as Representative Lang said, so that if you get denied in your coverage, you have the ability to come back then and be able to appeal that particular decision. Get the facts of the 'drug A' versus 'drug B' situation in front of somebody who's got some medical knowledge who can say, 'No, you can't

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prescribe that other drug', even though whoever the person was on the other end of the phone 400 miles away had made that particular decision. That's a very important issue. You keep hearing these buzz words. This isn't about coverage issues, you know, liability issue. We don't make decisions that affect medical results; we make coverage decisions. Bunk, that's not true. And in this particular case, that's exactly what was made. It's not a coverage decision. They made an economic decision to align themselves with one particular drug company, so they were making medical decisions that affected their patients' lives on the result of that particular financial arrangement. We talk about gag rules, confidentiality. There are so many important Bills, rights, provisions in this particular Bill that are very, very necessary for the quality of health care. And now, we've had the flag raised of the particular union issue. That particular health care situation is run by the members. If they want... If they choose to make a change in the way that's run, elect different members and allow that particular liability provision, they can do it. There's also no incentive for them to cut costs for profits. It's their members that are paying for it. It's their own members that are running the organization. The rules involved here are completely different than in other situations. The premise behind managed care makes sense. I take offense with the notion on behalf of all the people that support this Bill that somehow this is trying to get away from managed care. The idea of managed care makes sense. You get a lot of doctors together to provide medical coverage. You try to acquire as many lives on the health plan as you can to try to lower the costs. All of that makes tremendous sense. But things

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have gone wrong with that. Medical decisions end up getting made by people who have no business making medical decisions and without any ability for the patients' whose lives... actual lives are directly affected by this, without them having any ability to try to make a difference, to try to appeal that particular decision. And when you talk about the idea of managed care and what it does for the free market and the difference in the union situation, also keep in mind that for most of the people who are employed and are under managed-care situations to the employer, they don't make that decision. The employer makes it for them. This is a good Bill. It addresses a very needed issue. Please vote 'aye'."

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

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

Speaker Hartke: "She indicates she will."

Zickus: "In 1987, there were changes in the HMO Act. And at that time, Governor Thompson stated that it was his judgment that the... those changes should dispel any doubt that medical doctors, doctors of osteopathic, doctors of chiropractic, each categorically qualify and to be designated as primary care physicians. The Departments of Public Health and Insurance then wrote rules that included chiropractors as primary care physicians. This new language in this Bill exempts them and I was wondering if that was your intent?"

Flowers: "Representative Zickus, (626) (sic House Bill) does not exempt the chiropractors. That's number one. It does not include them to the extent that they can be primary care physicians. That is up to the managed care, if they so choose to want to hire. This Bill is a not about

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chiropractors, Representative. This Bill is about patient care. And again,..."

Zickus: "Representative..."

Flowers: "... I will say to you what I said to the chiropractors."

Zickus: "Representative..."

Flowers: "I will be more than happy on another Bill to discuss that issue."

Zickus: "Representative, what is the definition in your Bill, of primary care physician?"

Flowers: "If you look on page 5, line 11, it says, 'primary care physician means a physician who has contracted with the managed-care plan to provide primary care services as defined by the contract, and who is a physician licensed to practice medicine in all of its branches.'"

Zickus: "Licensed to practice medicine in all of its branches. What is the definition of a physician?"

Flowers: "Physician means a person licensed under the Medical Malpractice Act of 1987."

Zickus: "When you defined primary care physician as the physician licensed to practice medicine in all of its branches, you excluded doctors of chiropractic. And Ladies and Gentlemen in this House, what we are doing, if you accept that language in this Bill, is you are limiting the choices of your constituents. There are insurance policies in Illinois right now that include doctors of chiropractic as gatekeeper primary care physicians. If this legislation is passed, our constituents will not be able to choose the physician of their choice."

Flowers: "No. No. No. No, Representative, no. That's not true. Because I just read to you. See, Representative, chiropractors cannot write a prescription."

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Zickus: "That's right."

Flowers: "They cannot write a prescription, Representative."

Zickus: "That's right."

Flowers: "So therefore, we're talking about being a gatekeeper.

As a result, Representative..."

Zickus: "That's not true."

Flowers: "...not being able to write..."

Zickus: "That's not true,..."

Flowers: "...a prescription."

Zickus: "...Representative Flowers."

Flowers: "Therefore, they should not, according to this Bill..."

Zickus: "According to your Bill..."

Flowers: "...they can... If I needed open-heart surgery or need
medicine for the open-heart surgery..."

Zickus: "You would be referred."

Flowers: "...And you want me to... I will be referred by the
chiropractor to a heart specialist, is that what you're
saying?"

Zickus: "What is the current law right now?"

Flowers: "My HMO has hired a chiropractor as my gatekeeper.
Every time my daughter get a fever or something like that,
I have to go to my chiropractor to get permission to go to
my endocrinologist. Is that what you're telling me? And
whenever I need medication for my thyroid, you want me to
go to my chiropractor, who's the gatekeeper, so he can send
me to my endocrinologist that can write the prescription."

Zickus: "Current law, current law..."

Flowers: "Current law does not prohibit..."

Zickus: "... has chiropractors as primary care physicians. A
chiropractic physician..."

Flowers: "If the HMO want..."

Zickus: "... licensed to treat human ailments..."

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Flowers: "...to hire,..."

Zickus: "... without the use of drugs..."

Flowers: "... if that HMO..."

Zickus: "...or operative surgery..."

Flowers: "...would like to hire,..."

Zickus: "Excuse me, Representative. But I'm on the clock and the definition of primary care physician excludes doctors of chiropractic, and I think the Members of this House should know that and that we are limiting the choices of our constituents."

Flowers: "Representative, we're not talking about who can and who cannot..."

Zickus: "Yes, you are."

Flowers: "...be a chiropractor."

Zickus: "You are talking about who can be a primary care physician. You are changing current law."

Flowers: "Who can be a gatekeeper, Representative, that's what we're talking about, who can be the gatekeeper."

Zickus: "But you're changing that."

Flowers: "Representative,..."

Zickus: "With your definition..."

Flowers: "Are you... I tell you what, are you in support of the Bill? Are you in support..."

Zickus: "Not with this language."

Flowers: "I tell you what..."

Zickus: "We talked about..."

Flowers: "Help me pass it..."

Zickus: "...this last year."

Flowers: "Help me pass it and I'll be more than happy to amend it in the Senate."

Zickus: "You... you... No."

Flowers: "Help me pass the Bill..."

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Zickus: "You amend it."

Flowers: "No, no, no..."

Zickus: "I'll support it when it's amended."

Flowers: "Help me pass it and I'll be more than happy to work with you, Representative."

Zickus: "No, no, no, no. I'll support..."

Speaker Hartke: "Further discussion? There's been a request for a parliamentary inquiry on the question of home rule. The Parliamentarian is ready to give his response."

Parliamentarian Uhe: "In response to your inquiry, Representative Parke, House Bill 626 provides a comprehensive scheme for state regulation of managed health care services. The Bill expressly provides that the regulation in this area is an exclusive function of the state and expressly denies the right of home rule units to exercise any such powers by reference to Subsection (h) of Section 6 of the Illinois Constitution. Pursuant to House Rule 70, because the Bill contains expressed language providing for exclusive regulation by the state, and because the state is, in fact, exercising the power to regulate managed health care in a comprehensive manner, this Bill does, in fact, preempt home rule under Subsection (h) of Section 6 of the Illinois Constitution requiring a majority vote."

Speaker Hartke: "Further discussion? Representative Parke."

Parke: "Yes, so to clarify it, you're saying that it requires majority rules, so 60 votes is all that's necessary?"

Parliamentarian Uhe: "Yes."

Parke: "And you're saying that it does not preempt home rule or it does? But it doesn't apply to that section of home rule?"

Parliamentarian Uhe: "The Bill does preempt home rule. It does so under a subsection of the Constitution that provides for

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majority vote. It does not preempt home rule under the subsection requiring a super majority, 71 votes."

Parke: "Well, okay. That... that certainly is your ruling. We'll see if someone wants to debate that in court some other time."

Speaker Hartke: "There being no one else seeking recognition, Representative Flowers, to close."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House, we're here discussing real people and real people's problems. We're here to do the business of the people, by protecting families. I would appreciate the passage of House Bill 626."

Speaker Hartke: "The question is, 'Shall House Bill 626 pass?' There has been a request by Representative Parke for a verification. Please vote your own switches. The question is, 'Shall House Bill 626 pass?' All those in favor will vote 'yes'; those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Mr. Clerk, take the record. On House Bill 626, there are 62 Members voting 'yes', 37 Members voting 'no', and 15 Members voting 'present', but there has been a request for verification. Mr. Clerk, read the affirmative vote. Ladies and Gentlemen, there's a verification yet to be applied to this Bill. Mr. Clerk, read the affirmative."

Clerk Rossi: "Poll of those voting in the affirmative: Representatives Acevedo. Black. Bradley. Brosnahan. Bugielski. Burke. Capparelli. Crotty. Barbara Currie. Julie Curry. Dart. Monique Davis. Steve Davis. Delgado. Erwin. Feigenholtz. Flowers. Fowler. Franks. Fritchey. Garrett. Gash. Giglio. Giles. Granberg. Hamos. Hannig. Harris. Hartke. Hoffman. Holbrook. Howard. Tim

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Johnson. Lou Jones. Shirley Jones. Kenner. Lang. Lopez.
Joe Lyons. McAuliffe. McCarthy. McGuire. McKeon.
Morrow. Murphy. Novak. O'Brien. Pugh. Reitz. Saviano.
Schoenberg. Scott. Scully. Sharp. Silva. Slone. Smith.
Stroger. Art Turner. Woolard. Younge. And Mr. Speaker."

Speaker Hartke: "Questions of the affirmative, Representative Parke. Representative McKeon asked leave to be verified. Representative McGuire asked leave to be verified. Leave is granted. Representative Silva asked leave to be verified. Representative Crotty asked leave to be verified. Representative Schoenberg asked leave to be verified."

Parke: "Mr. Speaker, this is unusual that so many people would be asked to be verified off."

Speaker Hartke: "I don't, I'm not sure..."

Parke: "Excuse me. Let's not be rude. That's rude and I don't deserve that. No I don't. I'm sorry."

Speaker Hartke: "...Under Rule 17, you cannot deny verification if they request. Representative Pugh requests verification. Representative Turner asks leave for verification. Representative Frank (sic Franks) asks... Representative Novak ask leave. Representative Wyvetter Younge asks leave. Representative Woolard asks leave. Representative Scully ask leave. Representative Giles ask leave. Any questions of the affirmative, Representative Parke?"

Parke: "Yes. I would like to ask if Representative Currie, C-u-r... I see her. I see her there. Representative Curry?"

Speaker Hartke: "Both Representative Currie/Curry's are in their chairs."

Parke: "Okay, I can't see."

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Speaker Hartke: "Barbara and..."

Parke: "Thank you."

Speaker Hartke: "...Julie."

Parke: "Thank you. Representative Franks?"

Speaker Hartke: "Representative Franks was granted leave."

Parke: "Oh, that's right, he had leave, he had leave.
Representative Reitz?"

Speaker Hartke: "Representative Black ask leave. Representative
Reitz is in the rear of the chamber. Representative Reitz,
will you raise your hand please? Representative Reitz."

Parke: "Thank you, I couldn't see him sitting back there.
Representative Hoffman?"

Speaker Hartke: "Representative Hoffman's in the center."

Parke: "How about Representative... I see him there.
Representative Flower... Fowler... Fowler?"

Speaker Hartke: "Representative Fowler."

Parke: "Oh."

Speaker Hartke: "Representative Fowler is in his chair.
Representative Davis, Steve Davis asks leave. Leave.
Representative Monique Davis asks leave. Leave."

Parke: "Representative Stroger?"

Speaker Hartke: "Representative Schoenberg was granted leave."

Parke: "No, Stroger."

Speaker Hartke: "Representative Stroger, is in his chair."

Parke: "Oh. Not by me. Yes, he is here. Mr. Speaker, I have no
further questions, thank you."

Speaker Hartke: "No further questions. House Bill 626 with 62
Members voting 'yes', 37 Members voting 'no', 15 Members
voting 'present'. And this Bill having received a
Constitutional Majority is hereby declared passed. Ladies
and Gentlemen, it is the intent of the Chair to go to
Second Readings on Bills that have Amendments that were

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approved for consideration this morning in committee. And so, if you will all bear with us we will try to work through this list. It's around 50 Bills. So, if you have one of those Bills be prepared to offer your and explain your Amendments. On page 29 of the Calendar appears House Bill 2271. Representative Coulson. Representative Coulson. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2271 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Coulson, has been approved for consideration."

Speaker Hartke: "Representative Coulson, present your Amendment."

Coulson: "The Amendment was heard in committee this morning. The changes in the Amendment from the original Bill changes the legislative title and intent and it changes the premium rates. I can answer questions."

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

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

Coulson: "Yes."

Speaker Hartke: "She indicates she will yield."

Parke: "Representative, why is this necessary?"

Coulson: "Well, let me briefly say that over the summer I had several calls from small businesses who were losing their insurance because their rates had gone up 1000% or 2000%. I also had calls from small independent agents who were concerned 'cause they could not write insurance."

Parke: "Is this on the Amendment?"

Coulson: "Uh... Huh."

Parke: "Thank you. Proceed."

Coulson: "So, the, basically, the reason we need this Amendment

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is that we want to continue to be able to negotiate... what is your question again?"

Parke: "Is this on the Amendment? Does this Amendment become the Bill?"

Coulson: "Oh, okay. The Amendment becomes the Bill."

Parke: "Thank you."

Coulson: "That's your question. Thank, I'm sorry."

Parke: "Okay. Thank you. Proceed."

Coulson: "Okay. Did you have another question or?"

Parke: "And was it a Shell Bill before or..."

Coulson: "No, it was not. Do, would you like me to go into more detail on the Bill?"

Parke: "...Just, what what did you change that's off from the old Bill?"

Coulson: "What did we change? We changed the, I said, we changed the legislative findings and purposes and we changed the premium rates and the bands. There is no cap in the Amendment, as there was in the original Bill."

Parke: "Okay. Thank you."

Speaker Hartke: "Further discussion? Seeing not a one is seeking recognition, the question is, 'Shall Floor Amendment #1 to House Bill 2271 be adopted?' All those in favor signify by saying 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On deck is Bost, McKeon and Curry, Hannig and then Schoenberg. On page 5 of the Calendar appears House Bill 216. Representative Bost. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 216 has been read a second time, previously. No Committee Amendments. Floor Amendment #1,

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

Speaker Hartke: "Representative Bost."

Bost: "Thank you, Mr. Speaker, Members of the House. Amendment #1 becomes the Bill and it provides that if an established line has been or line a property line has been established and that property line has been used for the setting of goose pits. If that's been over ten years that that's been in place, if a new survey of the land changes that property line location, the goose pits do not have to be relocated. This is a technical Bill dealing with goose hunting in this state. Be glad to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 216?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 to House Bill 216 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On page 31 of the Calendar, appears House Bill 2383. Representative Curry. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2383, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Julie Curry, has been approved for consideration."

Speaker Hartke: "Representative Curry."

Curry: "Thank you, Mr. Speaker, Members of the House. Floor Amendment 1 to House Bill 2383 is basically the State Board of Education's budget. It basically provides the same level of funding that the Governor requested for the Fiscal

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Year 2000 with just a few changes in the Bill that we made. And we made some additions and moved about \$12,000,000 into programs for early childhood development, an extra \$7,000,000; \$2.7 million dollars for substance abuse and violence prevention; \$1.3 million dollars for the free breakfast, lunch program. And an additional \$1,000,000 for the Governor's initiative for the Summer Bridge Program which brings that to \$9,000,000. Be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Amendment, Floor Amendment #1 to House Bill 2383?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair the 'ayes' have it. And Floor Amendment #1 to House Bill 2383 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On page 24 of the Calendar appears House Bill 1822. Representative McKeon. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1822, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative McKeon, has been approved for consideration."

Speaker Hartke: "Representative McKeon."

McKeon: "Thank you, Mr. Speaker. House Bill 1822 amends the Illinois Pest Control Act. It increases penalties for certain violations, creates a new section regarding a compliance agreement implemented by the Director of Agriculture for areas declared to be a quarantine and establishes penalties for the violation of that quarantine or the falsification of that compliance agreement. I want

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the Members of the House to know that I have a Floor Amendment 2 in the Rules which the Agriculture Committee consented to having released as a technical Amendment, which will make some minor changes to the intent of this Bill. I urge your support and I will answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 1822?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair the 'ayes' have it. And Floor Amendment #1 to House Bill 1822 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Representative McKeon, would like that remain on Second? Keep that Bill on Second. On page 31 of the Calendar, appears House Bill... on page 17 of the Calendar appears House Bill 1236. Representative Hannig. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1236 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Morrow, has been approved for consideration."

Speaker Hartke: "Representative Morrow. Representative Hannig, would you handle that Amendment? Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. The Amendment mandates that IDOT establish a Build Illinois Transit Program for the construction of and acquisition of property and equipment for new mass transit facilities and new or expanded mass transportation services. I would move for its adoption."

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

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

Speaker Hartke: "He indicates he will."

Parke: "Representative, how much money are you talking about here?"

Hannig: "Mr. Speaker, why don't we just take it out of the record."

Speaker Hartke: "Take the Bill out of the record. For what reason does the Lady from Cook, Representative Wojcik, seek recognition?"

Wojcik: "Thank you, Mr. Speaker and Members of the House. It's with great pleasure that I have a fine Gentleman sitting next to me, Mr. Mike Connors, from Mannix. He's here to visit us and he'll be at the cable reception this evening. But, I think we should all give him a nice House welcome and say, 'glad you're here'."

Speaker Hartke: "Welcome to Illinois General Assembly."

Connors: "Thank you, thank you very much. As I came in I looked around and I see that the majority of you here are too young to remember the show on it's original run. And there are some here that will remember it very well. But, I'm here on behalf of TVland cable. We hope you get it in this area and those of you that do have it in you area know that it's a great channel and it's good show for family fair. And as I say, I hope you get it. Thank you for inviting me. It's a pleasure to be here and I kind of like this city. It's, it's got some pizazz. I was in Chicago last week and that's a great city, too. Thank you very much."

Speaker Hartke: "Thank you, Sir. On page 21 of the Calendar, appears House Bill 1587. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1587 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Mautino, has been approved for

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consideration."

Speaker Hartke: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment 1 would add 'subcontractor' to the provision in Illinois Law requiring the carriage of work comp insurance and appreciate an 'aye' vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 1587?' 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 Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On page 20 of the Calendar, appears House Bill 1522. Representative Erwin. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1522 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hannig, has been approved for consideration."

Speaker Hartke: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This is a Amendment that was heard in the committee this morning. It provides a mechanism for people who have scored well on the ACT test to be admitted to our state colleges and universities without having to take a GED test. I'd move for it's adoption."

Speaker Hartke: "Any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 1522?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 to

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House Bill 1522 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On page 20 of the Calendar, appears House Bill 1523. Representative Erwin. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1523 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Erwin, has been approved for consideration."

Speaker Hartke: "Representative Erwin."

Erwin: "Thank you, Speaker. House, Floor Amendment #1 will allow Governors State University Board of Trustees to allow a part time student to serve as a student trustee. This was a request of the university, it does not impact any other of the public universities in the state and I urge your support."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 1523?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 to House Bill 1523 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On page 2 of the Calendar, appears House Bill 69. Representative Schoenberg. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 69 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #3, offered by Representative Rutherford, has been approved for consideration."

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Speaker Hartke: "Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker. The Amendment is actually Sponsored with Representative Schoenberg and myself. It's an agreement that we have. The Amendment will become the Bill. It would set up the provision that the Secretary of State's office would be prohibited from selling photographs or digital imaginary of photographs for commercial solicitation purposes. We've both spoken with Secretary White and he is very much in support of this movement and we would ask for a favorable consideration."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill 69?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #3 to House Bill 69 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On page 13 of the Calendar, appears House Bill 881. Representative Winkel. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 881 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Winkel, has been approved for consideration."

Speaker Hartke: "Representative Winkel."

Winkel: "Thank you, Mr. Speaker. Floor Amendment #1 to House Bill 881 becomes the Bill. The legislation would increase the penalties of motorists who knowingly avoid railroad warning devices, would ask for approval."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House

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adopt Floor Amendment #1 to House Bill 881?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 to House Bill 881 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On page 16 of the Calendar, appears House Bill 1209. Representative Giglio. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill..."

Speaker Hartke: "Mr. Giglio, have you put this Bill through committee?"

Giglio: "Remain on Second Reading, please."

Speaker Hartke: "Leave it on Second Reading. Take it out of the record. On page 17 of the Calendar appears House Bill 1237. Representative Hannig. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1237 has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hannig, has been approved for consideration."

Speaker Hartke: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. My intentions on this proposal is with the help of the House to adopt the Amendment, not to move the Bill, to have the Bill available for some hearings over the summer. And perhaps there may be some opportunity to do something in the fall. But at this time, I'd simply ask that we adopt the Amendment."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall... Representative Parke."

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

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Speaker Hartke: "He indicates he will."

Parke: "What is the underlying purpose of what you're trying to achieve over the summer?"

Hannig: "Representative, the underlying Bill is a shell Bill. I'd like to have this Amendment adopted and then have some hearings. I'm not sure, you know..."

Parke: "What's the subject matter of the hearings? And Representative, would this make it a shell Bill?"

Hannig: "...No, I'm sorry Representative Parke, the underlying Bill is a shell Bill and this will add actual substantive language, but with my understanding that it will not move at this time. The Amendment says that all motor vehicles for hire that transport kids to or from school must comply with safety requirements. So, we're going to have some hearings on... we'd like to have some hearings on that over the summer."

Parke: "So this will apply to the discussion, the on going discussion of whether or not the seats in a bus or safe enough or whether or not to apply seat belts in school buses? Is that part of the discussion?"

Hannig: "You know, it could be part of the discussion, Representative. I'm not trying to limit the discussion to anything. But it was, there were... I have a constituent that's interested in the for hire transport of children to and from schools and that's why I tried to at least create a forum where we could hear out both pros and cons, that is proponents and opponents of this idea."

Parke: "Now, you're saying you're going to hold it over the summer. Does that mean in the Veto Session you're going to come up with a conclusion and if people don't like it you're just going to present it anyway? Or is this, are you going to try to find some kind of agreement with a

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school bus safety association and various other groups that would be affected by this?"

Hannig: "Representative, yeah, I'm trying to satisfy some requests from people in my district that are interested in the Bill. I don't think at this time this Bill was in a state where we could pass it. Perhaps there could be some changes that could be made that would make it something that this Body could consider in the fall or perhaps next year, but I don't know that. And so Representative, we would just like to have an opportunity to explore the subject and if there is something that we can come back in the fall, we'd be happy to work with you on it."

Parke: "Well, I think we're all interested in safety for our children and I guess the ongoing dialog would be helpful to all the people."

Hannig: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 1237?' 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 Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On page 5 of the Calendar, appears House Bill 306. Representative Leitch. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 306 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, Mr. Speaker. Amendment #1 extends the

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municipal job, the Illinois Job Recovery Act, which is due to sunset next year. It also incorporates the negotiated TIF reform which you'll, will be in the, is contained in Senate Bill 1032 and will be contained in House Bill 305. All the parties to my knowledge are in agreement and I would ask that it be approved."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 306?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 to House Bill 306 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Representative Leitch. Representative Leitch."

Leitch: "Thank you, Mr. Speaker. We discovered in committee that a piece of the legislation was inadvertently left out or knocked out, when it was drafted in LRB. So, we will have a technical Floor Amendment #2 and I would ask that the Bill remain on Second Reading until that arrives."

Speaker Hartke: "The Bill will remain on Second."

Leitch: "Thank you."

Speaker Hartke: "On page 23 of the Calendar, appears House Bill 1740. Representative Bugielski. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1740 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Bugielski, has been approved for consideration."

Speaker Hartke: "Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker and Members of the House. Amendment #1 to House Bill 1740 is an Amendment that has

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been worked out in agreement between the Illinois Mortgage Bankers and the Securities Division of the Secretary of State's office, whereby the Amendment assures persons working on a contingency basis that if the transaction does not materialize, they are not responsible for the needless paperwork that takes place. So, it just refines and specifically numbers the exempt sections of this Act. And I ask for its approval."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 1740?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 to House Bill 1740 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On page 5 of the Calendar, appears House Bill 321. Representative Zickus. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 321 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Zickus, has been approved for consideration."

Speaker Hartke: "Representative Zickus."

Zickus: "Thank you, Mr. Speaker. This legislation is agreed language between the Metropolitan Water Reclamation District and the some local officials to address some concerns about the reservoir that's going in as part of the deep tunnel project. And it basically defines the area that they are already have their operations going on and stating that it will not extend any further west of that

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location. There are no, there's no opposition to this legislation as amended. We took care of the concerns of the EPA and of the Water Reclamation District and I would ask for its adoption."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 321?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and Floor Amendment #2 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On page 6 of the Calendar, appears House Bill 452. Representative Hannig. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 452 has been read a second time, previously. No Committee Amendments. Floor Amendments 2 and 3 have been adopted to the Bill. No Motions have been filed. Floor Amendment #9, offered by Representative Hannig, has been approved for consideration."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This is a quick take Amendment that came out of the Executive Committee this morning on a unanimous vote. It includes provisions from all parts of the state, both sides of the aisle. I'm not aware of any opposition to it and I'd move for it's adoption."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #9 to House Bill 452?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #9 to House Bill 452 is adopted. Further Amendments?"

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Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On page 7 of the Calendar, appears House Bill 479. Representative Lyons. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 479 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Joe Lyons, has been approved for consideration."

Speaker Hartke: "Representative Lyons."

Lyons, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This replaces the shell Bill for the Riverboat Gaming Act. It basically prohibits riverboat casinos from installing a terminal that accepts the electronic transfer of money either on the boat, the dock, or the adjacent property."

Speaker Hartke: "Discussion? Representative Parke."

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

Speaker Hartke: "He indicates he will."

Parke: "Representative, I am sorry I could not hear your explanation. Could you say it in a way and Mr. Speaker, could we quiet it so that we can hear this? And would you also... did it come out of the committee unanimously?"

Lyons, J.: "Yes, it did. It did come out unanimously. There was no objections to it in committee. Basically, what this does, it replaces the shell Bill that amends the Riverboat Gambling Act. And what it provides is that riverboat casinos... prohibits riverboat casinos from installing a terminal that accepts electronic transfer of money either on the boat, or on the dock, or adjacent to the dock."

Parke: "So, it prohibits transferring of money. But does that include cash stations?"

Lyons, J.: "Yes, it does. "

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Parke: "So, does it mean a money station where you can put your credit card and get cash?"

Lyons, J.: "That would also be eliminated."

Parke: "That'll will be eliminated?"

Lyons, J.: "Prohibited, yes."

Parke: "What about the ones that are already in place? Are they grandfathered?"

Lyons, J.: "No, no they are not."

Parke: "So, this is for any new ones that go in?"

Lyons, J.: "No, this would be for all riverboats. ATM machines will not be allowed on riverboats."

Parke: "No, I mean, let's say there is an ATM machine on the riverboat now and I know there are because I had some people..."

Lyons, J.: "Right."

Parke: "...tell me that their friends lost a lot of money because they could..."

Lyons, J.: "Right, correct."

Parke: "...If they're there currently, will they have to remove them?"

Lyons, J.: "Yes."

Parke: "Good. I think this is a good Amendment. Thank you, I support it."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 479?' 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 Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On page 6 of the Calendar, appears House Bill 427. Representative Lyons. Mr. Clerk,

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read the Bill."

Clerk Rossi: "House Bill 427 has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Joe Lyons, has been approved for consideration."

Speaker Hartke: "Representative Lyons."

Lyons, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the ongoing attempt to pass House Bill 427, the Assisted Living and Share Housing Act. What we did is we had another meeting of concerned parties. Primarily, the Med Society, nurses agencies, also the City of Chicago on language to make it palatable for the city so they'd be, if not opposed to the Bill, at least on board as not opposed to it as being neutral on the Bill. So, we sat down again and did a second Amendment, accommodating language changes on about nine different points of the original Bill."

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

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

Speaker Hartke: "He indicates he will."

Lang: "Representative, I heard you talk about who is involved in the negotiations. There were a lot of advocacy groups involved, as well. Have, if, even if all of their concerns have not been resolved, have as many of them as possible been taken into consideration?"

Lyons, J.: "Yes, Sir, they have. That was the purpose of this Amendment."

Lang: "All right. Thank you."

Speaker Hartke: "Further discussion? Representative Parke."

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

Speaker Hartke: "He indicates he will."

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Parke: "You say this is ongoing. Are you going to leave this on Second Reading and look at other Amendments?"

Lyons, J.: "No, Representative. This is going to, hopefully, go on Third Reading, so we can vote on it, tomorrow."

Parke: "Do you see any more work that needs to be done this, if you've been working on it for such a long time? Does, is it in the form that you want it to be, become public policy?"

Lyons, J.: "Representative Parke, it's about as close as we can get to what we would like. If it does get out of the House and is looked at the Senate and additional changes are made, we'll consider that as they're made. There is a version of this, also, in the Senate, Senate Bill 10. Bev Fawell has run it. There are some differences between the two, but we've both been working to make them accommodating to the groups who have interest in them."

Parke: "Do you know of any groups that oppose this as amended?"

Lyons, J.: "As amended, Representative, Illinois Citizens for Better Care, I do believe, still have a couple of issues. We had a list of about 14, 13, 14 things. We accommodated about ten or eleven of them. Also, the Alzheimer's language is measured according to a national measurement for the level of the disability. And basically, that there's a... that has been included in this language, but it still may not meet the, the Alzheimer's Associations ultimate desire on this, but it does move us closer to what they wanted."

Parke: "Thank you. This is the enabling legislation, is there any appropriations that have to go along with this?"

Lyons, J.: "There could be, Representative. There is the issue of who is going to be regulating this. If it is indeed going to be the Department of Public Health, there would be

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additional funds required for that. If it is in the other version that exists being under the Department of Aging, there would also be funds required to do that, also."

Parke: "Representative Lyons, it looks like you've done a lot of hard work and if it's in the form you want it to be, I commend you for all that hard work. Thank you."

Lyons, J.: "Thank you, Representative Parke."

Speaker Hartke: "Is there any discussion? Anymore discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 427?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and Floor Amendment #2 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On page 12 of the Calendar, appears House Bill 806. Representative Novak. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 806 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Novak, has been approved for consideration."

Speaker Hartke: "Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 to House Bill 806 deals with the Metropolitan Pier Authority and I would like to just cite some of the minor changes that were, that are provided in the Amendment. The first one, it raises the bid limit from the current \$5,000 to the state's level under the new Procurement Code of \$25,000. These minor changes mirror the recent changes in the new State Procurement Code. The MPEA felt that they, these things should be consistent. Number two, changes the date on the filing of the

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affirmative action plan from the current March 1st to September 1st. This change would allow the information in goals in the annual affirmative action plan of McPier to coincide with its fiscal year. The third item provides for a process for emergency purchases. This change is in response to an audit finding. The Metropolitan Pier Exposition Authority statute is currently silent on the subject of emergency purchases. So the authority felt that this was prudent to put this in the Amendment. And lastly, it eliminates specific employees titles in Section 210/22 and instead refers to employees generally. This is merely a technical cleanup. Language in this aspect of the statute. This is all approved by the board and the new Director of the Metropolitan Pier, Mr. Fawell. Be more than happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 806?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 to House Bill 806 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On page 30 on the Calendar, appears House Bill 2320. Representative Holbrook. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2320 has been read a second time, previously. No Committee Amendments. Floor Amendment #3, offered by Representative Holbrook, has been approved for consideration."

Speaker Hartke: "Representative Holbrook."

Holbrook: "Thank you, Mr. Speaker. House Amendment #3 becomes

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the Bill. And what this Bill does now, it allows the Southwest Illinois Development Authority to create an Enterprise Zone within its jurisdiction. That's all it does."

Speaker Hartke: "Further discussion? Representative Parke."

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

Speaker Hartke: "He indicates he will."

Parke: "Now, this, this only affects the Southwest Illinois Development Authority, correct, Representative?"

Holbrook: "Correct."

Parke: "What was the problem in committee and we understand that it was not unanimous, so there were people that obviously were concerned. Can you share with the Body the concern that they... was expressed?"

Holbrook: "It was community... there was one 'no' vote..."

Parke: "And one 'present' vote."

Holbrook: "...one 'present' vote. They had some problems with the actual concept of Enterprise Zones, whether or not they agreed with them or not, I assume. That's what I was told after I came up to the House Floor and just talked it over with them."

Parke: "Are you familiar with... what will this Enterprise Zone, this is a new one? How many do we have in the state now?"

Holbrook: "We have 92 now and this will be the 93rd and it'll be located at the new airport at MidAmerica."

Parke: "And there is no airplanes that have flown on, no commercial airlines, that have flown out of that airport, is that correct?"

Holbrook: "They don't have a private commercial carrier at this time, no. This is an outgrowth of some negotiations going on that the Governor's Office and DCCA's Office were involved in last month. We have some potential, highly

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potential, candidates for using that airport and this is just going to be another tool we help to move it along."

Parke: "So, this is an economic development tool that really has merit, Tom, in your way and you think that it will help the economy in that area and create jobs?"

Holbrook: "Absolutely."

Parke: "Well, Representative, it seems to me that we ought to be able to find some use for that airport, we spent millions of taxpayer dollars for it. So I think that ought, we ought to be able to work with you to try and see if we can get you to have it used so that it will create jobs. And so, I guess, personally I will support you."

Speaker Hartke: "Further discussion? Seeing that nobody is seeking recognition, the question is... Representative Stephens. The question is, 'Shall Floor Amendment #3 to House Bill 2320 be adopted?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and Floor Amendment #3 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments. A Fiscal Note, a State Mandates Note and a Home Rule Note have been requested on the Bill as amended. Those notes have not been filed."

Speaker Hartke: "Remain on Second Reading. Representative Hannig in the Chair."

Speaker Hannig: "On page 19 of the Calendar, is House Bill 1409. Representative Scott. Mr. Clerk, read the Bill. Let me, Representative Scott, there's an Amendment pending in Rules. So, okay, so out of the record. On page 35 of the Calendar, is House Bill 2573 for Representative Ronen. Mr. Clerk, can you read the Bill? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2573 has been read a second time, previously. No Committee Amendments. Floor Amendment #2,

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

Speaker Hannig: "Representative Hoffman, as a Cosponsor, in Representative Ronen's absence, could you handle this Amendment for her, please?"

Hoffman: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 basically makes this a pilot program. There'll be five pilot sites throughout the City of Chicago, only. Essentially, what it would allow is to look at the issue and seeing the viability of using these cameras on red lights to determine whether an individual runs the red light. I would just ask that it be adopted."

Speaker Hannig: "And is there any discussion? Representative Cross. The Gentleman from Kendall, Representative Cross."

Cross: "Will Representative Hoffman yield for questions?"

Speaker Hannig: "Yes, he indicates he will."

Cross: "Representative, is this going to do away with police?"

Hoffman: "Yes, Representative Cross."

Cross: "Thank you, Representative. Thank you, Jim. Is this going to do away with police officers altogether?"

Hoffman: "No, because if we do away with police officers there would be nothing to put the license plates on. And I think that private investigators... well Gwenn Klingler had the Police Officers' License Plate Bill."

Cross: "I got it."

Hoffman: "And private, we certainly wouldn't want to get rid of private investigators such as Mannix, who could assist us in delivering these citations."

Cross: "No, no. Well, what is this... seriously I... what is this? Jeff, what does this do?"

Hoffman: "I'm sorry, I, Representative..."

Speaker Hannig: "Representative Hoffman."

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Hoffman: "Basically, it establishes five trial projects that would use the technology that's currently being used in certain other cities and I think in some areas in the City of Chicago, there's actually mounted to traffic lights. And if there's an accident you can utilize the pictures that are taken at traffic lights, in order to determine who ran a red light or who didn't. For this purpose what is would do is be... and it takes, it's my understanding that what it does, it focuses on the driver. So on, in these pilot projects it will take a picture of individuals running red lights, who the driver was. It would also indicate the license plates number. Then it provides provisions that would be in place in order to order to insure prosecution. But the basic thing is this is a pilot, really scaled-back version of the Bill."

Cross: "Would these photographs be in color, Representative Hoffman, or would they be black and white?"

Hoffman: "I'm sorry, I'm sorry."

Cross: "Would they... I'm sorry, are we keeping you from doing something else? Would they be in color or would they be black and white?"

Hoffman: "I think they're colored pictures."

Cross: "Where would... and it's really kind of a neat idea. Where would the camera be situated?"

Hoffman: "I think it's on top of the light or you could stand there holding it, take a picture all day long. It would be a mounted camera on the top of the light."

Cross: "Who changes the film?"

Hoffman: "I think... the House photographer changes the film."

Cross: "Well, I feel a lot better knowing that. Well, then I know it will be done well. Thanks a lot Representative Hoffman."

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Speaker Hannig: "The question, 'Shall the...'"

Hoffman: "Thank you, thank you Mr. Cross."

Speaker Hannig: "...The question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hannig: "Third Reading. On page 35 of the Calendar, is House Bill 2579. Representative Garrett. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2579 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Garrett, has been approved for consideration."

Speaker Hannig: "Representative Garrett."

Garrett: "I'd like to postpone this, please. Like to postpone it."

Speaker Hannig: "Okay, okay, out of the record. On page 7 of the Calendar, is House Bill 485. Representative Ronen's Bill. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 485 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Ronen, has been approved for consideration."

Speaker Hannig: "Representative Erwin, would you handle the Amendment?"

Erwin: "Thank you. Floor Amendment #1 to House Bill 485 is language that up until yesterday really comprised the agreement on this Bill between the Illinois Retail Merchants Association, Representative Ronen, and a group called Kids In Danger, that is working on behalf of children's product safety issues. Amendment #1 is

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supported by the Illinois Retail Merchants Association. There is a follow up Amendment that is somewhat tech... it will be some technical cleanup, which will be Floor Amendment #3, that will essentially finalize this agreement. And I would urge your support for the adoption of Floor Amendment #1."

Speaker Hannig: "Is there any discussion? The Gentleman from Kendall, Representative Cross."

Cross: "Thank you, Mr. Speaker. Just briefly, Representative, it's my understanding and I just to reassure everybody with both Amendments #1 and 2, any opposition from either IRMA or the business groups is gone? I mean, this is, they have been working with you and Representative Ronen, I understand."

Erwin: "Thank you, Representative Cross. Actually, we noted, the Retail Merchants noted in committee this morning in adopting this Amendment or recommending it's adoption that our... the Democratic analysis still showed that the Illinois Chamber may be an opponent. But I will tell you the Retail Merchants said that with the agreement that was reached last night, they felt confident that they could convince the chamber to also be supportive. So, with the eventual adoption of House Amendment #3, because 2 had a typo. Once 3 is on, we believe that that retail and business community is fully supportive."

Cross: "Representative, thanks. I know this has been a highly sensitive Bill and there have been a lot of people working on it. So, thanks for your help on it and answers."

Speaker Hannig: "The question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

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Clerk Rossi: "No further Amendments."

Speaker Hannig: "Okay, Representative Erwin."

Erwin: "If it is possible, there will be another Amendment that we hope the Rules Committee will consider. I don't know whether it's easier to keep it on Second?"

Speaker Hannig: "Yes, we'll hold the Bill on Second."

Erwin: "We'll hold the Bill on Second. Thank you."

Speaker Hannig: "Thank you. We have a Calendar announcement. The Pages we'll be passing out a yellow sheet which will be the Agreed List #3. There may be few of this Bills that still need Amendments to get them refined to a point where they're on the Agreed Bill List and that will be happening as quickly as possible. But we'd ask that you start the process of reviewing the list, and understanding what the Bills are that we will be voting on. And that we will, we will finalize this vote probably tomorrow. Representative Holbrook, for what reason do you rise?"

Holbrook: "Thank you, Mr. Chairman (sic Mr. Speaker). I just talked to Representative Boland, he's just come out of surgery yesterday and everything's fine and he's all ready to do statewide press conferences already. Hopefully, he'll be home by the weekend, just wanted to let everybody know."

Speaker Hannig: "Thank you. And Representative Stephens."

Stephens: "On the Agreed Bill List, are you saying that you expect some of these to be amended?"

Speaker Hannig: "There are a few Bills that appear here that will need some Amendments to finalize their status as Agreed Bills, and they have been reviewed by both sides of the aisle."

Stephens: "Certainly, we would not be turning these in and then having them amended after that, that wouldn't happen, would

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it?"

Speaker Hannig: "Representative,..."

Stephens: "Not while you were in the Chair."

Speaker Hannig: "...Representative, the intention is to try to move Bills that both sides of the aisle have reviewed, that both sides of the aisle believe are not controversial, but to give Members an individual opportunity to vote 'no' should they choose. We're trying to move these Bills along as quickly as possible. There'll be some potential Amendments to these Bills, but it will be tomorrow when we actually cast a Third Reading vote."

Stephens: "Mr. Speaker, one of the more famous noncontroversial Agreed Bills was the 'Wide Load' Bill. We wouldn't be revisiting that issue, would we?"

Speaker Hannig: "No."

Stephens: "God love you."

Speaker Hannig: "And if I could have your attention further. In addition to the Agreed Bill List #3, which is being distributed, there will be an Agreed Bill List #4, which will be distributed shortly, which is an agreement between the, both parties on a number of Bills in the Order of Appropriations. And on that question, Representative Ryder, is recognized."

Ryder: "Thank you, Mr. Speaker. The Agreed List #4 represents the work of some of the committees. I would suggest that the Appropriation Bills contain the following kinds of Bills in this list, either the shell Bills or the budget implementation Bills that we need to continue to move forward in the process or those Bills that are at the Governor's introduced level for the substantive committees as shown. It reflects the work that was accomplished in the committees. It is not all of those Bills, however, but

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it is those that are at the Governor's level or the implementation shells or some other shell Bills that we need to move along and I would encourage if you have questions to let me know or Representative Hannig and we'll be happy to work with you. And I would encourage your support of those Bills."

Speaker Hannig: "On page 30 of the Calendar, is House Bill 2320. Representative Holbrook. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2320 has been read a second time, previously. Amendment #3 was adopted to the Bill. The Bill was held pending the filing of some fiscal notes. Those notes have now been filed."

Speaker Hannig: "Third Reading. On page 8 of the Calendar, is House Bill 583. Representative Hassert. Mr. Clerk, would you read the Bill?"

Clerk Rossi: "House Bill 583, the Bill has been read a second time, previously."

Speaker Hannig: "Okay, Mr. Clerk, take this out of the record at the request of the Sponsor. On page 10 of the Calendar, is House Bill 721. Mr. Clerk, would you read the Bill?"

Clerk Rossi: "House Bill 721, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hamos, has been approved for consideration."

Speaker Hannig: "Representative Hamos."

Hamos: "Thank you, Mr. Speaker, Ladies and Gentlemen. I'm carrying this Bill for Representative Ronen. There has been an agreement reached between the Chicago Bar Association and the Medical Society. And this Amendment relates to the Health Care Surrogate Act. House Amendment 1 becomes the Bill and it provides that a surrogate decision maker, other than a court-appointed guardian,

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cannot consent to certain mental health services which are generally seen as the most invasive or difficult mental health services, such as, involuntary treatments and admission to a mental health facility."

Speaker Hannig: "Is there any discussion? The Gentleman from Kendall, Representative Cross."

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

Speaker Hannig: "She indicates she will."

Cross: "Representative, I understand that the underlying Bill originally had opposition from the Medical Society."

Hamos: "Yes."

Cross: "Is there opposition gone, with your Amendment?"

Hamos: "As far as I know there is no opposition."

Cross: "Okay, so you... as amended there's no opposition to the Bill? Is that right?"

Hamos: "Well, Representative Cross, I'm sort of pinch-hitting a little bit here for Representative Ronen. I do know..."

Cross: "All right."

Hamos: "...I do know that this was worked on between the Medical Society and the Chicago Bar Association and they have both signed off on it."

Cross: "All right, I apologize. I didn't realize the position you were in. I'm sorry. But that is our understanding, so thank you, Representative."

Speaker Hannig: "Any further discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hannig: "Third Reading. On page 15 of the Calendar is House Bill 1113. Representative Saviano. Mr. Clerk, would you read the Bill?"

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Clerk Rossi: "House Bill 1113, its been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Hannig: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #1 to House Bill 1113 is an Agreed Amendment between the time-share people and realtors. We worked long and hard over two weeks to come up with the substantive language which becomes the Bill. And I would ask for it's favorable passage. Thank you."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #2 to House Bill 1113 is a technical cleanup Amendment of Amendment #1. There was a few typos in there and I would ask for it to be adopted. Thank you."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hannig: "Third Reading. On page 25 of the Calendar, is House Bill 1938. Representative Howard. Mr. Clerk, would you read the Bill? Representative Howard. Representative Howard. Representative Howard, the Clerk informs us that we're still waiting for the Amendments. So, we'll take it

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out of the record. The Amendments are apparently not out of Rules."

Howard: "I have..."

Speaker Hannig: "Yes, Representative Howard."

Howard: "...Yes, I had one Amendment approved, but there's a mandates request on it, a state mandates request. Has that arrived?"

Speaker Hannig: "And there's also an Amendment 4 that I believe that's, is it in Rules, Mr. Clerk?"

Howard: "No, we're talking about Amendment #2. Amendment 4 has not come out yet."

Speaker Hannig: "Do you wish to adopt the Amendment that's before us or do you wish to wait?"

Howard: "Well, I'd like to adopt it, but fine. I'm not going to do 4, I'm doing 2."

Speaker Hannig: "Okay, Representative, the notes have not been filed and the Clerk informs that we'll not be able to move the Bill to Third Reading regardless of the status of the Amendments."

Howard: "Well, that's what I thought that's why I was wondering why you were calling me."

Speaker Hannig: "It was on my list."

Howard: "Okay."

Speaker Hannig: "On page 28 of the Calendar, is House Bill 2134. Representative McKeon. Is the Gentleman in the chamber? Okay, on page 15 of the... we'll take (2134) out of the record. On page 15 of the Calendar, is House Bill 1124. Representative Davis. Mr. Clerk, would you read the Bill?"

Clerk Rossi: "House Bill 1124 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Steve Davis, has been approved for consideration."

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Speaker Hannig: "Representative Davis."

Davis, S.: "Yes, thank you, Speaker, Ladies and Gentlemen of the House. Amendment 1 to House Bill 1124 amends the Municipal Code and it makes two changes in Section... Subsection B. We're changing the number of county inhabitants from 350,000 to 240,000. And we are changing the number of people required to form a village from 8,000 to 5,000. And I would move for the adoption of the Amendment."

Speaker Hannig: "Is there any discussion? There being none the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hannig: "Third Reading. On page 30 of the Calendar, is House Bill 2302. Representative Winters. Mr. Clerk, would you read the Bill?"

Clerk Rossi: "House Bill 2302 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Winters, has been approved for consideration."

Speaker Hannig: "Representative Winters."

Winters: "Thank you, Mr. Speaker. Amendment 1 would basically remove the power of eminent domain from downstate forest preserve districts in counties of 50,000 or less population. It would allow the formation of a few additional forest preserve districts by removing some of the public opposition."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

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Speaker Hannig: "Third Reading. On page 36 of the Calendar is House Bill 2683. Representative Younge. Representative Wyvetter Younge. Mr. Clerk, would you read the Bill?"

Clerk Rossi: "House Bill 2683 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Younge, has been approved for consideration."

Speaker Hannig: "Representative Younge."

Younge: "Thank you, Mr. Speaker. Amendment #1 to House Bill 2683 would provide for the East St. Louis Small Business Development Council to conduct a series of planning meetings, which are known as syntegrations, for the purpose of fostering economic development in East St. Louis. And I move for the adoption of the Amendment."

Speaker Hannig: "The Lady has moved for the adoption of the Amendment. And on that question, the Gentleman from Cook, Representative Parke. Representative Parke does not wish to speak. So the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hannig: "Third Reading. And also on page 36 of the Calendar, is House Bill 2684. Mr. Clerk, will you read the Bill?"

Clerk Rossi: "House Bill 2684 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Younge, has been approved for consideration."

Speaker Hannig: "Representative Younge."

Younge: "Thank you, Mr. Speaker. Amendment #1 would implement the Millennium Project, the development of a new city in

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the East St. Louis area and I move for the adoption of the Amendment."

Speaker Hannig: "The Lady has moved for the adoption of the Amendment. Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hannig: "Third Reading. On page 4 of the Calendar, is House Bill 245. Representative Saviano. And the Amendment by Representative McAuliffe. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 245 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative McAuliffe, has been approved for consideration."

Speaker Hannig: "Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 to House Bill 245 is some cleanup language as far as the Professional Boxing Wrestling Act. Also, puts the Act more in compliance with federal regulations and I ask for the adoption."

Speaker Hannig: "The Gentleman has moved for the adoption of the Amendment. Is there any discussion? On that question, the Gentleman from Winnebago, Representative Scott."

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

Speaker Hannig: "He indicates he will."

Scott: "We talked about this briefly yesterday, Representative. Is there any change in the way that people get selected for, to be judges or to be the governing board for boxing or wrestling in the state?"

McAuliffe: "As far as like the judges, I don't believe so. Yeah, I'm not sure if I understand the question. I think I know

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where you're coming from about something that happened a couple of weeks ago, not in this state."

Scott: "Right, in New York."

McAuliffe: "Right. I would not like to compare what happens in New York in Illinois. I do happen to know some of the, personally some of the judges in Illinois and I would say their integrity is very upstanding. And they also, besides doing referee boxing matches in Illinois, they do go across the country and across the world. And I would never, I would never expect to see what happened in New York happen here in Illinois. And as far as I know we've never had... there's always, you're always going to have controversy when..."

Scott: "Sure."

McAuliffe: "...you're dealing with boxing matches, but not to the same degree as what happened in New York. I witnessed that fight, too and I have a hard time agreeing with what the judges' decision was."

Scott: "I didn't see that one, I just read a lot about it. But, does this do anything to change how we select judges for fights? And I can't remember from looking at the Bill yesterday."

McAuliffe: "No, there's a, the board does that. Generally, what they would do is they would have... if somebody would want to be a judge and be licensed in Illinois, they would work like the amateur fights for five years, and upon doing that, then they might have a chance to become a judge in professional fights in Illinois."

Scott: "If I recall correctly, too, you also add in some other people that are directly connected with the match, like timekeepers and handlers of the different fighters or wrestlers so that they're also included in the regulatory

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scheme. I think your Bill does that, too, doesn't it?"

McAuliffe: "Right."

Scott: "I think that's a good..."

McAuliffe: "Right."

Scott: "...move, too. So thanks, I appreciate it."

McAuliffe: "Thank you."

Speaker Hannig: "Is there any further discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. On page 16 of the Calendar, is House Bill 1157. Representative Parke. Mr. Clerk, will you read the Bill?"

Clerk Bolin: "House Bill 1157, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Parke, has been approved for consideration."

Speaker Hannig: "Representative Parke."

Parke: "Thank you, Mr. Speaker. Floor Amendment #1 becomes the Bill. Says current law, talks about the requirement of total hours for cosmetology schools and license and this... we want to change the program. The intent of the change is to delete any reference to clock hours, because the language did not allow for any excused absences, such as, a student being ill, or a student have to go to jury duty, or a student having problem with day care that may occur. Previously, the very strict interpretation of clock hours penalized students who had valid reasons for being absent, sometimes pushing them to beyond their student contract limits. This allows students who have completed assigned tasks and tests, in spite of legitimate absences, to

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complete the course, graduate on time and complete the licensing exam to get a job, pay taxes, et cetera. This takes care of a problem that has been brought to my attention that the national crediting body urges that all states change. Thirty-one states have already adopted this. And I would ask that we adopt this Amendment, #1 to.."

Speaker Hannig: "The Gentleman has moved for adoption of the House Amendment #1. Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 182 and then hold the Bill on Second?"

Clerk Bolin: "House Bill 182, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code. Amendments #1 and 2 were adopted in committee. Floor Amendment #4, offered by Representative Lang, has been approved for consideration."

Speaker Hannig: "Okay, so, out of the record. On page 4 of the Calendar, is House Bill 239, Representative Brady's Bill. Mr. Clerk, would you read the Bill?"

Clerk Bolin: "House Bill 239, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Brady, has been approved for consideration."

Speaker Hannig: "Representative Brady."

Brady: "Thank you, Mr. Speaker. This Amendment has been worked out amongst all those interested parties. It changes the way in which we report and use information dealing with gender equity of sports. Ask for it's favorable adoption."

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Speaker Hannig: "Gentleman has moved for the adoption of the Amendment. Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. On page 8 of the Calendar, is House Bill 528. Okay, Mr. Clerk, let's not... that Bill's out of the record. The Sponsor's not on the floor. On page 8 is House Bill 531, Representative O'Brien. Mr. Clerk, would you read the Bill?"

Clerk Bolin: "House Bill 531, the Bill's been read a second time, previously. No Committee Amendments. Amendment #1, offered by Representative O'Brien, has been approved for consideration."

Speaker Hannig: "Okay, that, let's take this Bill out of the record. The Sponsor's not on the floor. Mr. Clerk, would you... on page 11 of the Calendar, would you read House Bill 722?"

Clerk Bolin: "House Bill 722, the Bill's been read a second time previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Monique Davis, has been approved for consideration."

Speaker Hannig: "Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. Floor Amendment 2 reduces the videotaping to 'in police stations only'. And I would just ask that you add that Amendment."

Speaker Hannig: "The Lady has moved for the adoption of the Amendment. Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

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Clerk Bolin: "No further Amendments. A State Mandates Note and a Home Rule Note have been requested on the Bill as amended and those notes have not yet been filed."

Speaker Hannig: "Okay. Representative Davis, you have to file the notes before that Bill can move to Third Reading. Mr. Clerk, on page 15 of the Calendar, is House Bill 1116. Representative Scott's Bill. Would you read the Bill?"

Clerk Bolin: "House Bill 1116, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Scott, has been approved for consideration."

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

Scott: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 is language that came at the request of the Association of Realtors and also of the title companies. It removes all known opposition. I'd ask for your support."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. On page 6 of the Calendar, is House Bill 408. Mr. Clerk, would you read the Bill?"

Clerk Bolin: "House Bill 408, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Lang, has been approved for consideration."

Speaker Hannig: "Representative Lang."

Lang: "Withdraw, please."

Speaker Hannig: "Okay, Amendment 2 is withdrawn. Any further

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Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Representative Lang, shall we move it to Third or do you have other Amendments pending? Okay. Third Reading. Excuse me, Mr. Lang, are you waiting for an Amendment? Representative Lang."

Lang: "Any of my Amendments can be withdrawn. This Bill can go to Third Reading."

Speaker Hannig: "Okay. Third Reading. Mr. Clerk, on page 16 of the Calendar, is House Bill 1147. Would you read the Bill? It's Representative Howard."

Clerk Bolin: "House Bill 1147, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Howard, has been approved for consideration."

Speaker Hannig: "Representative Howard. Out of the record at the request of the Sponsor. On page 16 of the Calendar, is House Bill 1219. Representative Slone. Mr. Clerk, would you read the Bill?"

Clerk Bolin: "House Bill 1219, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Slone, has been approved for consideration."

Speaker Hannig: "Representative Slone."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is an Amendment to address some technical concerns that were expressed by Representative Black last week. It also contains some technical changes to address some concerns of the retail merchants and with these technical changes they are neutral on the Bill. And I would appreciate adoption of the Amendment."

Speaker Hannig: "The Lady has moved for the adoption of the

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Amendment. And on that question, the Gentleman from Kendall, Representative Cross."

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

Speaker Hannig: "She indicates she will."

Cross: "Representative, whose opposition has been taken away with this Amendment?"

Slone: "Retail merchants."

Cross: "I'm sorry, I thought we were understood that they were still opposed to it. Is this their language?"

Slone: "Part of it is, yes."

Cross: "Where... so your Amendment becomes the Bill?"

Slone: "No. No, it does not become the Bill."

Cross: "All right. With the Amendment, what does the Bill do now? I'm sorry."

Slone: "With the Amendment, the Bill essentially, still does the same thing it did initially. However, the Amendment makes sure that the Liquor Control Commission provides the signs, which was not in the original Bill. That was something the retail merchants were concerned about. Also, it makes the penalty section congruent with the existing penalty section for sign violations. The language for the penalties was different in the original Bill and this makes it congruent with other sign violations."

Cross: "Where... just out of... maybe, I'm sure you've told us before, where do you put these warnings? Where do these warnings..."

Slone: "The new warning sign that would be required would be in the ladies' restroom."

Cross: "...Ladies' restrooms?"

Slone: "Yes, Sir."

Cross: "Is there a lot of drinking going on in ladies' restrooms that we don't know about?"

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Slone: "I wouldn't tell you if I knew."

Cross: "Well, I haven't been in any, but if there's drinking going on and we don't know about it... why, I mean no one wants to harm a pregnancy, obviously. But, why do we need warning signs in restrooms?"

Slone: "The reason for putting the sign in the restroom, Mr. Cross, was to reduce the number of signs that have to be outside of the restroom. And currently, there is a required government sign having to do with fetal alcohol syndrome and other dangers of drinking while pregnant that is a purely verbal sign. What.... The Peoria Area Retarded Citizens asked me to bring this Bill. What they wanted was a graphic sign, something that would get that message across to people who either could not read or could not read English, that graphic sign would have more impact. So this substitutes a graphic sign for the sign that was previously required. And in order to prevent it from being too burdensome to the bars and restaurants, we put the sign on the ladies' room, since it's primarily addressed to women."

Cross: "Will these be above the urinals in the ladies' room or where are they going to be?"

Slone: "Wherever they choose to put them in the ladies' room and I suppose if they have a urinal in the ladies' room, and that's where they want to put it over, that's okay."

Cross: "All right. Well, I'm anxious to see the next Bill that comes along for the signs in the men's room, but thank you, Representative."

Speaker Hannig: "The question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

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Clerk Bolin: "No further Amendments. Several notes have been requested on the Bill, as amended, and those notes have not yet been filed."

Speaker Hannig: "So, Representative Slone, you maybe need to talk to the Clerk about what notes you need to work with."

Slone: "Okay, thank you, Mr. Speaker."

Speaker Hannig: "So this Bill will be held on the Order of Second Reading. On page 22 of the Calendar, Representative Parke has House Bill 1697. Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 1697, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Parke, has been approved for consideration."

Speaker Hannig: "Representative Parke."

Parke: "Thank you, Mr. Speaker. House Bill... Amendment #1 to House Bill 1697 becomes the Bill. It clarifies that... A problem that's developed is that sometimes we find people who are dishonest have gone to insurance companies and they have taken out a insurance policy with a bogus check or credit card and then used that as a basis of getting their insurance. So this clarifies that drivers do not comply with mandatory insurance laws without valid down payment for insurance policy. It also addresses the insurance industry's problem of motorists who obtain insurance card, but do not pay anything for the policy. This also would allow the insurer, which has issued policies to motorists who down payment for a policy is NSF, to rescind such policy without current requirements and insurance. And that's... insurance code for ten days notice of cancellation. I hope the Body will accept this. I think it takes care of a problem that the insurance industry has and for certain types of industry. And it also, hopefully,

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will make people make sure that when they drive that they have insurance."

Speaker Hannig: "The Gentleman has moved for the adoption the Amendment. Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. On page 8 of the Calendar, is House Bill 528, Representative Fritchey's Bill. Mr. Clerk, would you read the Bill?"

Clerk Bolin: "House Bill 528. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been adopted. Floor Amendment#2, offered by Representative Fritchey, has been approved for consideration."

Speaker Hannig: "Representative Fritchey."

Fritchey: "Thank you, Speaker. Floor Amendment 2 becomes the Bill. It's the product of some work between Representative Hoeft and myself. What this Bill does, essentially, is change the requirements from being a precursor to getting a school bus driver's license, to being required as part of the annual refresher course. I believe that with the addition of this Amendment, there will be no opposition to the Bill."

Speaker Hannig: "The Gentleman has moved for the adoption of the Amendment. Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. On page 8 of the Calendar, is

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Representative O'Brien's Bill, House Bill 531. Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 531. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative O'Brien, has been approved for consideration."

Speaker Hannig: "Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Amendment #1 to 531 will outline the procedure by which a driver's license can be suspended for nonpayment of child support. We've heard that since the passage of the Bill, which allows a judge to certify to the Secretary of State that someone has not paid their child support, that there's been some problems with the enforcement of that. This Bill is designed to make the suspension of driver's license for nonpayment of child support, work exactly like suspensions of driver's license for DUI. What that means, is that once the court certifies that someone is delinquent in their support payment, that their license will be suspended commencing on the 46th day following the date of the certification. It gives due process, in that an individual who wishes to contest that can file a notice of hearing or a request for a hearing in the Circuit Court in which the original order was entered. That hearing will be heard by the judge that's assigned to that case. If he determines or she determines that this individual is either not delinquent or has entered into a satisfactory payment agreement, that the individual will then not lose their license. In the event that someone does lose their license, it does allow for a provision for them to get a hardship driving license for the purposes of going back and forth to work."

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Speaker Hannig: "The Lady has moved for the adoption of the Amendment. Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. On page 24 of the Calendar, is Representative Leitch's Bill, House Bill 1811. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1811. The Bill has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Leitch, has been approved for consideration."

Speaker Hannig: "Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment 3 is a Leitch-Winkel Bill. It reflects an agreement worked out with Representative Winkel and the Regional Supts., the State Board and members of the Alternate School Work Study Group, and with the Regional Superintendents and I would ask for its favorable adoption."

Speaker Hannig: "The Gentleman has moved for the adoption of the Amendment. And on that question, the Gentleman from Champaign, Representative Winkel."

Winkel: "Thank you, Mr. Speaker. Just briefly, I want to thank Representative Leitch for working with the Alternative Education Work Group and with the Regional Superintendents. I applaud the efforts in trying to solve a very difficult problem and I think that this Amendment goes a long way to solving it and I applaud him for his efforts."

Speaker Hannig: "The question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The

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'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. On page 24 of the Calendar, is Representative Winter's Bill, House Bill 1846. Mr. Clerk, would you read the Bill?"

Clerk Bolin: "House Bill 1846. The Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Winters, has been approved for consideration."

Speaker Hannig: "Representative Winters."

Winters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment 1 can be tabled. Table Floor Amendment 1."

Speaker Hannig: "Withdraw?"

Winters: "Yes."

Speaker Hannig: "Mr. Clerk, withdraw Floor Amendment #1."

Winters: "Yes."

Speaker Hannig: "Any further Amendments?"

Clerk Bolin: "Floor Amendment #2, offered by Representative Winters, has been approved for consideration."

Speaker Hannig: "Representative Winters."

Winters: "Thank you, Mr. Speaker. Floor Amendment 2 combines the provisions of House Bill 1147, House Bill 1846, and House Bill 2021. These are initiatives of the Poverty Law Project with the operation of the Department of Human Services. I move its adoption."

Speaker Hannig: "The Gentleman has moved for the adoption of the Amendment. Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

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Clerk Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 2112?"

Clerk Bolin: "House Bill 2112. The Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1...."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Floor Amendment #1 is technical. I move adoption."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. On page 30 of the Calendar, is Representative Younge's Bill, House Bill 2314. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2314. The Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Younge, has been approved for consideration."

Speaker Hannig: "Representative Younge."

Younge: "Withdraw. Rep...."

Speaker Hannig: "Okay. Mr. Clerk, withdraw the Amendment. Any further Amendments?"

Clerk Bolin: "Floor Amendment #2, offered by Representative Younge, has been approved for consideration."

Speaker Hannig: "Representative Younge."

Younge: "Thank you, Mr. Speaker. Amendment #2, of the East St. Louis Area Development Authority, would take out of the Bill all references to an alternative tax credit or riverboat gaming. The Bill as.... Representative, this

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Amendment would merely reestablish the East St. Louis Area Development Authority; would take out all references to funds for empowerment zones or tax changes and I move for the adoption of the Amendment."

Speaker Hannig: "The Lady has moved for the adoption of the Amendment. Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted? All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments. Notes have been requested on the Bill, as amended, and have not yet been filed."

Speaker Hannig: "So, Representative Younge, you need to deal with the notes before the Bill can move to Third. So that Bill will remain on the Order of Second. On page 17 of the Calendar, Representative Turner has House Bill 1244. Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 1244. The Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative John Turner, has been approved for consideration."

Speaker Hannig: "Representative Turner."

Turner, J.: "Thank you, Mr. Speaker. The Amendment changes the Bill which had set a maximum fee that could be charged when medical records are provided. And it changes that \$20 handling fee which includes the first ten pages. Also allows a further charge of 25¢ per page. There are exceptions for microfilm and x-rays, and it also includes attorneys, now, in the Bill, so that they will be limited in what they can charge for costs of copies. Be glad to answer any questions."

Speaker Hannig: "The Gentleman has moved for the adoption of the Amendment. Is there any discussion? There being none the

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question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments. Notes have been requested on the Bill, as amended, and have not yet been filed."

Speaker Hannig: "Representative Turner, did you hear that there's been notes requests for your Bill? So the Bill will not move to Third Reading. You need to check with the Clerk on that matter. On page.... Representative Turner."

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

Speaker Hannig: "The.... Mr. Clerk, would you.... Mr. Clerk, would you explain to Representative Turner the notes that are filed, requests that are filed?"

Clerk Bolin: "A Fiscal Note and a State Mandates Note have been requested on the Bill, as amended by House Amendment #1."

Turner, J.: "I move that the Chair rule them inapplicable."

Speaker Hannig: "Representative, why don't we... why don't you try to deal with that note issue by getting the notes, and if you can't do that by Friday, then we'll go to the Order of..."

Turner, J.: "We're going to run out of time."

Speaker Hannig: "...whether they're applicable or not."

Turner, J.: "I fear there won't be time. We have a deadline."

Speaker Hannig: "Okay. Representative, what's your Motion?"

Turner, J.: "My Motion is for the Chair to rule the notes inapplicable."

Speaker Hannig: "The Gentleman has moved that the note is not applicable. And on that question, Representative Black."

Black: "Well, I simply rise to agree with the Gentleman, as I did yesterday with Representative Hamos. The notes, obviously, are inapplicable."

Speaker Hannig: "Representative Turner, before we go to a vote,

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the request was from a Gentleman from your side of the aisle. You may just want to talk to him. But if you persist, we'll have a roll call."

Turner, J.: "A roll call's fine with me, Mr. Speaker."

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

Moore: "Mr. Speaker, it's not clear to me what we're doing and I was looking at this Bill and in my analysis. Is this the Trial Lawyers' Bill?"

Speaker Hannig: "Representative Moore, the Gentleman has made a Motion that the..."

Moore: "And what was that Motion, Mr. Speaker?"

Speaker Hannig: "...Fiscal Note request is not applicable."

Moore: "Oh. I would be opposed to that Motion and stand in opposition."

Speaker Hannig: "Okay, this requires a majority vote. So Representative Turner has moved that the Fiscal Note request is not applicable. All those who agree with the Motion vote 'aye'; those who are opposed to the Motion vote 'no' and the voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 102 voting 'yes', and 6 voting 'no' and the Fiscal Note request is ruled not applicable. And, Mr. Clerk, are there any additional note requests?"

Clerk Bolin: "A State Mandates Note has been requested on the Bill, as amended."

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

Cowlshaw: "I'm sorry, Mr. Speaker, I think I touched my button twice and unfortunately, the first time turns it on and the second time turns it off."

Speaker Hannig: "That's correct."

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Cowlshaw: "Could you please record as having voted 'no' on House Bill 1244."

Speaker Hannig: "The Journal will indicate your intention,..."

Cowlshaw: "Thank you. That's.... Thank you."

Speaker Hannig: "...Representative. Representative Tim Johnson."

Johnson, Tim: "Same thing happened to me, only I want to be recorded as 'yes'."

Speaker Hannig: "Thank you, Representative. Representative Lang."

Lang: "Point of information. Is this the only other note or are there other notes?"

Speaker Hannig: "Represen.... Mr. Clerk, would you inform the Body which notes are requested and not yet filed."

Clerk Bolin: "Only two notes have been requested, a Fiscal Note and a State Mandates Note."

Lang: "I would stand in favor of Mr. Turner's Motion. Have you made the Motion yet on this Bill?"

Speaker Hannig: "Why don't you make the Motion, Representative Lang."

Lang: "I move that the Note Act be held inapplicable on this Bill."

Speaker Hannig: "So Representative Lang has moved that the notes are not applicable. All those in favor of the Motion vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? It's a majority vote. Have all voted who wish? This is a Motion on whether the notes are applicable or inapplicable and Representative Lang has moved that the Note Act is not applicable. Mr. Clerk, would you take the record? On that question, 86 have voted 'yes', and 22 have voted 'no', and the Body rules that the notes are not applicable. And this Bill will now be moved to the Order of Third Reading. On page 27 of the Calendar,

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Representative Moffitt has House Bill 2081. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2081, a Bill for an Act to amend the Cemetery Care Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Moffitt, has been approved for consideration."

Speaker Hannig: "Representative Moffitt. Floor Amendment #3."

Moffitt: "I defer to Representative Scott who has... in better voice than I am."

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

Scott: "Thank you, Representative Moffitt, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #3 makes one change that would allow the denial of a permit as... if any condition exists which would constitute grounds for denying an application for a new license. So that if the application for new license conditions change, this would allow the revocation of a permit based on those grounds as well."

Speaker Hannig: "Is there any further discussion? There being none, the question is, 'Shall the Amendment be adopted?' All those in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. On page 14 of the Calendar, is House Bill 992, Representative Sharp. Mr. Clerk, would you read the Bill?"

Clerk Bolin: "House Bill 992. The Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Sharp, has been

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approved for consideration."

Speaker Hannig: "Representative Sharp."

Sharp: "Thank you, Mr. Speaker. This Amendment would create a motor-voter type opportunity for exconvicts when they regain the right to vote under existing state law, that the Department of Corrections will comply by using either a deputy register or a mail-in voter registration form."

Speaker Hannig: "Okay. The Lady has moved for the adoption of the Amendment. Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All those in favor say 'aye'; those opposed say 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. On page 13 of the Calendar, Representative Winkel has House Bill 881. Mr. Clerk, would you read the Bill? Okay, out of the record. On page 2 of the Calendar, is House Bill 63. Mr. Clerk, would you read the Bill?"

Clerk Bolin: "House Bill 63. The Bill has been read a second time, previously. Floor Amendment #6, offered by Representative Granberg, has been approved for consideration."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker. In Representative Granberg's absence, I move adoption of Amendment 6."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. On page 28 of the Calendar,

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Representative Meyer has House Bill 2176. Mr. Clerk, would you read the Bill?"

Clerk Bolin: "House Bill 2176. The Bill has been read a second time, previously. Floor Amendment #1, offered by Representative Jim Meyer, has been approved for consideration."

Speaker Hannig: "Representative Meyer)."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment, Floor Amendment #1, is a technical Amendment. It amends the Bill that, quite frankly, had been heard in here last year. It received, I believe, it didn't have anybody voting against it. And I'd be happy to answer any questions, but there's really not too much to the Amendment. It's just technical."

Speaker Hannig: "The Gentleman has moved for the adoption of the Amendment. Is there any discussion? There being none the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. On page 37 of the Calendar, Representative Zickus has House Bill 2823. Mr. Clerk, would you read the Bill?"

Clerk Bolin: "House Bill 2823. The Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hannig: "Shall we move this to Third, Representative Zickus?"

Zickus: "Please. Yes."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 1162?"

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Clerk Bolin: "House Bill 1162. The Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 1328."

Clerk Bolin: "House Bill 1328. The Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 1436."

Clerk Bolin: "House Bill 1436. The Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 1834."

Clerk Bolin: "House Bill 1834. The Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 1869."

Clerk Bolin: "House Bill 1869. The Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 1870."

Clerk Bolin: "House Bill 1870. The Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 1899."

Clerk Bolin: "House Bill 1899. The Bill's been read a second time, previously. No Committee Amendments. No Floor

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Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 2188."

Clerk Bolin: "House Bill 2188. The Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 2319."

Clerk Bolin: "House Bill 2319. The Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 2654."

Clerk Bolin: "House Bill 2654, a Bill for an Act to amend the Unemployment Insurance Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hannig: "Representative Parke. Is the Gentleman in the chamber? Representative Parke. Why don't we take this out of the record for a moment. There is an Amendment pending in the Rules Committee and we'll see what Representative Parke wishes to do with that. So, Mr. Clerk, out of the record. Mr. Clerk, read House Bill 1797."

Clerk Bolin: "House Bill 1797. The Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 2167."

Clerk Bolin: "House Bill 2167. The Bill has been read a second time, previously. No. Committee Amendment. No Floor Amendments. No Motions filed."

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

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1735."

Clerk Bolin: "House Bill 1735. The Bill's been read a second time, previously. Amendment #1 was adopted in Committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 1754."

Clerk Bolin: "House Bill 1754. The Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 757. 757."

Clerk Bolin: "House Bill 757. The Bill's been read a second time, previously. Amendment #1 was adopted in Committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 1465."

Clerk Bolin: "House Bill 1465. The Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 931."

Clerk Bolin: "House Bill 931. The Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, what is the status of House Bill 2081?"

Clerk Bolin: "House Bill 2081 has been moved to the Order of House Bills Third-Reading."

Speaker Hannig: "Mr. Clerk, would you return that to the Order of Second Reading at the request of the Sponsor? Is Representative Woolard in the chamber? Mr. Clerk, would you read House Bill 1132."

Clerk Bolin: "House Bill 1132, a Bill for an Act to amend the

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School Code. Third Reading of this House Bill."

Speaker Hannig: "Representative Woolard."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. (1132) is dealing with the administrative cost caps, which as many of you have heard from your local administrators in school districts across the state, that especially in downstate Illinois, there are many school districts that's having very much difficulty living with the cost caps that were established a few years ago. We understand that there was a reason for this, but this Bill would repeal those cost caps on administrative issues as far as local schools are concerned. And we believe it's an important issue and we should pass it."

Speaker Hannig: "Representative Woolard has moved for the passage of House Bill 1132. This Bill is on Short Debate. Representative Cross, do you rise as an opponent?"

Cross: "At this point I do, Representative..."

Speaker Hannig: "Representative Cross."

Cross: "...Mr. Speaker. Will the Sponsor yield?"

Speaker Hannig: "He indicates he will."

Cross: "Representative, is this a... this isn't a shell Bill, is it?"

Woolard: "Positively not, Representative. We're truly trying to address an issue that we think is very important."

Cross: "Well, in looking at 1132, all I... I see one sentence, 'The School Code is amended by repealing Section 17-1.5.' Is that all we want to do?"

Woolard: "It's about as simple as it gets, isn't it?"

Cross: "What's in 17-1.5?"

Woolard: "It says there's administrative cost caps that, in the budgeting process, that the local schools can only spend or have increases equal to 5%. And we believe that there are

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many schools across the state that are growing in a very fast fashion and this is a restriction that should not be continued and we'd like to see it relieved."

Cross: "If my memory is correct, this Section that you intend to repeal or want to repeal, is part of the original Education Bill back a few years ago, House Bill 452?"

Woolard: "Yes, it was."

Cross: "I thought the idea of the cap was to keep spending in line. Isn't that not the fact or the point?"

Woolard: "It certainly was and I think that there's a lot of local school districts that have had difficulty in accomplishing this. They put on a new school building or something and didn't have the ability to place someone in an administrative position or whatever it might be. I think it's just a common-sense approach that we put back into the hands, the local school boards, the authority to manage the money that they have available in their local school districts and I'm sure that they will do it in an effective fashion."

Cross: "Larry, I'm trying to remember. What are some of the items we talk about or you're... that are included in the administrative cost cap? Or it seems like the biggest discussion back a few years ago was that it was limited mainly to superintendent's salaries."

Woolard: "Well, I don't think it's just superintendent's salaries, I think it's all administrative and related items. And there are many instances where it's necessary to increase those more than the 5% percent limit allows."

Cross: "Well, thank you, Representative. I appreciate your time. Thank you, Mr. Speaker."

Speaker Hannig: "Representative Woolard, to close."

Woolard: "I would very much appreciate your consideration for

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something that I think's important to all school districts across the state."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 63 voting 'yes', and 51 voting 'no'. And this Bill having received a Constitutional Majority is hereby declared passed. Mr. Clerk, would you read House Bill 1753, Representative Burke?"

Clerk Rossi: "House Bill 1753, a Bill for an Act to amend the Illinois Notary Public Act. Third Reading of this House Bill."

Speaker Hannig: "Representative Burke."

Burke: "Thank you, Mr. Speaker and Members of the House. The nature of the legislation is very simple. Notary Publics are asking for an increase in the fee that they would charge. For the last 25 years, they've been permitted by state statute to charge a \$1.00. They're asking for an additional \$1.00 to raise the fee to \$2.00. As I said, they have not had an increase in over 25 years. That's the Bill. I would ask for your favorable consideration."

Speaker Hannig: "The Gentleman has moved for the passage of this Bill. This Bill is on Short Debate. Does anyone rise in opposition? Representative Cross."

Cross: "I withdraw my 'light' request to speak."

Speaker Hannig: "Okay. Does anyone rise in opposition? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 55 voting

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'yes', Representative Burke, do you wish postponed?"

Burke: "I'd like Postponed Consideration, please."

Speaker Hannig: "Postponed Consideration. Mr. Clerk, what is the status of House Bill 1829?"

Clerk Rossi: "House Bill 1829 is on the Order of House Bills-Third Reading."

Speaker Hannig: "Return that Bill to the Order of Second Reading at the request of the Sponsor. Mr. Clerk, what is the status of House Bill 742? Okay. So, Mr. Clerk, read House Bill 1829."

Clerk Rossi: "House Bill 1829 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Shirley Jones, has been approved for consideration."

Speaker Hannig: "Representative Jones. Shirley Jones."

Jones, S.: "Yes, Mr. Speaker, on Amendment #1, it just changed to one year instead of quarterly."

Speaker Hannig: "The Lady has moved for the adoption the of the Amendment. Is there any discussion? Representative Black, the Gentleman from Vermilion."

Black: "Yes, thank you very much. Inquiry of the Chair."

Speaker Hannig: "Yes, Representative."

Black: "My 'Etch-a-Sketch' doesn't tell me whether this Amendment went to a committee. Did it go to a committee?"

Speaker Hannig: "Mr. Clerk, could you inform the Members of the Amendment? Did it go directly to the floor or was it through a committee?"

Clerk Rossi: "The Amendment was referred to the floor by the Rules Committee."

Black: "Oh, it was referred directly to the floor."

Speaker Hannig: "Probably technical in nature."

Black: "Oh, technical in nature. Well, at some point I'd like to

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make an inquiry of the Chair as to what's happened to some of my technical Amendments, but I'll save that till later."

Speaker Hannig: "Perhaps you should talk with the Chairman of the Rules Committee, Representative Currie."

Black: "Nah, I'm tired. I don't want to walk over there. I'll just make an inquiry of the Chair. You know, I'd just like to make an inquiry about some rules, some Amendments get taken right to the floor. Some of us who have been here for awhile, our rules seem to get hung up in, or our Amendments seem to get hung up in Rules Committee, ad nauseam. And then some Bills are on the Calendar on Third Reading and have been for days, and when you ask why they can't be called, it's some kind of secret. You know, and at the appropriate time I'll ask the Chair to tell me who's the CIA operative that puts all these bricks on these Bills, so that maybe some of us poor mopes can find out who stops the Bills that our constituents want, so maybe we could go talk to the person that puts the brick on it and then maybe find out. I'd at least like to go home and tell people who ask me to Sponsor these Bills, who in the chamber is so powerful that we're not allowed to call it. That's all I'd like to know, Mr. Speaker. At the appropriate time I'll ask that question."

Speaker Hannig: "Thank you, Representative Black. On the Amendment, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hannig: "Third Reading. Mr. Clerk, what is the status of House Bill 742?"

Clerk Rossi: "House Bill 742 is on the Order of House Bills-Third

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Reading."

Speaker Hannig: "Mr. Clerk, return that Bill to the Order of Second Reading. Okay. Mr. Clerk, would you read House Bill 1281?"

Clerk Rossi: "House Bill 1281, a Bill for an Act regarding unclaimed property. Third Reading of this House Bill."

Speaker Hannig: "Okay. Mr. Clerk, read that... return that Bill to the Order of Second Reading. Mr. Clerk, would you read House Bill... or what is the status of House Bill 742? Excuse me, we've done that Bill. Representative Brady, are you prepared to call House Bill 239, 239 on the Order of Third Reading? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 239, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Hannig: "Representative Brady."

Brady: "Thank you, Mr. Speaker. Would the Clerk check the roll. I think Representative Erwin was added as a Cosponsor."

Speaker Hannig: "Mr. Clerk. Yes, the board reflects Brady-Erwin. Representative Brady."

Brady: "Thank you, Mr. Speaker. Ladies and Gentlemen, this is a piece of legislation which changes the way in which we require reporting on gender participation in athletic events. It also asks for the state board to study ways in which we can report and study participation in academics as it relates to gender. This is a piece of legislation that is, as far as I know, is agreed to by all parties. Representative Erwin and various groups worked on trying to come up with some solution to make this more valuable information. I ask the Body for a favorable vote."

Speaker Hannig: "This is on page 4 of the Calendar, on the Order of Short Debate. Does anyone rise in opposition? Representative Brunsvold, in opposition?"

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Brunsvold: "I don't know, Mr. Speaker, whether I'm in opposition or not. Could I ask the Gentleman a few questions?"

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

Brunsvold: "Representative Brady, the Illinois High School Association, does this relate at all to the IHSA?"

Brady: "Yes, it does."

Brunsvold: "What would it do to their program right now?"

Brady: "It provides a format for them to submit information on gender equity to the Illinois State Board of Education under reporting procedures, which will allow that information to be shared and used by the general public."

Brunsvold: "I'm not opposed to that. Is there any... anything in there dealing with dues. It says 'dues'. What...."

Brady: "Previously, Representative, the legislation said if you were a school and paid dues to an organization, that dues receiving organization was required to collect gender equity data and then submit it to the state board. It has not been done comprehensively. It has not been done in a format in which the information's usable. We all, I believe, agree that participation in sports is important. It's important that both sexes participate. This will help us collect that data in a usable format and provide it to the public."

Brunsvold: "Representative Brady, who are the two Legislators that are assigned to the Illinois High School Association's Executive Board?"

Brady: "I would guess Tim Johnson and Monique Davis."

Brunsvold: "Who?"

Brady: "I was guessing. Tim Johnson and Monique Davis."

Brunsvold: "Eh. Wrong."

Brady: "I'm sorry."

Brunsvold: "Do we really know? I mean, I don't know either

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because...."

Brady: "Well, I did not hear your question, Representative."

Brunsvold: "Pardon? What was that reply?"

Brady: "I did not hear your question."

Brunsvold: "Okay. I want to say, about six or seven years ago we passed legislation that required the Governor to appoint two Legislators to the Illinois High School Association's Executive Board as a liaison if you will, between the General Assembly and the High School Association. Now I don't know to this date whether Governor Edgar had ever appointed anyone or, of course, whether George Ryan, Governor Ryan has appointed anyone. Because, in the end, the idea was that if we had problems with the High School Association, these liaisons could carry that back and forth here to the General Assembly and maybe solve these problems so we wouldn't end up trying to affect a private organization, which the Illinois High School Association is. You understand what I'm trying to say?"

Brady: "I do, Representative. If you'd like to be one of those Representatives, I'd be happy to submit your name and Representative Davis' name to the Governor for appointment."

Brunsvold: "Well, I do believe that Tim Johnson and I, we had discussed this and worked on this back years ago when we had legislation coming into the Assembly to make someone eligible or ineligible in this Body. And I don't know, I don't object to your Bill here, I'm just saying, maybe we ought to go back and revisit and see what... see if we've got anybody there that can do this and, you know, the idea of the Bill is okay. I don't have any problem with that. But maybe we could have done this without a piece of legislation."

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Brady: "Representative, we could not have done this without a piece of legislation. Now, maybe the individuals that you're suggesting, who would have been appointed to communicate between this Body and the Senate and the Illinois High School Association, might have been a little more proactive. It might have expediated this situation and the correction of it. You may well be right."

Brunsvold: "Just for comment...."

Brady: "I do believe that this piece of legis... this does require legislative change and I think it's a positive change."

Brunsvold: "Okay. Does a.... Has David Fry, the Executive Director of the Illinois High School Association, contacted you?"

Brady: "No."

Brunsvold: "Thank you, Representative."

Brady: "Thank you."

Speaker Hannig: "Does anyone stand in opposition? Representative Johnson, not in opposition?"

Johnson, Tim: "Not in opposition, but...."

Speaker Hannig: "For what reason do you rise?"

Johnson, Tim: "I wonder.... I think Representative Brunsvold's raised a valid point. I think this is probably as good an opportunity as any to make the other Members of the chamber aware that, in fact, Governor Edgar, in the last nine months or so of his administration, did make two appointments; one from the House and one from the Senate, to serve as a liaison with the Illinois High School Association Board. Senator Shadid is the Senate liaison and I was appointed and still serve as the House liaison. And I would certainly and, again, like Representative Brunsvold, I don't oppose this Bill. I don't even... I

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don't even object to Representative Brady's and Erwin's approach to the issue. However, I do think it would be helpful to us, as liaisons, if on issues like this we could serve our function of communicating to IHSA and vice versa, and I think the only way we're going to do that is by better awareness. The fact that Representative Brady only knew one of the Members is really our fault. We should make the other Members of the chamber, in both chambers, aware of who the liaisons are. It's a valuable function. The IHSA has shown a real willingness to cooperate and work with us. They haven't agreed to return the basketball tournament to Champaign yet, but I'm hopeful that we'll persuade them to that effect. But nonetheless, that's why Senator Shadid's on there, to protect Peoria. But we would like to serve as a conduit both from the IHSA to the General Assembly and vice versa. And I would encourage all of us here and in the Senate to use that conduit to be able to make for a more constructive dialogue between the High School Association and the General Assembly. But, in any event, I support Representative Brady and Erwin's Bill."

Speaker Hannig: "Representative Erwin, would you like to close?"

Erwin: "I don't need to close. Let me just add that I want to say that I appreciate Representative Brady's willingness to work with both the State Board of Education, AAUW and a number of other interested parties, the Illinois Education Association. Representative Brunsvold, I did a little research on why it is the athletic associations are mandated by law to collect gender participation and discovered that in the late 70's or early 80's the General Assembly assigned this responsibility to the elementary, junior high and high school associations, basically, to give them some... something that legitimize their

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existence. There apparently was some controversy at the time. But the truth be told, Representative Brady is trying to respond to an organization based in his district. It makes much more sense for the State Board of Education to collect this data. They're the ones who collect lots of information about what K through 12 students are doing and it just makes a lot of sense to have the State Board of Education do it and that's what this Bill does and I appreciate your support."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'yes', and 0 voting 'no'. And this Bill having received a Constitutional Majority is hereby declared passed. Mr. Clerk, read House Bill 2."

Clerk Rossi: "House Bill 2, a Bill for an Act to grant family and temporary medical leave under certain circumstances. Third Reading of this House Bill."

Speaker Hannig: "Mr. Clerk, take this out of the record at the request of the Sponsor. Mr. Clerk, read House Bill 1383."

Clerk Rossi: "House Bill 1383, a Bill for an Act concerning wireless 9-1-1 service. Third Reading of this House Bill."

Speaker Hannig: "Representative Black, the Gentleman from Vermilion."

Black: "Thank you very much, Mr. Speaker. Sometimes it pays to reach out and touch someone. House Bill 1383 has been a Bill I've sponsored or cosponsored along with Representative Brunsvold, Representative Cross for the last, almost 9 years. I got interested in this at the Tammy Zywicki disappearance. For those of you who don't

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remember that, about 8 1/2 years ago, she was on her way back to school and was abducted, evidently when her car had trouble and they later found her body. From that time on, many cellular telephone companies advertised, exclusively, not exclusively, extensively that you ought to buy your spouse or your child a cellular telephone to use in case of emergencies and they could dial 9-1-1. What we began to find out a few years ago, was that the technology at that time, the 9-1-1 call in some areas of the state may go unanswered. In other areas of the state, because of skip or atmospheric, it might be answered someplace in Missouri, in someplace in Kentucky. So after dozens of meetings, we've come up with House Bill 1383. This is as close to an agreement as we've been able to reach in the last 8 years. It is not an Agreed Bill. I didn't say that and I won't portray it as that. Let me tell you briefly what it does. This Bill creates a separate Act that deals with wireless 9-1-1. It establishes a statewide seamless, wireless 9-1-1 system. It sets up the Illinois Commerce Commission as the responsible party for setting nondiscriminatory technical and operational standards. It allows for adjoining Public Service Answering Points, or PSAPS to enter intergovernmental agreements for the purpose of answering multi-jurisdictional wireless 9-1-1 calls. It requires the Illinois State Police to serve as the default agency for any jurisdiction that does not provide a wireless 9-1-1 service. It allows for qualified units of local government to accept wireless 9-1-1 calls in the future if they choose to purchase the technology to do so. It sets up a committee to be appointed by the Governor that will set up a surcharge to pay for this service; not to exceed 75¢ a month per cellular customer. It goes on to

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determine how that money will be distributed. In the last meeting we had in the office of the Majority Leader, there are some... there's still some Amendments that will have to be done in the Senate as to the auditing of said money and there may even be an Amendment as to who, in fact, handles the 25¢ that would go to the local units of government. It provides for a limitation of liability that is identical to the existing Emergency Telephone Systems Act. It calls for an Auditor General Review of this system in 2001. That's what it does. I'll be glad to answer any questions that you have."

Speaker Hannig: "Okay. This Bill is on the Order of Short Debate. Does anyone stand in opposition? Does anyone stand in opposition? Representative Novak. In opposition?"

Novak: "Mr. Speaker, I don't stand in opposition but I had a question I wanted to ask of the Sponsor. Can I ask the Sponsor a question?"

Speaker Hannig: "Yes, the Sponsor will yield."

Novak: "Representative Black, is this one of those little Bills that you were implying about earlier today, that hasn't been called?"

Black: "It might have been lost on the Calendar and suddenly, suddenly was found."

Novak: "But I want to ask you, Bill, is there a surcharge in this?"

Black: "There is, Phil, and I don't think it's fair to portray it as any other way. The Bill, and I think this is convoluted. I don't mind voting on that surcharge. I'll gladly pay 75¢ to make sure that my cellular 9-1-1 call or my children's 9-1-1 call is answered and handled expeditiously. But what this Bill does, in an attempt to

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make sure that nobody on the floor had to vote directly on the surcharge, all you're voting for is to create a board that will then make a recommendation. And as I recall, correct me if I'm wrong, that the board is appointed by the Governor. Then the board will make a recommendation on that monthly fee not to exceed 75¢. So there's kind of a layer of insulation between your vote and what the fee may be."

Novak: "Well, this state board that's being created, how will that like impact our we have 9-1-1 in Kankakee County. They have their own local board. Will this state board preempt the local board?"

Black: "No. No, in fact, we met, I think a week ago in Majority Leader Currie's office. All of the Public Service Answering Points are in agreement with the Bill. NENA, the National Emergency Number Association, the 9-1-1 folks, they are in agreement with the Bill. The Sheriffs, the State Police, the cellular providers, for the first time in 8 years, and I remember... Joel Brunsvold could tell you, probably better than I. When we started, we couldn't even get them in the same room to agree what room to meet in, let alone anything else. The Bill is not perfect in this form. It needs a few minor changes in the Senate, and I'm sure they will be made. My point in bringing this to you now; if this Bill doesn't move, we'll never know exactly what the technical details still are that some people have a problem with. Because many people have just walked away from the Bill saying 'Well it's never going to move. I'm not going to worry about it.' And I think we're so close to an agreement. It's time to send it to the Senate, where everybody, I hope, will get serious. I know the Bill will have some changes and Amendments. I don't stand here and

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tell anybody how to vote, but I think after 8 years of working on it, this is as close to an agreement on... and now we have the technology to eventually, when you call 9-1-1 you may not know where you are. You may be severely ill and may not be able to do anything but call 9-1-1. Within a matter of 2 or 3 years, the technology will exist to locate the location of your call within 40 yards. But if you don't set up a statewide system, we're not going to be able to access this technology."

Novak: "Okay. So, can we anticipate that when the Bill will be coming back from the Senate?"

Black: "I think that is a, you know, I can't sit here and tell you absolutely, but if this... as far as I'm concerned it will."

Novak: "Well, will it...."

Black: "This is not in the final form that I think some of the people want it in. And I'm sure... I've talked to Senator Maitland..."

Novak: "Okay."

Black: "...very briefly, and I believe that Senator Maitland will be open to some final technical fine-tuning on the Bill and I'm sure it will come back here."

Novak: "Last question, Bill, the \$64,000 question. Are we going to vote on a surcharge this Session?"

Black: "Phil, the only way we could vote on the surcharge would be to amend the Bill and take out that committee. But again, I know how campaigns work and I... I've had it done to me and I'm sure you've had it done to you..."

Novak: "Right."

Black: "...but all we're voting on is to create the board."

Novak: "Okay."

Black: "The board will recommend the monthly fee, not to exceed

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75¢."

Novak: "Thank you."

Speaker Hannig: "There are a number of Legislators seeking recognition on this question. So the Chair will just remove this Bill from Short Debate. Representative Brunsvold."

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

Speaker Hannig: "He indicate..."

Brunsvold: "Yeah, Bill, we worked on this for a lot of years now and we've gotten down to this product. The local landlines have a front door referendum at whatever cents they passed. In my county it's 65¢. That, of course, is separate. This is not a front door referendum. This board would indicate how much money. Would it go above the 65¢ landline approved referendum?"

Black: "The way the Bill in its current form is, that the board cannot go higher than 75¢ per month, per cellular customer."

Brunsvold: "Would they take into consideration, I'd hate to see someone that passed 65¢, like my county, and then all of a sudden there's a cellular fee of 75¢. And that's going to raise people's, a little bit higher maybe, and say, 'Well, you know, I'm going to get rid of my phone, and get a cell phone' or whatever, vice versa."

Black: "Joel, I... we've discussed this at great length. And the reason that I don't think we can have a patchwork of 30¢ in this county and 40¢ in that county, the very fact that these phones are mobile make it completely different than the landline. This question was brought up in the Majority Leader's office about a week ago. And some of the NENA folks were saying, that in some college towns, already, it's cheaper to have your child have a cell phone because

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there's no installation cost, there's no deposit. And if they don't misuse the phone, it's actually cheaper. And I think technology is moving towards a wireless, anyway. But the answer to your question is, it would be a uniform fee, not to exceed 75¢ and I don't know, and I know Senator Maitland would be willing to entertain any questions that you would have on that. But I don't think we can get into a situation where it would be 75¢ in Vermilion County, 65¢ in Iroquois, 30¢ in Adams, for example."

Brunsvold: "Yeah, you know, the down... the rural issue, 'cause most of the rural referendums that pass were like \$1.50 even..."

Black: "Oh, sure."

Brunsvold: "And here you got a cellular phone for 75¢ which is half as much, you know, which is good for the people that use the cellular phones. But they'll probably still keep their landline. Away from the fee issue, the coverage issue. The cellular 9-1-1 is going to be for everyone that has a cellular phone, of course, but won't affect coverage areas that don't have any coverage? Some areas don't have any 9-1-1 services."

Black: "No. The Bill provides that in those counties that have no 9-1-1, and there are still a few of those in Illinois, that in those areas that do not have it, the State Police must offer that answering service."

Brunsvold: "Okay. Which we had in the original Bill. We had total coverage by the State Police."

Black: "Correct."

Brunsvold: "That's right..."

Black: "When we first started out, as you'll recall, we wanted the State Police to run the entire seamless system and there were people, certainly, not in favor of that."

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Brunsvold: "This board, do you feel they're going to have, I mean, we're going to give them the power to go to 75¢?"

Black: "But not to exceed that. That would be the... Let me check with staff. I think it's a recommendation. Yes. The 75¢ is the cap, not the floor. That's the..."

Brunsvold: "They..."

Black: "The Bill specifically says they can't go higher than that."

Brunsvold: "They make a recommendation?"

Black: "No. They would make a recommendation and I...."

Brunsvold: "Who sets the fee?"

Black: "Okay. The Governor will appoint the board and the board will set the fee."

Brunsvold: "They'll set the fee?"

Black: "Yes."

Brunsvold: "No recommendation, they'll just say it's going to be 75¢"

Black: "Yes."

Brunsvold: "Okay. Thank you, Representative."

Speaker Hannig: "Representative Lang."

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

Speaker Hannig: "He indicates he will."

Lang: "Representative. I'm going to support your Bill. It's something that has been a long time coming. It's something we need to do, but I do have one or two questions. Last year when this was close to an agreement, one of the reasons it didn't go is that there was a private company that had 3-1-1 service that sort of gummed up the works. I know you're familiar with that. Are they in or out of this Bill?"

Black: "The compromise that we have put in this Bill, is that we will study the 3-1-1 nonemergency number, but unlike the

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Conference Committee last fall, it does not mandate it and I can tell you unequivocally, I'll not call any Bill that has a mandated 3-1-1 nonemergency service for any county. That's up to the counties to decide."

Lang: "And so, this would allow the board you're creating to study this issue."

Black: "That's right. To see if there is a need or a demand for a cellular nonemergency number and then if they say it is, fine, I imagine the companies will go to those counties and say, 'We are equipped to offer that service.' But I certainly don't want it part and parcel of this Bill."

Lang: "Is that the most significant difference between this version of the Bill and the Conference Committee Report that we could not pass last fall?"

Black: "There were so many versions of that Conference Committee last fall. I think that this is one of the significant differences. I think, if I may, and I may not be accurate on this, I think the creation of the board, the advisory board, on setting the fee is a significant difference. There were people who wanted that layer between them and... their... that's not... I shouldn't say that. There were people who thought the advisory board ought to look at this rather than we set the fee."

Lang: "All right. So we've got the private company out of there that was slowing things down and we've got the mandated surcharge out of this Bill, as well. Is that correct?"

Black: "Well, obviously there's going to be a surcharge. I can't give you the exact level that the board will recommend. All I can give you is that they're capped..."

Lang: "Right."

Black: "...on what they can recommend."

Lang: "Right, but it won't be a surcharge that we are imposing?"

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Black: "That's correct."

Lang: "All right. Thank you. To the Bill."

Speaker Hannig: "To the Bill."

Lang: "Ladies and Gentlemen, wireless 9-1-1 is an incredibly important health care issue in the State of Illinois. Now that we have the technology to move forward with this, we ought to do it. We should have done it last year. We should have done it the year before. Mr. Black has fashioned a compromise here, that while still in some ways are a little bit awkward, I think the kind of legislation it is demands that. I don't know any other way you could write it. I think we have a good Bill here, one that will help for safety on the roads for all of us, certainly all that have cell phones. And I would respectfully ask your support."

Speaker Hannig: "Representative McGuire."

McGuire: "Thank you, Mr. Speaker. Representative Black, does this have anything to do with emergency home response systems?"

Black: "No."

McGuire: "Seriously, Bill..."

Black: "My.... No, it does not. It does not."

McGuire: "Seriously, on my screen, it said the counties outside the City of Chicago; Cook County and Lake and McHenry and Kane and Will and a few others, it's says 3-1-1. Is that a typographical error?"

Black: "No. As Representative Lang mentioned, last fall in one of the Conference Committee Reports there was language that said we also would have to set up a 3-1-1 nonemergency system in the Chicago and collar areas. We've taken that out. The language now says this advisory board should look into the necessity, need or whatever you want to say, if

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there is a need for a wireless nonemergency number. Obviously, they could make a recommendation, and those counties, if they want to, could enter into a contract with some service for a nonemergency cellular number."

McGuire: "So the nonemergency would be 3-1-1?"

Black: "Well, that's what this company proposed. I... you know as far as I'm concerned it can be anything that any county wants. I know that Representative Brunsvold and others for years have said, 9-1-1 is engrained into us now."

McGuire: "Yes."

Black: "And many people don't want some other number out there that might be where you panic, or you're... you need help and you dial the wrong number and get an answering point say in Saskatchewan that says, you know, 'Well how can we help you? This is a nonemergency number.' I don't know what they'll come up with on that, Representative. I don't know if anything will ever come of a cellular nonemergency number. I think counties are perfectly able to handle that."

McGuire: "Now we have 9-1-1 service in Will County. What difference would it make if it's emergency or not on that regard?"

Black: "You mean in the cellular?"

McGuire: "Yes."

Black: "Well, what we're finding in, particularly in many counties, the number of calls coming into our answering center with technology, we're finding that wireless 9-1-1 calls are sometimes eclipsing the landline. And the Public Service Answering Points in Will and Vermilion are saying, you know, 'We were never set up. We don't have the technology to do this. We do the best we can, but we're going have to have some technology to do this.' And

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they're fearful of liability right now. If a wireless call comes in and they respond and that means they might be 10 seconds late handling a landline, they're worried about liability, because the landline was established as Joel said, by referendum. So, your public service answering people have come to us over the years and say, 'You know, we need some technology and we need some dollars to handle this or there's going to be a problem.' So we're just trying to be proactive is all we're attempting to do."

McGuire: "Okay. Thank you very much for answering my questions, Bill."

Black: "Thank you."

Speaker Hannig: "Representative Harris."

Harris: "Thank you, Mr. Speaker. Will the Representative yield?"

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

Harris: "Representative Black. I have a couple of questions here for you. Number one, how would this affect, say for instance if I would drive down to Kentucky, would I be able to use that 9-1-1 if I would get lost on the road?"

Black: "Well, I doubt that it would be answered in Illinois, if you use a 9-1-1 call in Kentucky. But most states and I would refer you to a November article that I have in my file from State Government News, November 1998. It gives you a map that shows most states are moving towards buying the technology to make sure your cellular call is answered whether you're in Kentucky or whether you're in Georgia or whether you're in Illinois, but making sure that it's answered where help can get to you. Doesn't do any good if you dial 9-1-1, in deep Southern Illinois and somebody answers from Louisville, Kentucky and says, 'We'd love to send you some help, but we don't know where you are.'"

Harris: "That's the point."

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Black: "Yeah."

Harris: "The other question is, why is... I think it's Corner Communications opposed to... it sounded like a good deal but why are they so opposed to it?"

Black: "Okay. And... I'm not going to be... I think they're no longer opposed to the Bill. From the meeting we had in the Majority Leader's office, they said they were neutral on this Bill. They are the company that wants a cellular nonemergency 3-1-1."

Harris: "Oh, I see."

Black: "But it was my understanding, from what the Representative said in that meeting in the Majority Leader's office, they are now neutral on the Bill. They're no longer opposed but they do have an interest in a nonemergency number, which now is just a study. And I think they would have preferred that it be somehow mandated in the Bill."

Harris: "Thank you, Representative. Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Harris: "I think this is an excellent Bill and I think it's long, long overdue. Thank you."

Speaker Hannig: "Representative Reitz."

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

Speaker Hannig: "He indicates he will."

Reitz: "Representative Black, I apologize, my computer is on the 'fritz'. So I, you may have... I'm not able to pull it up here. Does your Bill dictate where the money will go, the 75... the fees that are generated from this?"

Black: "Let me tell you how it breaks it down, Representative, as best I can. And this is some of the thing I think will be fine-tuned in the Senate. It allows for 1% of this fee, whatever it will be, not to exceed 75¢, for collection, 2% for distribution. Let me, I think that's going to be in

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the purvey of the cellular companies, correct, for having to bill it and collect it."

Reitz: "Right."

Black: "Twenty-five cents of it will go for the wireless carriers, for the implementation of all the wireless technology and the enhanced 9-1-1 services and those are extensive costs; requires that approximately 4 1/2¢ be remitted to your Emergency Telephone Service Board or whoever the governmental entity is in your area that is going to provide this service and that it will require the State Police to use any and all surcharge funds received for wireless 9-1-1 or E-9-1-1 service, where it is not currently offered. So, yes, it does have a distribution and about a third of it will go to the cellular providers for collecting and distributing the money. And some of the other dollars will then go to your answering points, your Emergency Telephone Board. The Majority Leader had expressed some concern about a lack of audit procedures, an excellent point that Senator Maitland will take care of in the Senate."

Reitz: "Okay. Will there be an opportunity, I guess, for local 9-1-1 responders, local 9-1-1 boards, if they are doing all of the dispatching and that they will..."

Black: "Oh yes. In fact, I don't want to speak out of turn and I've asked staff to kick me if I misspeak. As far as I know, the NENA folks represent all of your Public Service Answering Points. They're in complete agreement with the Bill. They think that the dollars will be there to buy the equipment, the technology that they need to accurately call and dispatch on cellular phones. I don't know of any Public Service Answering Point that stands in opposition because they will access the money to buy the expensive

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technology to do this and do it right."

Reitz: "Okay. I appreciate it. To the Bill. I think as other speakers said, this is a long time coming. I believe there is, we have... as mobile as we are with the phones right now, I think we have more opportunity for people to run onto 9-1-1 situations. I think this is a good Bill and I plan to support it."

Speaker Hartke: "Okay, the last Representative seeking recognition is Representative Delgado. And then we'll have Representative Black close. Representative Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the House. I want to commend Representative Black on this piece of legislation. We could really use it in the City of Chicago and the inner cities and over all the state, when you have women in cars, driving alone late at night, when you have to reach for a phone and dial 9-1-1 in an emergency and maybe not let someone else know you've done that. It could connect wherever you're at. So as we move in I see this as a very safety measure. It's a good preventative item. At the same time, it keeps in tune with the future. And I think, I just want to thank you and I appreciate signing onto this Bill as a Cosponsor and I would hope that on this side of the aisle we all say 'aye'. Thank you."

Speaker Hartke: "Representative Black, to close."

Black: "Thank you, very much, Mr. Speaker and Members of the House. Let me just thank Representative Brunsvold, who convenes meeting after meeting in the last 8 years, to try and move this; to all of the people in the industry who had some serious problems with it when we started. If you stop and think, the cell phone that many of you now carry, when we first started using them as Legislators, they were bulky

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instruments that were attached to our car and if we wanted to bring them in the chamber they were big, bulky and in bags. And I went home several years ago, we left Session late at night, and I came upon an accident right outside of Decatur, Illinois. And it was a fire, it was a motor home burning. I called 9-1-1. They immediately answered, but they said, 'Where is the accident?' Well, I had driven that so many times I knew about where I was on Interstate 72. And they immediately responded with fire, police, and medical personnel. But if I hadn't known where I was on I-72, there would have been a serious response problem. Now stop and think of the technology that I see many of you carrying today, very small instruments, and think what this instrument will do in the next two or three years. If we're proactive and we have the technology, if you leave this Capitol Building late at night and you have a heart attack, you feel one coming on and you dial 9-1-1 and all you have to say is, 'I need help.' That technology will locate that call to within 40 yards of where it was made. And that may save your life and it may save your spouse's life, or your child's life. This is technology that I don't begin to understand but I know we have to prepare for it and that's why I ask for an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor of vote 'aye'; opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 101 voting 'yes', and 13 voting 'no'. And this Bill having received a Constitutional Majority is hereby declared passed. Mr. Clerk, read House Bill 2."

Clerk Rossi: "House Bill 2, a Bill for an Act to grant family and

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temporary medical leave under certain circumstances. Third Reading of this House Bill."

Speaker Hannig: "Representative Sharp."

Sharp: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 2 is essentially the same as the Federal Family and Medical Leave Act of 1993. The Federal Law applies to employees with 50 or more employees, but House Bill 2 applies to employees with 25 or more employees. I ask for your favorable vote."

Speaker Hannig: "The Lady has moved for passage of House Bill 2 and this Bill is on the Order of Short Debate. Does anyone stand in opposition? Representative Cross."

Cross: "Thank you, Mr. Speaker. In the event this gets the requisite number of votes, we request a verification."

Speaker Hannig: "Yes, Represen.... Yes."

Cross: "Will the Sponsor yield?"

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

Cross: "Representative, does this preempt collective bargaining agreements?"

Sharp: "It would only with the part of the family leave agreement."

Cross: "I'm sorry, I didn't understand that an.... Would... could you repeat that?"

Sharp: "It would in the regard to the family leave part of it. Not the medical."

Cross: "Why would you want to try to pass a Bill that flies in the face of contract law that should... that should be honored and it should be respected under everything we do. Why do you want to do away with contracts that two different sides have entered into?"

Sharp: "I want to make this a base of right for all workers."

Cross: "And take away my right to contract? I mean, that very

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right to contract between two people is something the government shouldn't be involved in. Why are you going down... why are you even suggesting that we do that?"

Sharp: "The reason why I'm suggesting we do this is because there are a lot of companies, small companies. I was a company owner, myself, of 27 employees at one time. A lot of small companies, people.... Right now we have a problem in this world with children and disease. A lot of women, men, have cancer and different diseases and they have to be off for certain lengths of time. And there are so many companies that do not care whether you have a job and are able to take care of your family or not, and this will enable people that have problems, that have cancer, that have diseases, to be able to have medical... to go have medical conditions taken care of and not have the risk of them losing their jobs, not having that to worry about."

Cross: "You headed your own 27 person company?"

Sharp: "Yes, I did."

Cross: "Did you have a similar proposal voluntarily in your program?"

Sharp: "The reason why I didn't have it is because I had the heart to let people go when they needed to go. But there's not that many companies nowadays that will do that. And that's why, before I even came here, before I even took this Bill from the Speaker, I only will take a Bill that will impact people and help people and this Bill will enable people to see that they can be sick and they can take care of their children and still have a job where they can be able to support their business and their family."

Cross: "How many other states, if any, have lowered the limit to 25, that you know of?"

Sharp: "You know, I really don't know how many other states have

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done this. But I think this... if there haven't been any they should."

Cross: "Don't you think it's pretty hard...."

Sharp: "And it's a federal...."

Cross: "Don't you think it's pretty hard for Illinois businesses to compete with neighboring states if we've lowered ourselves down to 25 and they haven't? Doesn't that put us at a distinct advantage?"

Sharp: "No, it doesn't."

Cross: "A distinct disadvantage?"

Sharp: "I'm sorry. No, it doesn't. You see, when they did it to 50, I don't know what year it was done. 1993? If you were a business person, you would have looked at it then and did some kind of cross-training or something to prepare you. Because, really, everyone should be allowed to have this act so that they can do whatever they have to do to tend with their family needs."

Cross: "So, regardless of whatever policy I might want to have at my place of employment, whatever contract negotiations I might have had with my employees, you think it's better for us, as a state, to come in and say, 'forget the contract, we're going to mandate what you do with regard to medical and family leave.'"

Sharp: "If you are a good employee (sic-employer) and you allow your people to take off, that's you. I applaud you for that, if you're that. But, if you're not, I think the state should stand up for what they believe in and that is, that if you are ill and need to be off for a medical leave or a family leave, you have so many problems with children and parents have to leave, mothers have to leave their jobs. They should not have to worry about coming back and not being... having a job, or being employed so that they

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can support their family. It's time for us to take a stand if other people aren't taking a stand. It's time for us to take a stand and be the first ones, if there aren't any more to do this."

Cross: "Does the employer have an obligation under your Bill to continue health benefits or health coverage during the course of the leave?"

Sharp: "Yes."

Cross: "Do you know if there's any opposition to this Bill, Representative?"

Sharp: "Yes, there is, from the Chamber of Commerce and the Illinois Manufacturers' League."

Cross: "Is there any criteria or any proof the employee has to provide to get the three months leave they're entitled to in your Bill?"

Sharp: "For... For medical, there is. For medical, they're asking you to bring in a doctor... to bring in something from your doctor. And they also can as... The employer may also go out and get a doctor's opinion, also, but he will have to pay for that."

Cross: "Do you know if... what, if any, fiscal impact there is to the State of Illinois?"

Sharp: "There is none."

Cross: "Pardon me?"

Sharp: "This is already provided for all Illinois employees."

Cross: "No, no. If we pass this, and assuming it gets out of the Senate, how much negative impact will it be to the state fiscally?"

Sharp: "None at all."

Cross: "Was there a Fiscal Note filed?"

Sharp: "Yes, there was."

Cross: "What does it say?"

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Sharp: "No impact."

Cross: "Our... I guess we're... There's some confusion about... ours show, I believe, that there's... there is a fiscal impact, Representative. Which one are you looking at?"

Sharp: "I just printed it off a few minutes ago. HB2 is expected to have no fiscal impact on DCMS."

Cross: "What department is that?"

Sharp: "Central Management Services."

Cross: "All right, Depart... Can you tell us what Department of Labor said to you? Have you checked with them? I apologize for not clarifying that."

Sharp: "That's fine."

Cross: "Yeah, I'm not, Representative, I've got the answer. It's... The Department of Labor, according to our indication, show at least over... over a \$100 thousand annually from a fiscal impact standpoint. Are you aware of that?"

Sharp: "I'm aware of it now, if that's what you're saying, but it... That's a small, small part to pay for keeping people employed in the State of Illinois and for them to not having to worry about these things once they're off on medical or family leave to take care of their families and their health."

Cross: "Representative, thank you for your answers."

Sharp: "You're welcome."

Speaker Hannig: "Representative Parke."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, my colleague on this side of the aisle, I think, has done a good job to explain the flaws to this legislation. And there are other things that I think you all ought to know. For the most part, this is going to affect the small business community, who will be most adversely affected on

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dropping this from 50 employees down to 25. I think everybody should understand what's going to happen here if any employee decides to bring an action against the employer by saying that they think for some reason or other, they're interfering with the rights of employee if this Act becomes public law. Listen, let's listen up. Mr. Speaker. Mr. Speaker, could I have some quiet, please? It says number one, if an employer is taken to court, the court can say that the damages are equal to any compensation, which means wages, salary, employment benefits lost to the employee because of a violation; or, any actual monetary loss suffered by the employee up to a sum of 12 weeks of wages, 12 weeks of wages, plus an additional amount as punitive damages. Now we can apply punitive damage equal to either of the above sums that is applicable, plus, interest on the total amount of damages, plus, any such equitable relief as may be appropriated during employment, reinstatement or promotion. The court can say if we think you're in arrears or something like this, you can also insist on promotion. And costs associated recovering damages including a reasonable attorneys and expert witness fees and other costs of action that may be paid by the employee. Ladies and Gentlemen, this penalty section is draconian. Yes, the employer has the right to appeal this in court, but they're going to have to pay the court costs. They're going to have to come up with the lawyers' fees. And if they're not, all of these charges can be brought against the employer for not complying with the law in a way. Now, yes, you can say, 'Well, they broke the law. Yes, they should be penalized.' But the fact of the matter is, we're talking about small business men and women who may not be able to

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have the flexibility of instituting this and may try to stall or slow down this family leave legislation. And in the meantime, trying to do that to try and find some way of working it out could find themselves being penalized. Ladies and Gentlemen, keep it at 50. You're going to put us at a competitive disadvantage with states around us. That's not good for small business. This is just another nail in the coffin of small business that's coming out of this chamber. And I would ask that you vote 'no'."

Speaker Hannig: "Representative Sharp, to close."

Sharp: "Thank you, and thank you, everyone, for listening. I'd like to bring out that this leave is unpaid. So not too many employers (sic-employees) are going to want to take it unless they absolutely have to. There are so many cases that are going around now that people need medical assistance. There's so many children that are out in the street, which mothers and fathers have to leave their job to care for the children. Why should they be penalized? Why should not... Why should they not have the right to know that their job is secure? We're not asking for 12 years. We're not asking for 12 months. We're asking for the measly 12 weeks. And at this time, I would like for you to just search your hearts and minds and remember that you at one time may need this help, and punch 'yes'. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 62 voting 'yes', and Representative Cross has asked for a verification. Mr. Clerk, would you read the names of those voting in the affirmative?"

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Clerk Rossi: "Poll of those voting in the affirmative. Representatives Acevedo. Bradley. Brosnahan. Brunsvold. Bugielski. Burke. Capparelli. Crotty. Barbara Currie. Julie Curry. Dart. Monique Davis. Steve Davis. Delgado. Erwin. Feigenholtz. Flowers. Fowler. Franks. Fritchey. Garrett. 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. Schoenberg. Scott. Scully. Sharp. Silva. Slone. Smith. Stroger. Art Turner. Woolard. Younge. And Mr. Speaker."

Speaker Hannig: "Representative Cross. Representative Cross, Representative Capparelli asks leave. Okay, leave is granted. Representative Cross, on the affirmatives."

Cross: "Representative Reitz?"

Speaker Hannig: "Representative Dan Reitz."

Cross: "Reitz, I'm sorry."

Speaker Hannig: "It's okay. The Gentleman is in the center aisle."

Cross: "Sorry, Representative Reitz."

Speaker Hannig: "It's okay, Representative. Any others?"

Cross: "Oh, yes. Representative Novak?"

Speaker Hannig: "Representative Novak is at the well. Representative McKeon and Representative Silva are asking for leave."

Cross: "All right, let me write that. It's getting confusing, hold on. All right, Representative Giles?"

Speaker Hannig: "Representative Calvin Giles. Is the Gentleman in the chamber? He's in his chair. Representative Sloan is asking leave for verification. Representative, did you

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see Representative Slone in the middle aisle?"

Cross: "Representative Steve Davis?"

Speaker Hannig: "And Representative Delgado. Could we grant Representative Delgado leave in the back? Okay, and Representative Steve Davis is in the rear of the chamber."

Cross: "Representative Currie?"

Speaker Hannig: "Representative Barbara Currie, the Majority Leader, is in her seat and Representative Julie Curry, the Chairman of the Appropriation Committee, is also in her seat."

Cross: "Representative Younge?"

Speaker Hannig: "Representative Younge is in the rear of the chamber."

Cross: "All right, I feel like you're kind of rushing me, Mr. Speaker. Representative Fritchey?"

Speaker Hannig: "Oh, Representative Fritchey is over to your right."

Cross: "Oh, he got us. That was a good trick. Oh, wow. Representative Brosnahan?"

Speaker Hannig: "I'm sorry. Could you repeat that?"

Cross: "Brosnahan. Brosnahan."

Speaker Hannig: "Oh, Representative Brosnahan is in the rear of the chamber."

Cross: "Representative Franks?"

Speaker Hannig: "Representative Franks is in his seat."

Cross: "Representative Bugielski?"

Speaker Hannig: "Did you say Bugielski?"

Cross: "Yes."

Speaker Hannig: "Okay, Representative Bugielski."

Cross: "Representative Morrow?"

Speaker Hannig: "Representative Charles Morrow is in his seat."

Cross: "Representative McCarthy?"

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Speaker Hannig: "Representative McCarthy is in his seat."

Cross: "Representative Hartke?"

Speaker Hannig: "Representative Charles Hartke is in his seat."

Cross: "Representative Flowers?"

Speaker Hannig: "Representative Flowers, did you say? The Lady is in the rear of the chamber."

Cross: "Representative Fowler?"

Speaker Hannig: "Oh, excuse me. Representative Fowler is in his seat."

Cross: "I think that's it."

Speaker Hannig: "Okay. On this question, there are 62 voting 'yes', and 50 voting 'no'. And this Bill having received a Constitutional Majority is hereby declared passed. Mr. Clerk, read House Bill 1132."

Clerk Rossi: "House Bill 11..."

Speaker Hannig: "Out... Mr. Clerk, would you read House Bill 1697?"

Clerk Rossi: "House Bill 1697, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of this House Bill."

Speaker Hannig: "Representative Parke."

Parke: "Thank you, Mr. Speaker. House Bill 1697, as amended, clarifies that drivers do not comply with the mandatory insurance law without valid down payment for insurance policies. What we have found is that some people who are circumventing the law will go to the... to an insurance company to get their license and buy an insurance policy with a bogus check or with a credit card that there is NSF. This Bill corrects that and says that the insurance company, under the Department of Insurance Code, with ten days' notice, can cancel that insurance and... for nonpayment and be able to take care of that problem. I

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stand ready to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 1697. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'yes' and 0 voting 'no'. And this Bill having received a Constitutional Majority is hereby declared passed. Mr. Clerk, would you read House Bill 531?"

Clerk Rossi: "House Bill 531, a Bill for an Act concerning child support. Third Reading of this House Bill."

Speaker Hannig: "Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As I explained earlier on the Amendment, what this Bill does is it provides a mechanism for suspension of driver's license for nonpayment of child support through the Circuit Court in which the individual's support order was entered in the first place. This system works exactly like the suspension of a driver's license under DUI, on the provisions for notice of hearing and for reinstatement of those privileges. I'll be happy to answer any questions."

Speaker Hannig: "The Lady has moved for passage of House Bill 531. And on that question, Representative John Turner is recognized, the Gentleman from Logan."

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

Speaker Hannig: "She indicates she'll yield."

Turner, J.: "Representative, I couldn't hear what you indicated. I heard you talk something about suspension of driver's license. Could you just briefly go over that again?"

O'Brien: "Sure. Excuse me, Representative Turner, what this Bill

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does is it authorizes for the suspension of driver's license. Actually, it doesn't make it permissive. It requires that if you are a delinquent in your child support payments, that your license will be suspended. And because I know and you know that sometimes the Department of Public Aid makes mistakes, and you have to go through a harrowing process to reverse any of their decisions, it was felt that we needed a process where they would go to the Circuit Court in which they had their support order entered in the first place. So, it works just like the Summary Suspension Act. You get a notice that your license is going to be yanked in 45 days if you don't, you know, pay your child support or you don't ask for a rescission hearing. When you ask for that rescission hearing, you go before the judge and you can either show proof that you don't owe any money or you can enter into a payment agreement or a couple of other, you know, different things. Maybe you're going to pay your current support and you're going to make a payment agreement on past support, and then the judge can decide to go ahead and rescind that order suspending your license. But in the event that none of those things occur and your license is suspended, you can petition for hardship permit."

Turner, J.: "When you petition for the hardship, is that done through the court? In other words, like JDP or is it done by petitioning the Secretary of State for a hardship license?"

O'Brien: "At the point where you have your license has been suspended and you haven't paid your back due support, then you would go through the Secretary of State's Office, like you do now if you've had three speeding tickets or had your license taken for another reason."

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Turner, J.: "How long, I should say how many days or weeks of delinquency are required before the Secretary of State will do the summary suspension of the license?"

O'Brien: "Ninety days."

Turner, J.: "Ninety days?"

O'Brien: "Yes."

Turner, J.: "And how comes it to the Secretary of State's attention?"

O'Brien: "They receive an order of suspension, just like they do now on a summary suspension for a DUI. And the Bill specifically says that the Circuit Court shall certify in an authenticated report. So the Secretary of State's Office, like they did with the Summary Suspension Act, can say, 'This is the form we want everyone to use.'"

Turner, J.: "Okay, so the Circuit Court then would certify to the Secretary of State that there has been a delinquency in the payment of child support for 90 days or more, would send that form to the Secretary of State, who then would file a summary suspension and I presume would be required to give some kind of notice to the person whose license are being suspended."

O'Brien: "The Circuit Court is responsible for notifying the individual that this action's going to be taken."

Turner, J.: "With a summary suspension that you're speaking of, and I guess you've kind of copied this after, that summary suspension is not effective for the 46th day after the ticket is issued. Is there any such time period or interim period as that before the suspension of the driver's license would take effect?"

O'Brien: "Yes, Representative Turner. It commences on the 46th day. It mirrors exactly the DUI Statute, so that it gives the individual the opportunity to have that hearing, that

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rescission hearing, set within that time frame."

Turner, J.: "Okay, so, the notice, I'm trying to think this through how it works. The notice is sent to the person who is delinquent or the notification comes from the court. They then have actually 46 days to file a petition to rescind this summary suspension, just like under the provisions of the Vehicle Code for DUI."

O'Brien: "Correct."

Turner, J.: "And then what are the issues that the court will look at on the petition to rescind? Just was there a support order and did that person fail to pay it and was it delinquent for over 90 days?"

O'Brien: "Correct."

Turner, J.: "Is there any amount, Representative, is the only question I have left. For example, I don't think we would want to suspend somebody's license if they're perhaps \$10 short. And I don't know where you'd draw a line, \$1, \$10 may not be enough, maybe a \$100 is. Is there any provision for that?"

O'Brien: "There's no floor, but what this does provide is when they go into that rescission hearing, if they're \$10 delinquent and they say to the judge, 'I'm \$10 delinquent. I don't want to lose my license. I'm willing to pay a dollar a week towards that arrearage.' Then the judge can rescind that summary suspension based on that order, a payment order, that would be entered that day. The individual, in order to keep that rescission though, they would have to maintain current support payments and follow the order that was entered."

Turner, J.: "So, when a petitioner to rescind his filed, one of the mechanisms that a person who has been notified or is delinquent might use as a defense is simply make the

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payment, and then that would lift the suspension?"

O'Brien: "Absolutely."

Turner, J.: "Thank you, Representative. You've been very clear in your responses. It sounds like a good Bill to me."

O'Brien: "Thank you."

Speaker Hannig: "Okay, this Bill's on Short Debate. Representative Harris, are you in opposition?"

Harris: "No, I would just like to ask some questions."

Speaker Hannig: "Would you like some questions?"

Harris: "One question."

Speaker Hannig: "Okay, the Lady will yield for a question."

Harris: "Thank you. Representative O'Brien, did the Illinois State Bar Association give you any reason why they oppose this Bill?"

O'Brien: "No, as a general rule, the State Bar Association is opposed to just about 90% of the Bills that come out on the floor. But they have given me no reason why they're opposed to this."

Harris: "Okay, thank you."

Speaker Hannig: "Representative O'Brien, to close."

O'Brien: "Just urge an 'aye' vote. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Going, going, gone. Mr. Clerk, would you take the record? On this question, there are 110 voting 'yes', and 2 voting 'no'. And this Bill having received a Constitutional Majority is hereby declared passed. I'd like to remind the Members that Agreed Bill List #3 and #4 have been distributed and if you've had an opportunity to go through that, and I'd urge you to do so, and could get that back to the Clerk as quickly as possible, that would allow

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the Clerk to begin tallying the results of these Agreed Bills. Representative Stephens, for what reason do you rise?"

Stephens: "Well, a clarification. There are two lists on our desks."

Speaker Hannig: "That's correct. Agreed Bill List 3 and Agreed Bill List 4."

Stephens: "All right. Have any of these been stricken from the list by agreement, entirely stricken?"

Speaker Hannig: "Representative, apparently, there have been and let me read those."

Stephens: "All right, well, our Members would appreciate it if we could... if you could just tell us or send us a memo. We'd also like to know if there's an hour certain."

Speaker Hannig: "Apparently, Representative, House Bill 645 had been removed from the list."

Stephens: "All right. We're talking about Agreed Bill List #3."

Speaker Hannig: "Agreed Bill List #3. House Bill..."

Stephens: "Six forty-five has been stricken?"

Speaker Hannig: "House Bill 645 has been removed."

Stephens: "So Members should line that through or just don't worry about it..."

Speaker Hannig: "Yeah, if you don't..."

Stephens: "On the record that it's been stricken from the list."

Speaker Hannig: "It will be stricken from the list when the... and it will be voted on out here at some other time."

Stephens: "And Mr. Speaker, earlier you said that some of the Bills on this list were... There were Amendments pending. I don't know that we ever got a clarification."

Speaker Hannig: "Apparently, there's a print-outs that are available, Representative, that are right over by the press box."

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Stephens: "All right, thank you very much. I'll get it."

Speaker Hannig: "Okay. Is Representative Leitch in the chamber?
Mr. Clerk, would you read House Bill 1811?"

Clerk Rossi: "House Bill 1811, a Bill for an Act amending the
School Code. Third Reading of this House Bill."

Speaker Hannig: "Representative Leitch."

Leitch: "Thank you, Mr. Speaker. I again would like to thank
Representative Winkel and Don Payton from the State Board
and Marty Barrett for the Regional Supts and all the others
who worked on this Amendment. It provides for the
authority for the chartered school in Peoria to switch to
an alternative school. I know of no opposition, and I
would ask for your approval."

Speaker Hannig: "The Gentleman has moved for passage of House
Bill 1811. Is there any discussion? There being none, the
question is, 'Shall this Bill pass?' All in favor vote
'aye'; opposed 'nay'. The voting is open. Have all voted
who wish? Have all voted who wish? Have all voted who
wish? Have all voted who wish? Mr. Clerk, take the
record. On this question, there are 112 voting 'yes' and 0
voting 'no'. And this Bill having received a
Constitutional Majority is hereby declared passed.
Representative Scott has House Bill 1116. Mr. Clerk, would
you read the Bill?"

Clerk Rossi: "House Bill 1116, a Bill for an Act concerning
demolition, repair, and enclosure of unsafe buildings.
Third Reading of this House Bill."

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

Scott: "Thank you, Mr. Speaker and Ladies and Gentlemen of the
House. House Bill 1116 would allow those units of local
government that have the ability to demolish, repair, or

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clean up property to enforce the liens, not only against that property, but as a judgement that they could bring in court and with all the procedural safeguards. There was an Amendment that we already adopted to it that took away the opposition of the title companies and also the realtors. And for only the second time that I can remember in my career, the realtors actually support a Bill of mine. So, for that reason alone, I'd ask for your approval."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 1116. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill having received a Constitutional Majority is hereby declared passed. Representative Winters, on House Bill 1846. Mr. Clerk, would you read the Bill?"

Clerk Bolin: "House Bill 1846, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of this House Bill."

Speaker Hannig: "Representative Winters."

Winters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1846 is on tomorrow's Agreed Bill List, I believe. But, nevertheless, it contains the provisions of House Bill 1147 and House Bill 2021. It is a reform of the Department of Human Services, a initiative of the Poverty Law Project. It has 3 basic provisions that enhance customer service with some pilot projects. Second provision is to help people who are starting their first job and have estimated a certain level of income. If they in fact don't meet that, this would allow them to

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reinstate their previous TANF subsidies. The third would exempt adults who are receiving TANF from work requirements if they are the primary care giver for a disabled child. Be happy to answer any questions."

Speaker Hannig: "Okay. The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', and 0 voting 'no'. And this Bill having received a Constitutional Majority is hereby declared passed. Mr. Clerk, would you read House Bill 1244 for Representative Turner?"

Clerk Bolin: "House Bill 1244, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of this House Bill."

Speaker Hannig: "Representative Turner."

Turner, J.: "Thank you, Mr. Speaker. House Bill 1244 amends the Code of Civil Procedure. What it does is..."

Speaker Hannig: "Representative Turner, would you like to come back to this? There seems to be some indecision on your side of the aisle."

Turner, J.: "Will you come back to it this evening, Mr. Speaker?"

Speaker Hannig: "We will make every effort to, Representative."

Turner, J.: "If you would do that, then, yes, I'd like to."

Speaker Hannig: "Okay. We'll take this out of the record for the time being. Mr. Clerk, would you read House Bill 1782 for Representative Hoffman? Representative Jay Hoffman."

Clerk Bolin: "House Bill 1782, a Bill for an Act to amend the Election Code. Third Reading of this House Bill."

Speaker Hannig: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill has to do with push polling. I think we

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all in this chambers know what that is. Essentially what has happened, I think, and the... There has been a huge, hue cry from the electorate saying that they want to stop the type of sleazy campaigning that push polling represents. We all know that it's going on, both sides of the aisle, throughout this... the United States. Recently, a couple of states, I believe New Hampshire leading the way, have passed laws that essentially just say that if you engage in what's called push polling, in other words, you are calling and essentially saying that you're... Excuse me. You're calling and essentially saying bad things about your opponent and disguising yourself as a different organization or an independent organization. What we're saying, all you have to do, all you have to do in order to not be guilty of violation of this Act is to indicate who you are calling on behalf of. Now the question then becomes, 'When or will you be able to do legitimate polling if this Bill passes?' Yes, you can. There's a definition as to how push polling is defined. It's similar to the way they define it in New Hampshire. And in addition, this Bill does not say when you would have to identify yourself. So you could do the legitimate survey and you could then identify yourself as I'm calling on behalf of candidate 'A' or I'm calling on behalf of candidate 'B'. Essentially, what we're saying is we've gone too far with this type of sleaze polling. The public has given us a hue and cry, and I think a demand that we do something about it. I ask for an 'aye' vote."

Speaker Hannig: "And on that question, Representative Black."

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

Speaker Hannig: "Indicates he will."

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Black: "Yes, Representative Hoffman..."

Hoffman: "Hoffman."

Black: "Oh, Hoffman, I'm sorry. I mean I can understand what you're attempting to do here. I mean, wouldn't there be so many ways to get around this that it would almost be meaningless to pass the legislation? I mean you could say, 'No, this is a... This is an attitudinal poll. It's a advocacy poll.' I mean... I don't think anybody on the floor of the House would disagree with you that we'd like to bring back some civility in campaigning, but I don't know if this thing is workable. I really don't. Maybe you can tell me how you think it would work."

Hoffman: "Well, let me tell you where the language came from, Representative, and I don't disagree with you. It's very, very difficult, it's very difficult to foster a definition that's going to apply in all cases. So, what I did is, we went through and we got other states that have introduced different legislation and other states that have passed it. Essentially, this definition came from New Hampshire. Now I got to be very frank with you. I haven't gotten on the phone and called anybody in New Hampshire and said, 'Are there ways to get around this?' But basically, we're not saying that you can't engage in polling. We're not saying that you... that you can engage in legitimate polling. As a matter of fact, this Bill, unfortunately, unfortunately, doesn't even say that you can't engage in the type of push polling that's going on. We're just saying that you would have to identify on whose behalf you're calling on. So in other words, if you're... What's happening out there, you know this, is people are calling... We're calling on behalf of some independent organization. They're really calling on behalf of a candidate. And they're saying nasty things

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about the opposite... the opposite side, disguising themselves as some independent group. What we're saying is it would be a violation of this Section if... or this Statute, if indeed you did not identify yourself upon who you are calling on behalf of."

Black: "Well, I... I'm shocked. I'm absolutely shocked. You mean this really goes on? Well, Representative 'Hoffman', did you do... Hoffman, I'm sorry. Hoffman. Did... See..."

Hoffman: "That was... When they did push polling in my district, they said, 'Are you going to vote for Jay 'Huffman'?' Instead of 'Hoffman'. It was brutal. It was brutal."

Black: "Well... Evidently, this polling works, because that Jay 'Huffman' didn't get here, did he? Well, let me ask you this. I... And, you know, you may want to take the Fifth Amendment on this. I don't know. Did you use push polling to come back here?"

Hoffman: "No, I did not. And to my knowledge, nobody, or I am sure that nobody that was remotely connected with the campaign did. We did not."

Black: "So in any campaign that you've run in, this has never been used on your behalf."

Hoffman: "To my knowledge, no."

Black: "Ah. Okay. So, if I'm going to call someone in Representative 'Huffman's' district and say, 'I'm calling...' Do I have to say right up front, 'I'm calling in opposition to Representative Huffman... Hoffman?'"

Hoffman: "No, you would just... You wouldn't have to say you're calling in opposition, against or for. You would just have to identify who you're calling on behalf of. And you wouldn't have to do it right up front. You could do it at the end. It doesn't... The Bill is silent as to when you would have to identify yourself. It's very similar to what

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we passed last year when we did it on the written mail. We said you have to identify who... where the mail's coming from. There's no difference."

Black: "Let me defer to your legal expertise. How would you prosecute such a case? And what would your defense be? For the life of me, I can't figure out how we're ever going to prosecute somebody for this."

Hoffman: "Well, I mean it would be like any other case. It would be the person who received the call would come in. I would assume testify under oath, say I received this call, here's what they said. Now, you would also, Representative, obviously you would have to prove that the calls actually were made on behalf of a candidate that was in the race. So those would be the two prongs we have to prove. Number one, that the call occurred. Number two, three prongs actually, number two, that they didn't identify themselves and number three, that the calls were made on behalf of an individual in the race."

Black: "What do we do, you know, Jay, in every election I've been through, every time I've had an opponent, my opponent gets endorsed by groups that I have never heard of. And I think some of these are, quite frankly, front organizations. Let me give you one. I think there's United Seniors of Illinois or something. And I never can find anything out about that organization. So, what do you do in the case where you have a... Well, for the lack of any kinder word, a front group, a phony group? It says, 'We're calling on behalf of the United Seniors Action Program and we want to tell you some things about Representative Hoffman.'"

Hoffman: "Well, that's very similar to some of the problems they're facing in the federal realm, Representative. As you know, this soft money with these independent

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organizations, I think they're grappling with that on the federal level. I think though if you are making calls that are on behalf of a candidate, under this Bill, you would have to identify yourself. Now if it's issue, purely issue oriented, purely issue oriented, I think probably the law would indicate that if you're not calling on behalf of an individual or an individual campaign, you would not have to identify yourself as calling on behalf of candidate 'A' who is running against candidate 'B'. You would have to identify yourself as I'm calling on behalf of this organization."

Black: "Could you prosecute an organization that was duly registered, in fact, in the State of Illinois, and they said right up front, 'We are the Democrats United for Hoffman.' And so they do a push poll against your opponent, but they are a duly organized and registered group. Would we be able to seek prosecution against that group?"

Hoffman: "Well, here's what you must do. You first and like I indicated, doesn't say when you would have to do it. You must inform the person contacted, the call's being made on behalf of, in support of, or in opposition to a particular candidate. If you said, 'I'm calling on behalf of Representative Hoffman, Democrats for Hoffman.', you would have met that, so you would not get prosecuted."

Black: "All right, now, and again, I know you worked very hard for your law license. I have two more chapters in my correspondence course before I can sit for the bar, not including the... where I was sitting last night, but that's another story. In your opinion as an attorney, if this were to be enforced across the board, aren't we into a constitutional issue here?"

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Hoffman: "Well, I think that that issue would be similar to the constitutional issue that we faced when we passed the issue on written material, which is that we passed last year at the end of Session in our ethics reform package. We passed a Bill that said when you put out written material, you must say on whose behalf or who is paying for the material. I don't think that there is any distinction between written material and verbal material. They both are correspondence or communications and they both are subject to a potential First Amendment challenge. I agree, there could be a challenge. But it's no different than what we did at the end of last Session with regard to written material."

Black: "Well, as our Staff pointed out, there is a Supreme Court decision, The People vs. White that said when we passed a law some time ago saying you must give attribution or identification on anything in writing, the Supreme Court said, 'You cannot require that.' And as a result, I've seen some really nasty things handed out in campaigns where there is no attribution. Nobody takes responsibility for some pretty nasty pieces. And yet, the Supreme Court in a case has ruled, 'You can't make them do that. It's a violation of their right of free speech.'"

Hoffman: "Well, I think that since that, that's a 1987 case. And since that..."

Black: "Oh, yes, I... I wanted... I didn't give you the date, because I wanted to see if you remembered."

Hoffman: "Yeah. Just off the... out the top... off the top of my head, yeah."

Black: "Very good. Very good."

Hoffman: "Nineteen eighty-seven. I think it was April, April of 1987."

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Black: "Close."

Hoffman: "Anyway, since that time, there have been other cases that I think have begun to indicate that this is an area that can be regulated. And we have not had any ruling at this time on what we passed last Legislative Session. I see, as I indicated before, Representative, I think that times have changed, that the court would look at this as favorably as I hope that they're going to look at what we passed last Session with regard to written material, indicating that we have to indicate on whose behalf these calls or this brochure is being sent on."

Black: "All right, the staff also mentioned that you probably were aware of a '94 United States Supreme Court case originating from Ohio that again said 'anonymous pamphleteering was protected by the Constitution', that you could not require an organization or an individual to sign some... And I quite frankly am amazed by that. But it seems that there is a body of constitutional decision, case law if you will,... How about that?"

Hoffman: "Well..."

Black: "That says you can't do it. It's a violation of free speech."

Hoffman: "Well, this law is based on a New Hampshire law that I understand has been passed and has been enacted. To my knowledge, this type of law has not been overturned, has not been found unconstitutional. So, I mean, you can challenge any Bill we pass here..."

Black: "Sure."

Hoffman: "They can be challenged tomorrow. So, that's one of the reasons I based it on existing piece of legislation."

Black: "Okay. All right. But my last question, and I appreciate your indulgence, Representative. As long as I identify

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myself, then I'm still free to engage in some rather unsavory practice, right? As long as I identify myself."

Hoffman: "Representative, I think that the reason this is drafted the way it is, is because of the constitutional problems that you raised, in that, I don't know, and I think it's fairly clear that we can't prohibit in the course of political debate what people say. And unfortunately, I wish we could. If we could draft it in such a way, I'd be the first one to put an Amendment on here. However, I think what this tries to do is to try and make sure that it is within the constitutional purview, and says you have to at least, at least, identify yourself. I wish we could go further. I agree with you. Some of this stuff that's out there and being said and being said behind the cloak of darkness is absolutely ridiculous. But unfortunately, because of the decisions that you had indicated, this is, I think, as far as we can go."

Black: "Okay. All right. Representative, I appreciate your forthright answers. Thank you."

Speaker Hannig: "Representative Art Turner. Representative Turner. Representative Turner, do you wish to speak on this Bill? Representative Turner."

Turner, A.: "Yeah, Mr. Speaker, will the Gentleman yield for a question?"

Speaker Hannig: "Indicates he will."

Turner, A.: "Is this only for telephone polling that this push polling... What is it, push pulling or push polling? That's only for telephones."

Hoffman: "Yes."

Turner, A.: "Is that right?"

Hoffman: "Yes."

Turner, A.: "Would you be willing to put an Amendment on the

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Bill, because you know in my area, they don't do a lot of telephone polling, but we have these forms. And their forms, I get lied at and accused of being what I'm not and all those other things. Would that apply in the same situation or would there be some way we can deal with that type of situation?"

Hoffman: "You're talking about like brochures or written material?"

Turner, A.: "Not only written materials, but if you're at a... I'd call it a forum, yeah."

Hoffman: "I... or handbills or someth... circulars."

Turner, A.: "Right, right, brochures."

Hoffman: "We passed at the end of last Session, a Bill that said that on those types of things, that you have to indicate who paid for them and on whose behalf they were being sent out. So right now, after what we passed at the end of last Session, they would have to indicate on there who paid for it."

Turner, A.: "And so..."

Hoffman: "So if they did that against you without putting on there..."

Turner, A.: "Right."

Hoffman: "... where they came from this last election, they violated, or the legislation. Although I think it just became effective January 1st of this year. So, from now on, that is the case."

Turner, A.: "So in the case someone puts out a brochure and it has false information on it, and they put their name. I know who the organization is. Could I then charge them with push polling offense or... No?"

Hoffman: "No, that would... That would... On written legislation, that would have nothing... This would have nothing to do

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with it. You would have to go back to the legislation we passed last spring under the Ethics Law..."

Turner, A.: "Right."

Hoffman: "...which said that, that they would have to identify themselves. This is not regulating the content, unfortunately, because constitutionally I don't know that you can regulate the content. What this says and what that said is you have to identify yourself as to who is putting it out."

Turner, A.: "Okay, thank you."

Speaker Hannig: "Representative Stephens."

Stephens: "First of all, an inquiry of the Chair."

Hannig: "Yes, Representative."

Stephens: "How long does Representative Black get to talk?"

Hannig: "Well, we give him, you know, a little while."

Stephens: "A little while. Well, he's using it all. And in defense of my colleague across the aisle, I believe that we are the only two who were each other's Representative at one time. Is that right, Representative?"

Hoffman: "Yes."

Stephens: "We ran against each other a few times. The time I won, everybody thought he was Representative 'Huffman'. Then when he got that clear and he was Representative Hoffman, he beat me. And I was fortunate enough to be able to come back and I'll tell you, he was a great Representative the two years that he represented me. He's doing a pretty good job now, but I really appreciated those two years. Never once do I believe that when we ran against each other, did he ever push poll me. He shoved me a couple of times. And, Representative Black, I wish that when you use Representative 'Huffman's' name in debate that you would consult with me first. Thank you, Mr. Speaker."

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Hoffman: "Thank you."

Speaker Hannig: "Thank you. Representative John Turner.
Representative Turner."

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

Speaker Hannig: "He indicates he will."

Turner, J.: "Representative, I haven't heard all the discussion.
It's been kind of loud, but what is your opinion on the
constitutionality of your proposal?"

Hoffman: "Yeah, basically, as I indicated to Representative
Black, I apologize. First of all, I think that there is no
distinction between this, or very little distinction
between this, and what we passed at the end of last Session
that indicates on written material, you have to identify...
You have to identify yourself as to where it came from.
And we passed that last spring. The constitutionality on
that, John, to my knowledge has not been ruled on since
that time. This comes from a New Hampshire law that to my
knowledge has not... may have been challenged. I don't
know. But to my knowledge has not been declared
unconstitutional."

Turner, J.: "Do you think it may be prudent then to wait until
the law we passed last year is tested to find out whether
the courts are going to take a position on the
constitutionality? Because it's my understanding, there is
case law from the United States Supreme Court which would
indicate that this is likely unconstitutional."

Hoffman: "I don't think that the United States Supreme Court
addressed the issue of this type of polling, or this type
of communication. I think possibly, I don't have the case,
but I think it was a written issue, it was an issue of
pamphlets and things like that. However, it's my opinion
that if we're going to pass what we did last spring, and

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since the inception of this new phenomena called sleaze or push polling, that we can't afford to wait. We need to take action and say what the general public is asking us to do, and that is to put a stop and have some civility, much like we've had as we've worked together on the House floor this Legislative Session. I think a cloud has been lifted over Springfield, and the civility that has been restored to this Body is, is commendable."

Turner, J.: "Well... Does your Bill provide for any penalties in it, Representative 'Hoffman'?"

Hoffman: "Yes, Representative 'Turner'. It indicates that you would be... If you violated, it would be a Class A misdemeanor, Class A misdemeanor."

Turner, J.: "Class A misdemeanor for a violation. What would be a violation? Could you give me an example?"

Hoffman: "Well, so, if you were running against me in my district, and you have some front organization call the entire district in one day. You hire 'em and say, 'Call the entire district in one day.' And say something, say that you should not vote for Representative 'Huffman', knowing full well that my name is Hoffman. And you say that... You say, 'Don't vote for Representative 'Huffman'. He's a...' And you say nasty things about me, and you identify yourself as being some, (quote) 'independent opinion group' that is out there attempting to take a legitimate survey. What this says is at some point in that telephone conference, you would have to truthfully indicate who you are calling on behalf of, whether you're calling in support of or against the candidate. And if you are... don't do that, if you don't do that, that would be a violation."

Turner, J.: "Well, what if I just don't identify myself at all."

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Is that a violation?"

Hoffman: "That would... If you do not identify yourself at all, that would be a violation. So the Bill..."

Turner, J.: "The Bill... The Bill... A misidentification."

Hoffman: "Yeah, I can tell... Sub... (a) subsection (1) says you must inform the person contacted that the call is being made on behalf of, in support of, or in opposition, to a particular candidate. And you should identify that candidate by name. You wouldn't have to say, Representative Turner, that you... You wouldn't have to say, 'I'm calling on behalf of Representative Turner.' You could say, 'I'm calling in opposition to Representative Hoffman.'"

Turner, J.: "Who brought you this idea, Representative 'Hoffman'?"

Hoffman: "Well, I think that if you look at what has happened over the last few years, and it's not one political party over another. It happened from the Governor's race on down. And whether it was independent organizations or it was other organizations or it was an actual effort, I think that the general public is sick and tired of the type of sleaze and nasty politics that are taking place, whether it's a county board race, whether it's a dog catcher race or State Representative race, that's where this comes from."

Turner, J.: "Thank you for your responses."

Hoffman: "Thank you."

Speaker Hannig: "Representative Mulligan."

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

Speaker Hannig: "He indicates he will."

Mulligan: "Representative, would you refresh my memory what a Class A misdemeanor is?"

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Hoffman: "A Class A misdemeanor could be up to a \$1,000 fine or one year in the county jail."

Mulligan: "Are there other penalties here for someone that identifies themselves for a candidate when they really aren't? And then proceeds to ask either offensive questions or call at an offensive time of day."

Hoffman: "There's nothing in here that regulates the time of day. But if you were to not... If you lied, and indicated you were calling... that, if you... If I were to call into your district and say I'm calling on behalf of Representative Mulligan, and it's three o'clock in the morning, then I would be guilty of a Class A misdemeanor, because I lied as to who I'm calling on behalf of."

Mulligan: "So, if you lie... I mean I had this done to me. That's why I'm asking. If you lie about who you're representing, then you would be guilty. Okay."

Hoffman: "But this doesn't regulate, Representative, the time of day. I don't think you could do that constitutionally, unfortunately."

Mulligan: "But that would be..."

Hoffman: "I wish you could."

Mulligan: "Yeah, okay. And then if you identify yourself and then proceed to trash the other candidate, can you trash him as much as you want once you identify who you are?"

Hoffman: "Well, I wish that we could pass some legislation that would say that you couldn't do that. Unfortunately, I think you run into then First Amendment problems, so all this is, and all I think we can get by with constitutionally, and what they did in New Hampshire, is really a disclosure requirement."

Mulligan: "Who would I file a complaint with? Would this be a court case? Because it concludes a misdemeanor or would it

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be a State Board of Elections?"

Hoffman: "This does not indicate that the State Board of Elections would have jurisdiction. It would be like any other, any other action, whether it be a petty offense, a felony. We didn't make it a felony, but you would contact the local law enforcement officials."

Mulligan: "So you would complain to a local law enforcement official and then you'd have to file a court case?"

Hoffman: "Well, they would then have to either determine there's sufficient evidence to prosecute, like any other case, or not sufficient evidence to prosecute."

Mulligan: "And who could bring this complaint? Would it have to be the candidate that was being offended or could it just be a person that's called?"

Hoffman: "It could be anybody. It could be the person who got the call."

Mulligan: "Is there a penalty for a frivolous complaint?"

Hoffman: "No, there is not."

Mulligan: "So, if I said so and so called me, I mean I wasn't prepared, I don't have a tape. But so and so called me; I know it's from this other person. I want to complain. And they did this type of phoning, but I don't... I... You know I'm only relating the questions, would be hearsay. How could you file a complaint?"

Hoffman: "Well, that like... I was a former prosecutor, and everyday you would have people come into the office seeking to bring charges for one reason or another against other individuals. In every case, you have to weigh the evidence. If you don't have the evidence, the proof, you don't bring the charges. It's no different than the issue that we passed last Legislative Session in that this is a disclosure requirement, requiring disclosure only, as to

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who is either doing the calling, and in that case was doing the writing... or the paying for the writing."

Mulligan: "If you're legitimately polling and you want to get an impartial poll, so you don't want to say who it is, but you're doing name recognition. So you mention five names, one of which includes your opponent. Is that considered push polling?"

Hoffman: "No, there is a definition that's in this legislation. But, are you worried, Representative, about the skewing the statistical data by saying who you're calling on behalf of?"

Mulligan: "Yes."

Hoffman: "Well, what we did in this legislation is we didn't indicate when you had to do that. So what you could do is take your poll and at the very end, you would say that, 'I'm calling on behalf of Mr. and Mrs. X.'"

Mulligan: "All right. So, if you're doing this, then you would... You could say this at the end."

Hoffman: "So that you wouldn't skew the... We're in no way trying to stop valid statistical sampling."

Mulligan: "I mean sometimes you like to do name favorability, your rating, somebody else's rating, name recognition, issues, and you wrap them all up in one poll, because it's expensive. So then at the end, would you have to identify who you are?"

Hoffman: "If you come within this definition of push polling. I'm not... I don't think... The definition is in the Bill, and it's patterned after New Hampshire. I think on valid, statistical polling, you probably wouldn't have to. But even if you came within that definition, you would just have to identify yourself at the end of the poll, so as not to skew the statistical validity. But I don't think you

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would... For legitimate statistical validity, push polling is not... in here is not defined that way."

Mulligan: "What if another group pays for a survey on behalf of a candidate? Do they have to say, 'This is AFL-CIO doing a poll for Representative Hoffman.'?"

Hoffman: "Yeah, you must inform the person contacted who the call is being made on behalf of, in support of, or in opposition to, a particular candidate."

Mulligan: "So, it wouldn't just be your name. It might also be the organization that was doing it?"

Hoffman: "No, this Bill only says that you have to indicate... identify the candidate by name that you are either calling on in support of or in opposition to."

Mulligan: "All right, so if you're polling just in general, not necessarily authorized by you, say again AFL-CIO wants to poll for you, but they're not asking you. They just want to see if they want to support you or give you any money, and so they're going to do a poll to see if you're worth supporting."

Hoffman: "Well, first of all, it would have to come within a definition in here of push polling, which I don't think is legitimate statistical polling the way it's defined. But number two, you could not be held accountable for that if they failed to identify the candidate. They would be the individuals who could... who would be responsible under the Act. Because you would obviously have no nexus to that being done without identifying you."

Mulligan: "All right, and there is no penalty for bringing a frivolous charge. You know..."

Hoffman: "No, there isn't."

Mulligan: "... three weeks before the..."

Hoffman: "No, there isn't, and let me... Let me say this,

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Representative. I think that you raise a good point that I never thought of before this debate. I would... I mean... I don't know what the... what's going to happen here, but I think that when we get this to the Senate, if we get it to the Senate, that that is something that I would be willing to add. I didn't think of it until you raised it."

Mulligan: "Yeah, I mean, three weeks out, you could have somebody claim you're doing terrible polling and you're a lousy person, sleazebag for doing this. And before it would ever be judged whether it was right or not, the election would be over."

Hoffman: "Yeah, I agree with you. I agree with you."

Mulligan: "Okay, thank you."

Hoffman: "And I will address that."

Speaker Hannig: "Representative Skinner, this Bill's on Standard Debate. We'll have Representative Skinner ask some questions and then we'll have Representative Hoffman close. So, Representative Skinner."

Skinner: "Thank you. In Section (a), you provide that the telephone number of the place from which the push polling is conducted must be given. Does this include the area code?"

Hoffman: "The entire telephone number would have to be given."

Skinner: "So when the Democrats..."

Hoffman: "That's my intent. It doesn't say it, but I would assume that the entire telephone number..."

Skinner: "So when the Democratic Party hires a polling firm out of Indianapolis, somebody would have a clue that it wasn't coming from your local area."

Hoffman: "Yes, that... The reason that is in there is twofold. Number one, if that individual would like to call that number back and verify that the organization is who they

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are, but number two, it's kind of a deterrent to ensure the... ensure that to is is complied with."

Skinner: "Might I suggest that you could perhaps meet Representative Mulligan's suggestion of time of day, because we do regulate when bill collectors can call. And I think her suggestion is a good suggestion. We should prohibit people from calling up in the middle of the night saying, 'I'm calling on behalf of the candidate', and waking someone up."

Hoffman: "Yeah. Representative, I... To be honest with you, it slipped my mind that we do regulate and it's been held to be constitutional with regard to bill collectors. And I think her... I don't know, you may know better than me if we could do that with regard to the freedom of speech issues. So, maybe we'll have our staff look at it, and if we can add that. I don't mind adding that either."

Skinner: "Well, thirdly, it seems to me there is a fairly large problem, but you have no one to complain to, except the State's Attorney. This is not a real big offense in the minds of most State's Attorneys, I would imagine. So I would suggest that you have the State Board of Elections hooked in here some place, so somebody that might know something about elections and might even actually know what a push poll is when you called up might have jurisdiction. Certainly, I know that Personal PAC has used push polls against me and they're fairly vicious. So, I am in accord with the thrust of your legislation."

Speaker Hannig: "Representative Hoffman, to close."

Hoffman: "Yes, I would just like to thank all the Representatives who engaged in the debate. I think that there were some points that were made that I intend to address in the future. But basically, what this Bill... It's very simple."

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It's very simple that we're going to send a message today from this chambers that we're not going to put up with the type of dirty, rotten campaign tactics that are involved with this sleaze polling. It think it, over the last few years, whether you are a Republican or a Democrat, we've seen this begin to permeate the political process. I don't think anybody likes it. I don't think constituents like it. I know candidates don't like it. And to be very honest with you, I doubt the effectiveness as to whether or not it is effective in either getting an individual to vote 'for' or 'against' anybody. And it's time that we send a message, and we say we're not going to put up with it. Let's send this over to the Senate. Let's vote 'aye'."

Speaker Hannig: "The question is, 'Shall House Bill 1782 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill having received a Constitutional Majority is hereby declared passed. Now we'll return to the Bill that was taken out of the record previously, House Bill 1244, Representative Turner. Mr. Clerk, has this been read a third time, previously?"

Clerk Bolin: "House Bill 1244 has been read a third time, previously."

Speaker Hannig: "Okay. Representative Turner."

Turner, J.: "Thank you, Mr. Speaker, for calling the Bill up again. House Bill 1244 amends the provisions of the Code of Civil Procedure, has to do with the amount of money that is paid by patients for their medical records. It sets some, I think, some very reasonable maximum rates that can be charged. There's a \$20 handling fee, which would

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include the first ten pages. It would be 25 cents per page after that. There are exceptions for microfilm, microfiche and for x-rays and pictures, and attorneys are also included. So that attorneys that charge for the records that are copied for their clients will also be under the same guidelines. And that's what the Bill does, and I would ask for your support and be glad to answer any questions."

Speaker Hannig: "And on that question, the Gentleman from Jersey, Representative Ryder, is recognized."

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

Speaker Hannig: "Yes, he indicates he will."

Ryder: "Representative, you indicated that some fees have been established by law in this Statute that you wish to be passed. Were they the subject of negotiations? How did you arrive at the number, Sir?"

Turner, J.: "The Bill was originally filed, Representative Ryder, with a \$15 handling fee and 20 cents per page after that. The Medical Society did object and they do still object to the Bill."

Ryder: "I know."

Turner, J.: "And we had suggested that a better charge for copies of records, and it's not only the Medical Society, but hospital records, as well, would be a \$25 handling fee, which would include the first ten pages, then a dollar per page thereafter, with exceptions for a buck fifty per page for microfilm and microfiche. And they also ask that attorney fees, excuse me, copies of attorneys' records for their clients be included, and they also ask for a COLA increase. All of that was not put in there. The COLA increase was not put in. As the Sponsor, I didn't think a COLA increase for these types of charges would be

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appropriate. We did include attorneys. We did not go \$25 we went with \$20 for the handling charge and which would include the first ten pages, and we went along with 25 cents per page thereafter. And I simply, as the Sponsor, didn't agree with the \$1 per page charge for a patient's records to be reasonable, or for a client's records if they're trying to get them from their attorney. We went along with the exceptions for microfilm, but we didn't go up to a dollar fifty, we stayed at 50. The Medical Society, however, has not signed on, on the Bill as it currently stands. I don't want to miss any... mislead anybody on that."

Ryder: "Representative, is there anything in your Bill that allows cost for things like: x-rays, MRI's, of that nature?"

Turner, J.: "Yeah, there is an exception for that."

Ryder: "Does it set a fee for those amount... those items?"

Turner, J.: "That's a dollar-fifty per page, excuse me, it's 50 cents per page. The dollar fifty, is what the constituents' had requested..."

Ryder: "For micro... For x-rays? Copies of x-rays are a dollar?"

Turner, J.: "No, no, the x-rays are considered the exception."

Ryder: "Oh, I see, okay. Does your Bill provide any difference if we're talking about looking at a file that requires more time to find the documents or you after to go to storage to get the file or you have to make an extraordinary effort? Is there any exceptions in that area?"

Turner, J.: "Representative, I don't believe that that language was discussed. I don't believe that that language is included. As you continue to answer... or ask questions, I'll look for it as I'm responding, but I don't believe there is any language for that."

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Ryder: "Okay. Well, then actually, I was concluded with my questions. So if you don't mind, I'll just speak to the Bill."

Speaker Hannig: "To the Bill."

Ryder: "Okay, thank you. I rise in reluctant opposition to the Gentleman's piece of legislation for a number of reasons. While he has attempted to accommodate some demands, he's not demanded all the... not accommodated all of the demands that have been made. I would also suggest that there are extraordinary circumstances in which the amount that he is suggesting would not be adequate to compensate someone for going back, looking into records that may be five, ten years old, searching through those records. And also, if we're talking about the competence to suggest which would be the appropriate records, there's an expertise involved in that as well that for which the 20 or 25 dollars is simply inadequate. There is a time factor. Granted the piece of paper being copied, that may be a very reasonable amount, but the time and the expertise that it takes for staff and/or a physician and/or a hospital administrator to go through, this is simply not adequate. Plus you're establishing by Statute those fees so that you're making a one size fit all approach, and I would suggest to you that that's not appropriate. I would believe that that's probably one of the reasons that the Illinois State Medical Society continues in their opposition to the Gentleman's Bill. For those reasons and many others, I will be voting against this piece of legislation. Thank you, Mr. Speaker."

Speaker Hannig: "Representative Tim Johnson."

Johnson, Tim: "Representative Turner, would you respond to a couple of questions for me?"

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

Johnson, Tim: "Would I be correct if I said that this Bill, as you have proposed it, is really a compromise? And that as a matter of fact, the original Bill, fair as you may felt it was, has been substantially compromised in this version you have now. Is that right?"

Turner, J.: "We have compromised, yes."

Johnson, Tim: "You've also, even though you weren't asked to do so, you've also included a limitation on what attorneys can charge for their records as well, haven't you?"

Turner, J.: "Yes."

Johnson, Tim: "Have you not also, Representative Turner, had at least a review now to know that the Senate, the appropriate Senate Committee, has voted your compromise Amendment out by unanimous vote out their Judiciary Committee?"

Turner, J.: "I did not know it was unanimous. I knew it was at least close, if not unanimous, though. Thank you for the information."

Johnson, Tim: "Wouldn't you also believe in your experience that 25 cents per page, 50 cents for microfilm, 50 cents for microfiche and the similar limitations on x-rays and pictures are way, way, way more than it actually costs? And that your Bill really allows a tremendous amount of flexibility in any event?"

Turner, J.: "Yeah, I believe it certainly more than the cost of paper, and hopefully, it includes some of the time that it takes personnel to provide those copies."

Johnson, Tim: "To the Bill then, Mr. Speaker, Members of the House. This is not an issue of attorneys or doctors or tort reform or anything else. This is a matter of simple fairness and common sense. The effect of the failure to pass Representative Turner's Bill is to throw people who

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simply want to have, be able to get their own medical records, to be able to determine whether their child was exposed to a particular virus at a particular time, whether there has been a surgical repair in the past. In some cases, the families of deceased individuals who want to obtain medical records, not for purposes necessarily of litigation or malpractice or anything like that, even related to that, simply a reasonable limitation on what somebody can charge you to get your own medical records. These are your medical records. They're not owned by the hospital. They're not owned by the doctor. They're owned by the individual patient. And to be able to have some sort of limitation for people who don't have any money or who have very limited resources, or in the case of litigation, the case is so small that by the time you get... wind up getting charged \$500 for medical records and a soft tissue case is worth \$2,000, you don't file the case. This just makes all the sense in the world. And for people who oppose this Bill, with all due respect to my good friends in the Medical Society, and others, really look beyond the reality of what medical records are all about. Representative Turner has given us a compromise version, a pared down version of what used to be a Bill that I would have supported and I think most people in here would have supported. It's reached out to everybody, and I would suggest to you that this Bill ought to fly out of here with an overwhelming vote as simply a matter of common sense and fairness."

Speaker Hannig: "This Bill is on the Order of Short Debate. We've had an opponent. We've had a proponent. I'm for that. Representative Turner, would you like to close?"

Turner, J.: "There really isn't much to add after listening to

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Representative Johnson. I think he hit the nail on the head. This is not an antidoctor or antihospital Bill. It is not a pro-attorney Bill. It's for clients of attorneys and it's for the patients of the doctors or the patients in hospitals. This is to set a reasonable fee for when that client or when that patient wants to get a copy of his or her medical records or attorney records. And for those reasons, I think that if you look at the Bill, you'll see that we've tried to set fees that are reasonable and for your constituents who probably a lot of them will be patients from time to time, or have to go to an attorney from time to time, it just sets some reasonable standards for when they want to get copies of their own records. And for that reason, I would ask that you vote 'yes' on this Bill."

Speaker Hannig: "The question is, 'Shall House Bill 1244 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 89 voting 'yes' and 26 voting 'no'. And this Bill having received a Constitutional Majority is hereby declared passed. Mr. Clerk, would you read House Bill 941 for Representative Granberg?"

Clerk Rossi: "House Bill 941, a Bill for an Act to create the Cigar Sales Act. Third Reading of this House Bill."

Speaker Hannig: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 941 addresses the problem of predatory pricing in the State of Illinois. Currently, surrounding states have, basically, protection against Illinois distributors of tobacco products. These distributors in surrounding and adjacent states can dump their product into

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our Illinois markets at costs far below the market. When they do that, they remove the competition with our distributors. They force our distributors to do, the loss leader, as well. This not only deprives our distributors of a fair market and a competitive market, a level playing field if you will, but in fact, robs Illinois of much needed tax dollars. According to the Federal Tobacco Settlement, all tobacco products that are sold in Illinois will be given credits to the State of Illinois in the Tobacco Fund. Currently, we have these other distributors from other states that dump these cigarettes in Illinois. Those funds that will come through the Tobacco Settlement will go back to those adjacent states. We will not see those funds in Illinois because of the existing law. This simply addresses that issue. Amendment #2 to the Bill removed the Illinois Retailers and Merchants Association, removed their opposition to the Bill. The Department of Revenue, ... they were opposed to the Bill. We're currently in negotiations with them. I believe we can address that problem in the Senate. I would be more than happy to answer any questions."

Speaker Hannig: "This Bill's on the Order of Standard Debate. Representative Black is recognized."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in strong support of the Bill. I had some reservations when I first heard about this Bill, and I've talked to Representative Granberg and others. And for those of you who may have some uneasiness about the Bill, this does not impact a retail seller. If you have a retailer in your district, who for whatever the reason, wants to sell a carton of cigarettes for a quarter, they're free to do so. We're not interfering in the rights of your

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retailer to use cigarettes as a loss leader, although I don't know why they'd want to do that. But if they do, it's perfectly permissible under this Bill for them to do that. What this Bill focuses on, is the practice of wholesalers dumping thousands of cases of cigarettes on the Illinois market at below Illinois cost. And for those of you who really favor the Tobacco Settlement as negotiated by the Attorney General, well, listen very carefully to this. If you don't close off this loophole, then any distributor who chooses to dump cigarettes at below cost in the State of Illinois, will get no credit for those cigarettes that are sold in the State of Illinois. So you're cheating the very thing that many of you strongly, strongly, support. And that is, the Tobacco Settlement and what that money will be used for. So if you vote 'yes' on this Bill, all you're doing is making their playing field level so that other states cannot come in, take advantage of the Illinois market, take money then out of our pockets and more importantly to some of you, money from the Tobacco Settlement. The law that Representative Granberg is sponsoring, the fines for violations of this Act will go into the Prevention of Tobacco Use by Minors Fund. So those of you who are really on the antismoking issue, and those of you that are looking forward to seeing how the money from the Tobacco Settlement is spent, will want to vote 'yes' for this. There is no opposition from the retail community. That has been taken care of by Amendment. So, keep in mind the merchant in your hometown, the 'ma and pa' operator if you will, if they want to sell cigarettes at below cost for a loss leader to get you to come in the store, they are free to do that. What this Bill does is to go after the big giants in the cigarette

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business, who for some reason or other, may have a semi-truck load of cigarettes that were on their way to Kentucky or on their way to North Carolina. Suddenly, they detour, take them to Illinois, and dump them on the market below cost. We lose all the way around if that happens. So, it's for that reason, I rise in strong support of Representative Granberg's Bill and urge an 'aye' vote."

Speaker Hannig: "Representative Parke."

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

Speaker Hannig: "He indicates he will."

Parke: "Representative Granberg, can you explain to us why somebody from a surrounding state such as Iowa, Indiana, Wisconsin, Kentucky, why they would dump the cigarettes into Illinois? What's the advantage? And how does hurt our retail merchants?"

Granberg: "It doesn't hurt our retail merchants. The retail merchants will not be impacted by this Bill, Representative. We removed IRMA's concerns from the Bill with the Amendment #2. Why these wholesalers, these distributors would do this, is speculative. They could have a glut on the market. They may not be able to market in their own state, so they will dump the cigarettes into Illinois. They could do this either to dump them because they have no market in their home state, or there is an over production or in fact they could be selling other items. So they would convince or try to convince distributors in Illinois to buy the other products as well, because they're selling the cigarettes at a greatly reduced rate."

Parke: "How many other states are doing this same kind of legislation, Representative?"

Granberg: "Representative Parke, thank you. There are 34 other

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states that have this legislation, including the states surrounding Illinois. So that puts our distributors at a distinct disadvantage where they cannot compete, because they cannot go into other states and perform the same, the same policy or same procedure. They cannot do it in Indiana or surrounding states. But at the same time, distributors from other those other states can dump their cigarettes in Illinois, adversely impacting our distributors and their employees."

Parke: "Thank you, Representative, this sounds to me like the kind of legislation that brings a fair and competitive marketplace to the State of Illinois. I rise in support of this Bill."

Granberg: "Thank you, Representative."

Speaker Hannig: "This Bill's on Standard Debate. We've had three proponents. Are there any opponents to this Bill? Representative Harris."

Harris: "One... thank you, Mr. Speaker. Will the Representative yield?"

Speaker Hannig: "He indicates he will."

Granberg: "Certainly, Representative."

Harris: "I have one question. In regards to a truck dropping cigarettes in the State of Illinois, making a detour, I was always under the assumption that when you bring cigarettes in, they have to be stamped. And the cigarettes that are in the State of Indiana, for instance, cannot be sold in the State of Illinois because they have a different stamp on them."

Granberg: "Representative, they in fact, can be sold and that's what Representative Black was referencing that in fact when those cigarettes are sold in Illinois, because they can be tracked back to Indiana, Indiana receives the credit from

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selling those cigarettes. So, the proceeds from the Federal Settlement, the Tobacco Settlement, will flow to Indiana, although those cigarettes are sold in Illinois."

Harris: "Okay, now, another question, and I'll give you an example. I used to sell cigarettes and I couldn't sell the cigarettes that were cheaper in Indiana. I couldn't bring them across the state line. Now, are you saying that the cigarettes that Brown and Williamson, for instance, R.J. Reynolds, Lorillard makes down in Kentucky and in North and South Carolina. Those cigarettes are not stamped after they make them. Once they come into the State of Illinois, each individual wholesaler, and I'll give you an example, J.J. Brosky, and some of the other houses, they have to stamp the stamps on cigarettes before the people from the grocery stores, liquor stores come in and purchase it from them."

Granberg: "Representative, I understand your concern on this, but this would address a policy that the other states are doing. Because currently Indiana has this, we cannot sell our cigarettes in Indiana. Okay? We cannot do this at below cost. Currently, Indiana companies are coming in and selling below cost in Illinois. So, although the taxes have to be affixed, right? The stamps have to be affixed. That state that distributes those cigarettes here at below cost, they lose money on this, right?"

Harris: "Yeah, what.. I don't think you understand my question. Are the cigarettes that you are talking about, are they stamped or are they not stamped? This is what I'm talking about. Do you know?"

Granberg: "They have to be stamped, that's my understanding of the State Law."

Harris: "See my point is this, and like I indicated, I sold

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cigarettes for 25 years and it would have been easy for me to go across the border into Indiana and buy cheaper cigarettes, than to buy them from the State of Illinois. But I couldn't do it because Indiana had a different type of stamps on their cigarettes and the inspectors would go around to different liquor stores or grocery stores and wherever I had the machines and check those stamps. So..."

Granberg: "I think... Representative, you would know this issue better than I would. I believe those stamps have to be affixed in Illinois as well."

Harris: "Okay, all right, thank you very much."

Granberg: "Thank you, Representative."

Harris: "Thank you, Mr. Speaker."

Speaker Hannig: "Representative Granberg to close."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I want to thank Representative Black and Representative Parke. This is an important issue for Illinois. This will put us in competition. Currently, we do not see that competition. Our people cannot compete with surrounding states who have this protectionist legislation. If we are going to compete we have to have the same protection. This will help our people in Illinois, and it almost, I think as importantly, it will make sure that our state receives its fair share under the Tobacco Settlement Agreement. We want to make sure those funds come back to Illinois and those funds don't go to surrounding states that dump their cigarettes in Illinois. I would appreciate an 'aye' vote."

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

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question, there are 112 voting 'yes', and 1 voting 'no'. And this Bill having received a Constitutional Majority is hereby declared passed. Mr. Clerk, would you read House Bill 645 for Representative Slone?"

Clerk Rossi: "House Bill 645, a Bill for an Act amending the Juvenile Court Act. Third Reading of this House Bill."

Speaker Hannig: "Excuse me, Representative Lindner is the Sponsor of this Bill. Representative Lindner."

Lindner: "Thank you, Mr. Speaker. This is a Bill that arose from a conversation with my juvenile court judge. Many times in Juvenile Court when there has been a child with an adjudication of neglect, the parent is, particularly the mother, is given certain things to accomplish in the court order before she can get her child back. What the judges see many times is that this women comes back pregnant and has another child, which many times prevents her from completing the court orders to get her child back or else she has another child in the system. This would just say, and this is agreed language with DCFS, that DCFS at the dispositional hearing would file an affidavit that they have informed the mother of locally or publicly-funded or subsidized contraceptive options that are generally available."

Speaker Hannig: "The Lady has moved for passage of House Bill 645. And on that question, Representative Flowers is recognized."

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

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

Flowers: "Thank you. Representative Lindner you and I spoke about this Bill, maybe about a month or so ago. And I thought you were not going to call this Bill?"

Lindner: "No, this is totally different. I didn't call that

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other Bill. That other Bill is back in Rules. This is a totally new Bill."

Flowers: "Now I'm sorry. I'm so sorry, I was not paying attention. What exactly does House Bill 645 do, please?"

Lindner: "All it does is at the dispositional hearing, you know the hearing where the court tells the parents what they have to accomplish to get this child back."

Flowers: "Excuse me, Mr. Speaker. Mr. Speaker, I'm sorry I can't hear her."

Speaker Hannig: "Yes, can we have some order in the chamber? Representative Lindner."

Lindner: "This, this amends the Juvenile Court Act. And at the disposition, do you know what the dispositional hearing is in Juvenile Court?"

Flowers: "I'm following you, Representative, yes."

Lindner: "The dispositional hearing is where the court tells the parent or parents of a child who is a ward of the court, who when there is adjudication of neglect, and the court tells the parents what they have to do to get their child back; whether it's go to drug treatment, or complete a parenting program, or whatever that is. And so also at this hearing, DCFS would file an affidavit telling the court that they have informed this mother of all locally public-funded or subsidized contraceptive options. If she wants to take advantage of it. All they're doing is informing her of this."

Flowers: "Do you think that this mother might get the implication from this advice that she is getting from these so-called people with her best interests, do you think that she might get the implication that she should take this birth control pill in order to regain the custody of her children? Because you do know that a woman will do almost anything if

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it means that I can get my child back, despite the fact that this may have an adverse affect on her health. Now, I understand what you are saying about the advice that they're to give, but that's not why this mother is in... the advice that this mother needs would be on how to be a better parent. It has nothing to do with birth control."

Lindner: "Well, it's not giving her any advice. It's simply telling her..."

Flowers: "But don't you think that they should..."

Lindner: "Telling her if she wishes to take advantage of any of these devices or contraceptive options it wouldn't necessarily be..."

Flowers: "Why is that the court's place to do that? Should they not be trying that that juncture to help the mother maybe in another area, as opposed to birth control? Maybe there's some counseling that she needs in regards to a job or mental health; maybe it's a housing situation, maybe it's an abusive husband, but birth control? In regards to the juvenile, in regards to DCFS?"

Lindner: "It's not the court. The court is not ordering this."

Flowers: "I understand..."

Lindner: "Could you let me finish, please? DCFS is just simply telling the mother that if she wants to take advantage of anything, she can get this for free. This is solely a Bill to help mothers get their children back. Because many times."

Flowers: "How would this help a mother? See, this is my whole point. You tell me, how would a DCFS worker by telling me that of the different types of birth control pills that's out there, how is that helping me get my child back? Are you implying to me that if I do have another baby or something, I may not get my child back? Are you holding

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something over my head, that if I don't take this method of birth control pill that I am being advised by, that I will not? Is that a subtle threat that's being imposed upon me, yet you're using the word advisory?"

Lindner: "No. And they're not telling them about pills. They're simply telling them about any options that are out there."

Flowers: "Any type of contraceptives."

Lindner: "It doesn't... you know that can also be..."

Flowers: "Well, let me ask you this?"

Lindner: "Excuse me. Could I finish, please?"

Flowers: "Yes, you may."

Lindner: "You know that could also be advice on abstinence, also. It does not have to be, you know, a pill or any contraceptive device. It could also be abstinence. And this is solely... I said something that the juvenile judge had noticed and to try and help mothers because of the fact that many times when they get pregnant, they are unable to do the other things like you were speaking of. I mean if they have another child they are unable to complete the other court orders, like their parenting classes or going to drug treatment or whatever it is. So, that then they can't get their first child back. And then many times, if they have another child..."

Flowers: "You are implying, Representative, that the reason why they cannot get their first child back or any of their children back is because of some type of contraceptive method. And I think we're sending the wrong message here."

Lindner: "No, I'm not implying that."

Flowers: "This is not the message we want to be sending to women. Because this Bill is applicable to women only. Am I correct?"

Lindner: "Yes. I would say so. It says the 'mother', the mother

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of a child."

Flowers: "Absolutely, so if a man were to be called in because he abused his child, what will DCFS, what type of information will DCFS disseminate to him?"

Lindner: "Well, this specifically addresses the mother because it's a problem that the juvenile judges have noticed and they want these mothers to get their children back, so they are trying to help to do that."

Flowers: "Well Representative, Representative, education, education."

Lindner: "This is educational information."

Flowers: "But, no, this is only one part of it. This is only one part of it. But you know maybe if DCFS had a came in as opposed to being punitive and taking my children when I was down and out, when I needed some assistance, when I needed a job because I lost my other job because the incentive that was given to this company, disseminated (sic-disintegrated) when the time was up. Mr. Speaker. Mr. Speaker, would you please put this Bill on Standard Debate?"

Speaker Hannig: "Yes. This Bill is on Short Debate but its now been removed and it's on the Order of Standard Debate."

Flowers: "Thank you very much. Representative Lindner, in all due respect, I understand exactly what it is that you're trying to do, but this is not the right way of going about doing it. And for that reason when you and I had a talk one night, at a COWL meeting, I came to you personally and asked you, were you going to call such a Bill and you told me 'no'. And I explained to you the reason why I had objections to such a piece of legislation like this. This is not the right way. I don't know what have happened in other people's lives that may cause them to go into the

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Juvenile Court and to come into contact with DCFS. DCFS has enough threats, one of them being children, the right to withhold people children for another reason. Another reason, I will withhold your child if you do not get on these types of contraceptives or whatever it is. You don't know if there is an allergic reaction, or some type of religious belief or anything such as that. I would really appreciate if you would pull this Bill out the record and if we could just talk about it further, please."

Lindner: "That's not what this Bill says at all. This Bill just has DCFS give information to a client, nothing more."

Flowers: "Representative, these people need their children back. They need some assistance."

Lindner: "And that's what we're trying to do here."

Flowers: "But the implication, I understand exactly what the Bill says. The only thing I'm trying to convey to you would be the implication that these people will get from the DCFS workers and you are using it as information to be disseminated right now. But one of those workers out there may use it as a tool to hold over a mother's head, because they may not understand the intent of the law."

Lindner: "Well, then they would be in violation of the law. And you know there are other..."

Flowers: "Then how would you and I... What other implication...."

Lindner: "There are other things that DCFS does, and you know, in the statute that we cannot be, you know, totally responsible for it either. We don't know what they say to..."

Flowers: "Oh well, you know Representative."

Lindner: "...their clients about the drug program or the parenting program or anything. So this is no different. It's information disseminating."

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Flowers: "But you know I'm glad you mentioned the parenting program because DCFS already have the parenting program. Don't you think that would be the most appropriate place for them to talk about parenting and parenting skills, as well as, the prevention, as well as the different types of contraceptive? Why are you setting this apart? Because they have a parenting class and you know I'm glad you think it's funny, but to me it's not. Because the vast majority of the people that come in contact with DCFS they look just like me, they walk like me, and they talk like me, and they are a mother like me. And for whatever reason they may have had to come in contact with them may not necessarily be a fault of their own. But I refuse to ever support anything that would hold another weapon over a helpless woman's head, and that being a tool to imply, 'Either you get on it or you lose your kids.' Mr. Speaker, Ladies and Gentlemen of the House..."

Lindner: "This Bill does no such thing."

Flowers: "Yes, it's the implication, Representative, as to what the Bill does. I know exactly what you said the Bill do and I can read it. But the fact of the matter is you and I just stated that there are parenting classes for DCFS. DCFS have parenting classes for these people that need these types of skills. That is what they are supposed to do. And in those parenting classes is where they can discuss this. But not at the juncture in which you're referring to because this is a hammer hanging over that mother's head who do not understand the intent of the law. You and I sit here in this House every day, day in and day out, and half the time we don't know what we voted on and you want a mother who is down and out, for whatever reason, to understand what we are doing here. And we don't know

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what we are doing here, some of us. Thank you very much.

Ladies and Gentlemen, to the Bill."

Speaker Hannig: "To the Bill, Representative."

Flowers: "This is a very bad piece of legislation. Our objective, Ladies and Gentlemen, is to get the children out of the system. There are 59,000 children, as we speak, lingering in the system of DCFS. We should be trying to move them out not using another tool to keep these kids in the system. If there can be reunification between the mother and the child there should be that reunification, not another obstacle that will cause another problem. I would urge for the defeat of this legislation. Thank you, very much."

Speaker Hannig: "Representative Mulligan. Are you an opponent or a proponent? We've got room for both."

Mulligan: "I'm gaging, but I think I would call myself a proponent at this point, thank you. "

Speaker Hannig: "Okay. Please proceed."

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

Speaker Hannig: "She indicates she will?"

Mulligan: "Representative Lindner, what's the genesis of this Bill? Wasn't it a judge from Kane County?"

Lindner: "That's correct. A judge... the juvenile judge in Kane County came to me with this problem because he was concerned that mothers were not getting their children back as soon as they could, and not able to complete the court orders. And he felt that this information disseminated would be able to help them."

Mulligan: "Didn't he suggest, what I would call a little more drastic measures that you've pared down quite a bit, in talking with a lot of the different Representatives, here?"

Lindner: "Yes, as I told Representative Flowers, the original

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Bill contained a court order that would voluntarily allow the mother to do this and then the court would order it. And I told her I would not call that Bill, and I did not. This has been totally pared down to where it would happen with DCFS just giving the mother the information."

Mulligan: "In my understanding in talking and working in Human Services, for the last seven years, it's my understanding that drug abuse is the number one thing that drives foster care and issues of abuse and neglect. "

Lindner: "I believe so."

Mulligan: "So wouldn't it be a good idea if someone gives someone counsel on where to find free birth control, particularly, if the person's going to be on drugs so they wouldn't be carrying a cocaine baby, and maybe their fifth cocaine baby, which we have had happen which foster parents complain to me about?"

Lindner: "Correct, I think that would be a good idea."

Mulligan: "I mean, those of us that look to certain issues feel that this is a much less odious way of handling it, than proposals that have come out of the General Assembly over the years that we don't agree with because they certainly negate women's choices, where using birth control. First of all, I don't see how anyone could tell whether you were using it or not, unless you got pregnant again."

Lindner: "That's correct."

Mulligan: "And it is a simply a... 'may' Bill, that you 'may' do it you don't have to do it."

Lindner: "It's not even going to be in the court order at all. It's just that at the hearing, DCFS will tell the judge that and file an affidavit that saying that they have given out this information. And that is that."

Mulligan: "I think it's unusual since some of the main proponents

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of several Bills that have been sponsored here, particularly the last speaker, have to do with providing insurance coverage for birth control, but yet you're having DCFS give away information on where they might be able to purchase it or get it for free. And yet we're not 'for' this?"

Lindner: "Yes, well, I think that former Representative said she would be for this is if it was disseminated in a parenting class. But she didn't like DCFS giving out the information."

Mulligan: "But across this state, irregardless of where you live or irregardless of race, or whatever, I do know for a fact, that one of the main things that drives foster care is drug abuse. And one of the worst things that can happen is to have a baby while you're on drugs."

Lindner: "That's true."

Mulligan: "And I would think that the court recognizes this and why is DCFS not for this? Because of the increased cost?"

Lindner: "No, they are for this."

Mulligan: "Oh they are for it."

Lindner: "This is agreed language with DCFS."

Mulligan: "All right. So the way you've done it now, you've agreed. Everyone that has come to you has agreed and there is no one now objecting?"

Lindner: "Yes. There was no... DCFS had opposition before when it was going to be in a court order. And that's why we took that out. It's not in a court order now. And they were the only opposition, and this is the agreed language with DCFS."

Mulligan: "To the Bill."

Speaker Hannig: "To the Bill."

Mulligan: "Basically, I think that this is a compromise that many

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of us can live with for the simple reason, it is not telling a women what she has to do. It is suggesting. It does address a problem that I think there's a great need to address and that is a repeat of women who abuse drugs and then have children while they're on drugs which is of grave concern to all of us. But it certainly is a less drastic measure than many Representatives have put in Bills in years before, which we could not agree with. I think Representative Lindner has gone a long way to try and bring all the people together on this and come up with a reasonable Bill that is only permissive. And I think certainly directs women who are poor for any of number of reasons, on how to find an adequate source of free contraceptives."

Speaker Hannig: "Representative Monique Davis. Which side would you like to be on, Representative?"

Davis, M.: "I'm on the right side. And that's against this Bill."

Speaker Hannig: "All right. Okay. Representative Monique Davis, in opposition."

Davis, M.: "Okay, first I'd like to let everyone know that this Bill has been taken off the Agreed Bill List."

Speaker Hannig: "That's correct, Representative."

Davis, M.: "It was on the Agreed Bill List but enough people went up to the well and expressed opposition, therefore it is off the Agreed Bill list. To the Bill."

Speaker Hannig: "To the Bill."

Davis, M.: "Or will the Sponsor yield?"

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

Davis, M.: "Representative is there an age limit in which this information should be given or is there any thought given in reference to the religion of the child? What's the age

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of the child with this information should be given?"

Lindner: "Well, it's not a child that you're giving the information to. It's a mother who has already has a child. And the child has an adjudication of neglect....."

Davis, M.: "Couldn't that be a teenager? Couldn't that be a teenager?"

Lindner: "But the teenager already has become pregnant once and that's why the child is in the system....."

Davis, M.: "But it could still be a teenager."

Lindner: "It could be, yes."

Davis, M.: "All right. Is there any thought at all to the religion of this child?"

Lindner: "Of the child?"

Davis, M.: "Or young person or mother, whatever. Is there any thought at all given to that?"

Lindner: "Are you speaking of the mother now?"

Davis, M.: "You know, to the Bill. To the Bill. We are asking in this Bill, case workers to sign an affidavit that they have provided contraceptive information to mothers who are finding themselves in this court system. I believe it is the wrong way to go. I can't express it as clearly as Representative Flowers has done and I am glad she brought it to the attention of this Body. It is not our place. It is surely not our place, to mandate that case workers counsel mothers on the use of contraceptives and implants. That is not our role, it is not our place. It's something that I don't want to name, but I don't think we want to be a part of it in America. This is the United States of America. I believe that people who want contraceptive information should not have to depend on the judicial system or working with a caseworker and we should not mandate what that case workers says to that person, who is

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in that system. It's like a threat that'll be held over their heads. And it is wrong, wrong, wrong. I am truly surprised and amazed that this Representative would bring this kind of legislation to this Body and think, and think that people would forget this is America. And we cannot take people's children and keep them based upon their decision to use a contraceptive or not use a contraceptive, ignoring, totally ignoring sometimes the religious belief of some of these people. Some people have religious beliefs that affect what they use in reference to contraceptive or no contraceptive and the state should not mandate that they do it. This is a very bad Bill. It's an awful Bill. It has been removed from the Agreed Bill List, and it almost slipped through here. Thank you, Representative Flowers. "

Speaker Hannig: "Representative Cross. Which side shall we put you on, Representative?"

Cross: "What side is open?"

Speaker Hannig: "Well, there's two and two. So there's one on each side left."

Cross: "I will be with the 'force'. Will the Sponsor yield briefly?"

Speaker Hannig: "She indicates she will."

Cross: "Representative this had gone on for a little while, but I want to make sure I clear something up or what I believe is the case. This is an idea that started out or suggested to you by a judge that works in a Juvenile Court in the 16th Judicial Circuit?"

Lindner: "That's true."

Cross: "Now, is that Judge Mueller?"

Lindner: "Yes."

Cross: "Judge Mueller has been in juvenile court for several

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years now. Is that correct?"

Lindner: "Yes, he's not there now, but he was there last year when we talked about this Bill."

Cross: "And in the Juvenile Court in the 16th Judicial Circuit, you're dealing with... it's not necessarily a rural area. It's dealing with kids and juveniles from the City of Aurora and Elgin, cities."

Lindner: "That's correct."

Cross: "And in largely urban in many respects."

Lindner: "Yes."

Cross: "When you're a circuit judge if I'm understanding it correctly, in that area, that's all you do is juvenile court. Is that correct?"

Lindner: "That's correct."

Cross: "I'm asking questions, Representative. And it's my sense that he has a great understanding of the needs of the juveniles, not only the 16th Judicial Circuit, but has also worked with the ISBA throughout the state. Is that correct?"

Lindner: "Yes and he was very sad because he saw many mothers come before him who continued to get pregnant and could not complete the court orders that they had been given before to get their other children back. He wants the mothers to be able to complete the court orders whatever those are, parenting classes or going to drug treatment or whatever that would be, to allow them to get their children back. And he saw this as a way to help them because he didn't feel right now that the court could give you know this information to people. So he wanted a way to get this information to the mothers."

Cross: "This is a judge, from what I know and you can tell me if I'm wrong, that has... that a many people think is a caring

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judge who wants to rehabilitate. It is not a heavy-handed old man who wants to lecture and tell people what to do. Is that accurate Representative?"

Lindner: "That is very true. He was considered one of the best juvenile judges by all sides, including public defenders state's attorneys, and guardian ad litem."

Cross: "As well as DCFS, and social workers throughout the 16 Judicial Circuit. Is that correct?"

Lindner: "That's true."

Cross: "I, very briefly, I think Representative Lindner has explained this Bill as adequately as she can. But I want to reinforce that Judge Mueller is a judge that is very, very, very well-respected, not only in our 16th Judicial Circuit, but also throughout the state. Has provided input not only on juvenile issues but also on the Criminal Code and DCFS issues throughout the state. And I would... any Bill that Representative Lindner along with Judge Mueller proposed I think should be given... has been given ample debate. And I think it should be given a positive vote. Representative Lindner, I applaud you sticking, with obviously, a tough issue and also working with DCFS on a tough issue. Thank you."

Speaker Hannig: "We've had three proponents speak, including the Sponsor and two opponents. We have room for one more opponent. Representative Fritchey, would you like to speak in opposition?"

Fritchey: "Speaker, I just simply request a verification should this get the requisite number of votes."

Speaker Hannig: "Okay. Representative Delgado, in opposition."

Delgado: "Yes, I am, Speaker. Thank you for the opportunity. Members of the House. Now I understand Judge Mueller might be a great judge. I'm a former DCFS worker. I

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worked in the State of Florida for HRS dealing with child abuse and neglect. Representative Lindner, I understand your intention to try to help children, but this is dangerous legislation you're proposing here today. Children come into the system for a variety of reasons. We could come in for cocaine babies, they can come in just because you turned your back for two seconds and you're child fell and broke their leg. Now, should that mother be under the same blanket comment in a dispositional hearing? We cannot allow this. Judge Mueller operates in Aurora, yes, where a lot of Latinos and African-Americans live. This is a... foster care is full of African-Americans, a particular population. We are going to suggest here and I know you're not suggesting, but to me this is a dangerous piece of legislation that affects many young African-American mothers and Latinos. We don't want to get into a genocide issue here. We need to talk about why a child comes into a system. Let's be real clear that when a child comes into the system, we already deal with them in parenting classes and if it's cocaine babies, if they have a second one, there's process in place called TPR, Termination of Parental Rights. Let's use that system that's in place. But the mother should not have to be held over her head and sent a subliminal message that you should stop having babies, those people should stop having children. This is very dangerous legislation that we cannot set a (sic-precedent)precedence. There are adequate and enough systems in place in every state in this Union. What we need to do is create a better system of Termination of Parental Rights or reunification at DCFS so we can get our children back with their families or with a family that cares. But to send the message that, 'you should stop

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having children', you're affecting a particular population and I think that is dangerous. So, please, I would ask you to pull this from the record. That judge gave you an opinion. I've been in these homes. I've worked these families, not only in the State of Illinois, but in the State of Florida, and I continued to get promoted because of my knowledge of child welfare. We dealt with sex crime cases and it's very important that you, too, acknowledge the fact that this is very dangerous. I would ask a tremendous 'no' vote on this piece of legislation."

Speaker Hannig: "Representative Lindner, to close."

Lindner: "Thank you. Well, I really am amazed at the debate from a Bill that was really well meant to try and help these mothers get their children back, whoever they may be. It's certainly not directed at any race. This does not provide contraceptive devices to anybody. There is nothing mandatory about it. It's merely information that would be disseminated to try and help mothers. It doesn't say that they should never have anymore children. It just says that if they want to not get pregnant during the time that they're completing the court orders, that there is free information available for them. I would ask for a favorable vote."

Speaker Hannig: "The question is, 'Shall House Bill 645 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? Have all voted who wish? Mr. Clerk, take the record. On this question, on this question, there are 14 voting 'yes', 97 voting 'no', and the Bill fails. Mr. Clerk, would you read House Bill 528 for Representative Fritchey?"

Clerk Rossi: "House Bill 528, a Bill for an Act amending the

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Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Hannig: "Representative Fritchey."

Fritchey: "Thank you, Speaker. House Bill 528, as amended, this is the Bill requiring CPR training for school bus drivers. I have worked with Representative Hoeft on drafting new language for this Bill. I believe, with the Amendment, there's no longer opposition to the Bill. What we have done to address the concerns, as far as the shortage of school bus drivers, this Bill adds no new requirements whatsoever, as a precedent to obtaining a license to drive and operate a school bus. What this Bill provides is that during the annual refresher course, which is required already to be provided to the school bus drivers, that a part of that refresher course will be CPR training. This imposes no new costs on the drivers, to minimize costs on the schools. I appreciate the work of Representative Hoeft in helping us get this language and correct this Bill. As I said, I know of no opposition anymore. I'd be happy to answer any questions."

Speaker Hannig: "Okay, this Bill is on the Order of Short Debate.

Representative Kosel, do you wish to speak in opposition?"

Kosel: "I don't know."

Speaker Hannig: "Do you wish to ask a question?"

Kosel: "Yes."

Speaker Hannig: "Please proceed."

Kosel: "I, thank you. Will the Sponsor yield, please?"

Speaker Hannig: "He indicates he will."

Kosel: "You said that you... there was no opposition to this Bill anymore?"

Fritchey: "That's my understanding."

Kosel: "You went about to address the needs, the terrible needs that we have in this state, to try and keep adequately

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trained bus drivers safely transporting our students. I know that when we were in Transportation Committee that that was discussed. You know that we have a terrible time trying to get qualified drivers."

Fritchey: "And that's precisely why we've amended the Bill as we have. The Representative across the aisle, who has extensive experience in overseeing school bus drivers in these programs and the needs of the school... in the regional schools, came up with this concept. And we implemented the language that now there is... there are none... no new requirements whatsoever, to becoming a school bus driver, as a result of this Bill. The bus drivers are presently required to take a annual refresher course. What the Bill says is, in the first year after they've been driving the bus, in that refresher course that they will take... part of the refresher course will include CPR training and once every five years after that they will have a refresher course in the CPR training."

Kosel: "I commend you for your efforts to answer the questions that were there and still keep an adequate supply of bus drivers. Thank you very much for your work on this."

Fritchey: "Thank you."

Speaker Hannig: "Does anyone stand in opposition? Representative Rutherford."

Rutherford: "Representative Fritchey, what if a person fails this?"

Fritchey: "What's your question?"

Rutherford: "I'll repeat it. What if somebody fails this?"

Fritchey: "The annual refresher course, to my understanding, is not a pass... is not a grade of a satisfactory completion. So, what they do... they attend the course. I don't even know if there is an ability to fail somebody from the

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course, if they attend this."

Rutherford: "Who pays for it?"

Fritchey: "My understanding, from Representative Hoeft, is that the school systems presently are required to provide this annual refresher course to the school bus drivers."

Rutherford: "So, it's already being paid for?"

Fritchey: "That's my understanding."

Rutherford: "So, why do we need this Bill?"

Fritchey: "The refresher course presently does not include CPR training. What we are doing is adding that there is a certification class in cardiopulmonary resuscitation included as part of the refresher course."

Rutherford: "All right. So, you're now going to have a state mandate requiring every school district to have CPR-trained school bus drivers."

Fritchey: "The schools are presently required to provide annual first aid refresher courses to the school bus drivers."

Rutherford: "I understand."

Fritchey: "In the first year that an individual has the license and once every five years after that they are going to be required to have a refresher in CPR training, as well."

Rutherford: "So, I'll repeat my question. So, you are now going to require, through a state mandate, if this became law, that every school bus driver in the state have CPR training?"

Fritchey: "If you can't... I'm going to defer to Representative Hoeft to answer that question."

Rutherford: "Sure."

Speaker Hannig: "Representative Hoeft."

Hoeft: "The regional superintendent of the schools is the one required for school bus driver training. They do that during the year. It is a requirement of the regional

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office and the regional office pays."

Rutherford: "All right."

Hoelt: "And it's done through the fees that are generated from the bus driver permit."

Rutherford: "I'm sorry. From the bus driver what?"

Hoelt: "Permit."

Rutherford: "Okay. Is CPR training required today for bus drivers?"

Hoelt: "No."

Rutherford: "No. If this becomes law, this would be a state mandate."

Hoelt: "Yes."

Rutherford: "Is there money coming with this legislation to pay for this state mandate?"

Fritchey: "This Bill does not entail any appropriation language."

Rutherford: "So, what we are about to vote on is an unfunded state mandate on our schools that all of the people in my school districts had been coming back barking at me saying that, 'You in Springfield are going out there, passing all these laws, making us do things and you're not sending us the money.'"

Hoelt: "Let me repeat..."

Fritchey: "We are about to..."

Hoelt: "These courses are done at the regional school office. There is nothing dealing with the school districts."

Rutherford: "But it's still a state mandate."

Hoelt: "Training is done by the regional office which is a state office."

Rutherford: "But it's still..."

Hoelt: "State can't hurt the state."

Rutherford: "Representative Hannig, do I... we got three microphones open here."

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Speaker Hannig: "They're ganging up on you, Representative."

Rutherford: "Who am I... who am I dealing with here? Is this a... is this a gang on a... I would suggest..."

Speaker Hannig: "Okay. Representative Fritchey would you... do you wish to yield? Representative Fritchey yields to Representative Hoeft... to answer questions."

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

Speaker Hannig: "Okay, to the Bill, Representative."

Rutherford: "Ladies and Gentlemen, with all respect to Representative Fritchey and to Representative Hoeft, we literally have been hearing from our school districts all over the place that State Government has been providing mandates upon'em and then you don't send the money to pay for it. Very simply said, today's school bus drivers are not required to take CPR. Every school board in this state could require their bus drivers to take CPR. They can do this if they want to already, as local control. Ladies and Gentlemen, I would encourage us to not vote for this Bill which would be an unfunded state mandate."

Speaker Hannig: "Representative Black. The Bill's on Short Debate. Would you like to remove it?"

Black: "You mean I'd have to sit down?"

Speaker Hannig: "No, Representative. You can remove the Bill from Short Debate."

Black: "Okay. Do I get to stand up?"

Speaker Hannig: "Or, you can sit down."

Black: "Even standing up, I'm not very tall, but I'll..."

Speaker Hannig: "Are you in opposition or are you in favor of the Bill, Representative?"

Black: "Oh, I'm in opposition, Mr. Speaker."

Speaker Hannig: "Okay, so we'll have... the Bill is removed from Short Debate and Representative Black is recognized in

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opposition."

Black: "Yes, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I stand in opposition to the Bill. I can't add a great deal more than what Representative Rutherford has already said. And again, and I'm under no illusion, this has a nice little title and we all look at it and I've talked with John and he's sincere and dedicated to what he's trying to do and he has certainly made the Bill better. And everybody looks at this and says, 'Oh my goodness, how in the world could you be opposed to this?' Well, as Representative Rutherford said, number one, it's a mandate; number two, if a school district wanted to do it, they're free to do so. But more and more school districts are contracting with private bus companies and I remember, if not this week, it was late last week that the Superintendent of the Springfield Schools was quoted in a banner story in the Springfield Journal-Register of the problems he's having with his contract bus carrier. And the bus carrier is saying, 'We can't hire people. We can't find them. We can't keep them on the job.' This is a difficult, low-wage job and we continue to ask that these people... the next thing you know, they're gonna be a registered nurse and/or a doctor. They drive a school bus, for God's sake. Let them drive the bus. You know, Ladies and Gentlemen, at some point you have to stand up and say, 'The Bill sounds good. The Bill feels good. In a perfect world, I'd vote for it.' How many of you here have ever driven a school bus? I have. I have, thirty-some years ago. Do you know what's wrong with this Bill? Now, I haven't driven a school bus in over 30 years and things have changed dramatically. Do you know who should have CPR? It should be the students, because it's the bus

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driver they're gonna kill. You ought to mandate that the students have CPR. Some of these school bus drivers are on the long side of 60 years old and there has been, in all seriousness, Mr. Speaker, there have been cases where school bus drivers, of all people, have suffered heart attacks and/or strokes while driving their bus. The last time I checked, the bus driver in all probability, cannot give him or herself CPR. Now, at some point, if you carry this out to the most asinine equation, the next thing you know, before you can put little junior or your daughter on a school bus, they're going to have to know CPR. They're going to have to know first aid. Why can't we just let teachers teach, school bus drivers, drive the school bus and worry about the issues of education and not whether or not the school bus driver knows, not only the Rules of the Road as they should, but first aid, CPR, and probably identify all the flora and fauna on the way to school. This Bill is a mandate. It isn't necessary. Vote 'no'."

Speaker Hannig: "Representative Stephens. Which side would you like to register on, Representative Stephens?"

Stephens: "I have an inquiry of the Chair."

Speaker Hannig: "Yes, state your inquiry."

Stephens: "In regards to the Agreed Bill List."

Speaker Hannig: "Yes."

Stephens: "Well, I didn't agree with that process, but when staff came around and said that... kind of threatened us if we didn't turn those in that we weren't going to adjourn. I wondered if the Clerk has tabulated those results and how that affects the Adjournment Resolution?"

Speaker Hannig: "Well, we're still waiting for a few out there, Representative."

Stephens: "Well, Representative, there's nobody... Mr. Speaker,

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nobody on our side of the aisle is holding out. Would it be on the other side of the aisle?"

Speaker Hannig: "We'll have to check with the Clerk on that. Representative Tim Johnson."

Johnson, Tim: "Mr. Speaker, I would move the previous question."

Speaker Hannig: "Representative, the Bill's on Standard Debate. We'll have one more on each side and then we'll go to a roll call. Representative Harris. Representative Harris."

Harris: "Thank you, Mr. Speaker."

Speaker Hannig: "Are you for or against the Bill?"

Harris: "I just want to... one question for him."

Speaker Hannig: "Okay. The Sponsor will yield."

Harris: "Representative Fritchey. You did eliminate that fee that the bus driver would have to pay?"

Fritchey: "There was never a fee for the bus driver at the time and there is now no cost to the driver, whatsoever. And because of that there is no added burden on the bus driver to getting a drivers license to drive a school bus. This Bill poses no impediments to that process. This Bill has no affect on the shortage of school bus drivers. This Bill has an affect on saving children's lives."

Harris: "Thank you. Thank you, Mr. Speaker."

Speaker Hannig: "Representative, was that in favor?"

Harris: "Yes."

Speaker Hannig: "Okay. So, we've had three speak in favor and two speak in opposition. Does anyone else wish to speak in opposition? Representative Sharp, in opposition? No. Representative Hoeft, would you like to close? Representative Fritchey. Excuse me, Representative Fritchey, to close."

Fritchey: "Thank you, Speaker. We put a lot of work into this Bill and some people may believe it's well-intentioned and

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nothing but. If the mere word 'mandate' is going to make you run from this Bill, run from this Bill. However, this is not a mandate on school districts. This is a requirement from the State Board of Education and the question is this, what price are you going to put on a child's life? If the price of having a bus driver be trained once every five years in CPR training, if that price is not worth saving the life of one child, then I suggest that you're making the wrong equation here. Every Legisla... Speaker, can I get a little bit of quiet, please? Every Legislator in this chamber, right now, has to ask themselves a question. If the child that dies, because a school bus driver did not know CPR, if that child that dies is in your district and that child's parents come to you, are you going to be able to tell them that that child's life was not worth \$10 every five years, to save? That's \$2 a year to, potentially, save a child in your district. It's \$2 a year to, potentially, save your child. That's a price that's well worthwhile. I request an 'aye' vote."

Speaker Hannig: "The question is, 'Shall House Bill 528 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 49 voting 'yes'. Representative. Representative Fritchey, would you... do you wish for postponed?"

Fritchey: "No."

Speaker Hannig: "Okay. On this question, there are 49 voting 'yes' and 58 voting 'no'. And the Bill fails."

Clerk Rossi: "Attention Members, the Rules Committee is gonna

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meet immediately in the Speaker's Conference Room. The Rules Committee is gonna meet in the Speaker's Conference Room."

Speaker Brunsvold: "Representative Brunsvold in the Chair. The Chair intends to move some Second Reading Bills to Third Reading. Mr. Clerk, page 36 of the Calendar appears House Bill 2654, what is the status of that Bill?"

Clerk Rossi: "House Bill 2654..."

Speaker Brunsvold: "Out of the record. Mr. Clerk, page 11, Calendar House Bill 722, what's the status of that Bill?"

Clerk Rossi: "House Bill 722 has been read a second time, previously and was held pending the filing of a State Mandates and a Home Rule Note. Those notes have now been filed."

Speaker Brunsvold: "Any Amendments? Third Reading. Page 10 of the Calendar, House Bill 675, Mr. Clerk."

Clerk Rossi: "House Bill 675 has been read a second time, previously. Amendment #1 was adopted in Committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Brunsvold: "Third Reading. Page 26 of the Calendar, House Bill 2012, Mr. Clerk."

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

Speaker Brunsvold: "On Amendment #1, the Gentleman from Madison, Representative Davis."

Davis, S.: "Thank you, Speaker, Ladies and Gentlemen of the House. Floor Amendment 1 to House Bill 2012 amends the Illinois Public Labor Relations Act and it would call for the coverage of local governments with 10 to 34 employees,

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if 75% of the workers show support for unionization, those workers would then be able to form a collective bargaining unit. I'd be glad to answer any questions and I would move for its adoption."

Speaker Brunsvold: "The Gentleman has asked for adoption. On that question, the Gentleman from Cook, Mr. Parke."

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

Speaker Brunsvold: "Sponsor yields."

Parke: "Representative, I'm not sure I understand. This is a Floor Amendment #1 and does it become the Bill?"

Davis, S.: "I believe the Amendment does become the Bill. I believe the Amendment does become the Bill, if I'm not mistaken."

Parke: "Could the Clerk clarify, does this Amendment become the Bill?"

Speaker Brunsvold: "The Chair will indicate that the Amendment replaces everything after the enacting clause."

Parke: "Thank you very much. Now, what does this Bill do, now that you have this Amendment on it?"

Davis, S.: "Representative, what it does, it states that local units, units of local government with 10 to 34, employees that those employees of the units of local government may form a bargaining unit if 75% of the workers show support for the unionization."

Parke: "How is that different than the underlying Bill?"

Davis, S.: "The underlying Bill is a shell Bill, Representative."

Parke: "Excuse me, didn't you present a Bill like this in Committee?"

Davis, S.: "Representative, that was a separate Bill and it had to do with public employees bargaining units that had been formed with 35 members and the 35 members had dropped below the 35 limit. And what that Bill did was stop the practice

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of governments from decertifying unions even though they fell below the 35-member threshold. This is a separate issue that would allow units of local governments with a threshold from 10 to 35 to be able to unionize."

Parke: "Okay, Representative..."

Davis, S.: "And this I believe what you are speaking to on the original Bill that day when there was some confusion."

Parke: "All right, at this point we're not gonna object. We'll just try and defeat the Bill on Third Reading."

Davis, S.: "Thank you."

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

Davis, S.: "I would just ask for a favorable vote."

Speaker Brunsvold: "The question is, 'Shall Amendment #1 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 Stroger."

Speaker Brunsvold: "The Gentleman from Cook, Representative Stroger, on Amendment #2."

Stroger: "Thank you, Mr. Speaker. Floor Amendment #2 clarifies that the police and the nonpolice cannot be in the same collective bargaining unit."

Speaker Brunsvold: "And on that Motion, the Gentleman from Cook, Mr. (sic-Representative) Parke."

Parke: "Just a question, this is a significant not Amendment 2, but Amendment 1, was a significant piece. Why are we doing this on Floor Amendments? Why don't we just put this in Committee tomorrow and have the full Committee determine what is..."

Stroger: "I can answer that. This was in Committee."

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Parke: "Amendment 2 was..."

Speaker Brunsvold: "Gentleman indicates it was in Committee."

Stroger: "Yes, both Amendments were in Committee. I carried the Amendment for Representative Davis."

Parke: "Well, I know Amendment 2 was, Amendment 1 was also?"

Stroger: "Yes, it was."

Parke: "We'll wait."

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

Clerk Rossi: "No further Amendments, but a Fiscal Note has been requested on the Bill, as amended, by House Amendment #2 and that note has not been filed."

Speaker Brunsvold: "Leave that Bill on Second Reading, Mr. Clerk. On page 22 of the Calendar, appears House Bill 1718, Mr. Clerk."

Clerk Rossi: "House Bill 1718..."

Speaker Brunsvold: "Take that Bill out of the record, Mr. Clerk. The Rules Committee will reconvene for a very, very short time to correct a wrong report. Would the Rules Committee convene immediately? There was an incorrect number read in the Rules Committee. We need to correct that wrong number. Page 14, Mr. Clerk, House Bill 931."

Clerk Rossi: "House Bill 931, a Bill for an Act amending the Illinois Public Aid Code. Third Reading of this House Bill."

Speaker Brunsvold: "Out of the record. Page 8, House Bill 592."

Clerk Rossi: "House Bill 592 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed. The State Mandates note that was requested on the Bill has been filed."

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Speaker Brunsvold: "Third Reading. Page 30 of the Calendar, House Bill 2309."

Clerk Rossi: "House Bill 2039 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Page 25, House Bill 1938."

Clerk Rossi: "House Bill 1938 has been read a second time, previously. Amendment #2 was adopted on the floor. No Motions filed. The State Mandates Note that was requested on the Bill as amended has been filed."

Speaker Brunsvold: "Third Reading. Page 39 of the Calendar, appears House Bill 742. Mr. Clerk, what's the status of that Bill?"

Clerk Rossi: "House Bill 742 is on the Order of House Bills-Second Reading."

Speaker Brunsvold: "Any Amendments filed? Out of the record. House Bill 571, page 39. Mr. Clerk, what's the status of that Bill? Representative Davis, for what purpose do you rise?"

Davis, M.: "Sir, Mr. Speaker, we're to bring 742 back to Second and put the Amendment on it."

Speaker Brunsvold: "If the Bill is on Second Reading..."

Davis, M.: "Amendment #1."

Speaker Brunsvold: "The Amendment's not here, Representative."

Davis, M.: "Where is it?"

Speaker Brunsvold: "It's somewhere in Rules. So, we'll have to get it out there and address it then."

Davis, M.: "Thank you very much. Thank you, Mr. Speaker."

Speaker Brunsvold: "Thank you. House Bill 571 on page 39."

Clerk Rossi: "House Bill 571 is on the Order of House Bills-Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading. Mr.

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Cross, for what reason do you rise?"

Cross: "Mr. Speaker, I just think we all ought to take a few moments to thank Representative Turner for that birthday cake this morning."

Speaker Brunsvold: "Thank you, Mr. Turner."

Cross: "I don't know if a moment of silence is needed but I think we ought to... it was a pretty big step for him to actually pay for that cake. So, he's taking donations, Mr. Speaker, and I know you have a lot of money."

Speaker Brunsvold: "Thank you, Mr. Cross. Committee Reports."

Clerk Rossi: "Committee Reports. Representative Barbara Flynn Currie, Chairperson for the Committee on Rules which the following measures were referred, action taken on March 24, 1999, reported the same back with the following recommendations; to the floor for consideration Amendment #4 to House Bill 134, Amendment #1 to House Bill 137, Amendment #1 to House Bill 139, Amendment #2 to House Bill 306, Amendment #3 to House Bill 485, Amendment #2 to House Bill 487, Amendment #1 and 2 to House Bill 621, Amendment #3 to House Bill 630, Amendment #1 to House Bill 650, Amendment #1 to House Bill 661, Amendment #1 to House Bill 799, Amendment #1 to House Bill 800, Amendment #1 to House Bill 865, Amendment #1 to House Bill 1165, Amendment #1 to House Bill 1281, Amendment #4 to House Bill 1441, Amendment #2 to House Bill 1466, Amendment #1 to House Bill 1569, Amendment #1 to House Bill 1744, Amendment #1 to House Bill 1781, Amendment #2 to House Bill 1835, Amendment #3 to House Bill 2023, Amendment #3 to House Bill 2086, Amendment #1 to House Bill 2303, Amendment #2 to House Bill 2314, Amendment #2 to House Bill 2431, Amendment #1 to House Bill 2760, Amendment #1 to House Bill 2800, and Amendment #2 to House Bill 2823."

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Speaker Brunsvold: "Mr. McCarthy. The Chair would like to inform the Members that there are many House Bills over in the Senate that do not have Sponsors. It would be good if you want your Bill to move in the Senate to find, to check your House Bills and see if they have Senate Sponsors. If they have no Senate Sponsors, of course, they will die over there. So, you should check your Bill List and see if your House Bills, that you've passed, have Senate Sponsors. Announcements."

Clerk Rossi: "The Committee schedule is being passed out. I'm gonna read the Committee schedule for tomorrow morning. The following Committees will meet at 9:00 a. m.: Agriculture in D-1, Children and Youth in 118, Constitutional Officers in C-1, Elections and Campaign Reform in 122B, Health Care in Room 114, Judiciary 2 Criminal Law on the House Floor. The following Committees will meet at 9:30: Consumer Protection in D-1, Electric Utility Deregulation in 122B, Higher Education in C-1, Labor and Commerce on the House Floor, Revenue in 118, Transportation in 114. The following Committees will meet at 10:00 a. m.: Urban Revitalization on the House Floor, Elementary and Secondary Education in Room 114, Executive in 118, Human Services in D-1, Judiciary 1-Civil Law in C-1, Local Government in 122B."

Speaker Brunsvold: "The Members should have the list of Committees now on their desk, passed out by the Pages. If you don't have one, we have extras up here. Allowing Perfunctory time for the Clerk, the House... Barbara, Representative Currie moves that the House now adjourn until Thursday March 25 at the hour of 10:30 a. m.. All in favor say 'aye'; opposed 'nay'. And the House is adjourned until Thursday March 25, at the hour of 10:30 a. m.."

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Clerk Bolin: "The House Perfunctory Session will come to order. The First Reading and Introduction of Senate Bills. Senate Bill 31, offered by Representative Jerry Mitchell, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 38, offered by Representative Pankau, a Bill for an Act to amend the Property Tax Code. Senate Bill 68, offered by Representative Jerry Mitchell, a Bill for an Act in relation to the licensure of hypnotherapists. Senate Bill 70, offered by Representative Parke, a Bill for an Act concerning mobile home parks. Senate Bill 84, offered by Representative Osmond, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 85, offered by Representative Zickus, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practices Act. Senate Bill 105, offered by Representative O'Brien, a Bill for an Act in relation to anhydrous ammonia. Senate Bill 111, offered by Representative Lang, a Bill for an Act to amend the Illinois Income Tax Act. Senate Bill 124, offered by Representative Saviano, a Bill for an Act concerning the regulation of perfusionists. Senate Bill 180, offered by Representative Feigenholtz, a Bill for an Act in regard to public health. Senate Bill 211, offered by Representative Righter, a Bill for an Act in relation to public employee benefits. Senate Bill 217, offered by Representative Hoffman, a Bill for an Act concerning motor vehicles. Senate Bill 224, offered by Representative Righter, a Bill for an Act in relation to sex offenses committed against persons under 18 years of age. Senate Bill 234, offered by Representative Lindner, a Bill for an Act to amend the Criminal Code of 1961. Senate Bill 238, offered by Representative Saviano, a Bill for an Act to amend the Illinois Dental Practice Act. Senate Bill 291,

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offered by Representative John Jones, a Bill for an Act relating to education. Senate Bill 321, offered by Representative Hoeft, a Bill for an Act to amend the Illinois Health Facilities Planning Act. Senate Bill 330, offered by Representative Scott, a Bill for an Act to amend the Unified Code of Corrections. Senate Bill 331, offered by Representative Lindner, a Bill for an Act to create the Illinois Equal Justice Assistance Act. Senate Bill 374, offered by Representative O'Brien, a Bill for an Act concerning animal torture. Senate Bill 395, offered by Representative Schoenberg, a Bill for an Act to amend the Unified Code of Corrections. Senate Bill 397, offered by Representative McAuliffe, a Bill for an Act to amend the Criminal Code of 1961. Senate Bill 412, offered by Representative Hoffman, a Bill for an Act to amend the Illinois State University Law. Senate Bill 430, offered by Representative Poe, a Bill for an Act to amend the Illinois Municipal Code. Senate Bill 434, offered by Representative Bost, a Bill for an Act concerning taxation. Senate Bill 460, a Bill for an Act... Senate Bill 460, offered by Representative Lang, a Bill for an Act to amend the Code of Civil Procedure. Senate Bill 477, offered by Representative Scott, a Bill for an Act to amend the Criminal Code of 1961. Senate Bill 483, offered by Representative Zickus, a Bill for an Act to amend the Criminal Code of 1961. Senate Bill 544, offered by Representative Scott, a Bill for an Act to amend the Children's Health Insurance Program Act. Senate Bill 545, offered by Representative Parke, a Bill for an Act in relation to the disclosure of federal and state tax information to the Attorney General. Senate Bill 546, offered by Representative Parke, a Bill for an Act in

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relation to taxes collected on behalf of the state and held in trust for the benefit of the state. Senate Bill 548, offered by Representative Lang, a Bill for an Act in relation to the sharing of information between governmental agencies involved in the collection of state receivables. Senate Bill 545, offered by Representative Jerry Mitchell, a Bill for an Act to amend the School Code. Senate Bill 566, offered by Representative Art Turner, a Bill for an Act to amend the Business Corporation Act of 1983. Senate Bill 576, offered by Representative Hamos, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Senate Bill 668, offered by Representative Brady, a Bill for an Act to amend the Illinois Public Aid Code. Senate Bill 735, offered by Representative Hultgren, a Bill for an Act to amend the Criminal Code of 1961. Senate Bill 737, offered by Representative Giglio, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 747, offered by Representative Lang, a Bill for an Act to amend the Property Tax Code. Senate Bill 752, offered by Representative Parke, a Bill for an Act concerning small businesses. Senate Bill 774, offered by Representative Lindner, a Bill for an Act to amend the Children's Advocacy Center Act. Senate Bill 775, offered by Representative Poe, a Bill for an Act to amend the State Parks Designation Act. Senate Bill 786, offered by Representative Parke, a Bill for an Act promoting micro enterprises and self employment in Illinois. Senate Bill 794, offered by Representative Parke, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 820, offered by Representative Stephens, a Bill for an Act to amend the Public Officer Prohibited to Activities Act. Senate Bill 827, offered by Representative Hoeft, a Bill for an Act to

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amend the Metropolitan Water Reclamation District Act. Senate Bill 933, offered by Representative Hoeft, a Bill for an Act concerning elections. Senate Bill 939, offered by Representative Brady, a Bill for an Act to amend the Clerks of Courts Act. Senate Bill 941, offered by Representative Winters, a Bill for an Act to amend the Local Governmental and Governmental Employees Tort Immunity Act. Senate Bill 943, offered by Representative Harris, a Bill for an Act concerning sex offenses. Senate Bill 945, offered by Representative Poe, a Bill for an Act to amend the Illinois Pension Code. Senate Bill 946, offered by Representative Stephens, a Bill for an Act concerning taxes. House (sic-Senate) Bill 987, offered by Representative Hoffman, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 997, offered by Representative Reitz, a Bill for an Act in relation to the Illinois wine industry. Senate Bill 1088 (sic-1008), offered by Representative Hannig, a Bill for an Act to amend the State Gift Ban Act. Senate Bill 1010, offered by Representative Novak, a Bill for an Act in relation to govern... a Bill for an Act in relation to local governments. Senate Bill 1012, offered by Representative Pankau, a Bill for an Act in relation for to business opportunities. Senate Bill 1013, offered by Representative Lang, a Bill for an Act in relation to state purchasing. Senate Bill 1029, offered by Representative Leitch, a Bill for an Act to amend the Illinois Administrative Procedure Act. Senate Bill 1031, offered by Representative Ryder, a Bill for an Act to amend the Illinois Administrative Procedure Act. Senate Bill 1032, offered by Representative Leitch, a Bill for an Act concerning tax increment financing. Senate Bill 1068, offered by Representative

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Winters, a Bill for an Act to amend the Wildlife Code. Senate Bill 1071, offered by Representative Krause, a Bill for an Act to Amend the Public Officer Prohibited Activities Act. Senate Bill 1073, offered by Representative Osmond, a Bill for an Act to amend the Boat Registration and Safety Act. Senate Bill 1074, offered by Representative Winters, a Bill for an Act to amend the Meat and Poultry Inspection Act. Senate Bill 1077, offered by Representative Holbrook, a Bill for an Act to amend the Illinois Public Aid Code. Senate Bill 1079, offered by Representative Schoenberg, a Bill for an Act to create the Budget Implementation Act for the Fiscal Year 2000. Senate Bill 1080, offered by Representative Schoenberg, a Bill for an Act to create the Budget Implementation Act for Fiscal Year 2000. Senate Bill 1086, offered by Representative Hoffman, a Bill for an Act to amend the Motor Fuel Tax Law. Senate Bill 1088, offered by Representative Righter, a Bill for an Act to amend the Environmental Protection Act. Senate Bill 1089, offered by Representative Madigan, a Bill for an Act to reenact a portion of public act 89-21. Senate Bill 1090, offered by Speaker Madigan, a Bill for an Act to reenact a portion of Public Act 89-21. Senate Bill 1091, offered by Representative Madigan, a Bill for an Act to reenact a portion of Public Act 89-21. Senate Bill 1092, offered by Speaker Madigan, a Bill for an Act to reenact a portion of Public Act 89-21. Senate Bill 1093, offered by Speaker Madigan, a Bill for an Act to reenact a portion of Public Act 89-21. Senate Bill 1094, offered by Speaker Madigan, a Bill for an Act to reenact a portion of Public Act 89-21. Senate Bill 1095, offered by Speaker Madigan, a Bill for an Act to reenact a portion of Public Act 89-21. Senate Bill 1096, offered by Speaker Madigan, a

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Bill for an Act to reenact a portion of Public Act 89-21. Senate Bill 1097, offered by Speaker Madigan, a Bill for an Act to reenact a portion of Public Act 89-21. Senate Bill 1098, offered by Speaker Madigan, a Bill for an Act to reenact a portion of Public Act 89-21. Senate Bill 1099, offered by Speaker Madigan, a Bill for an Act to reenact a portion of Public Act 89-21. Senate Bill 1100, offered by Speaker Madigan, a Bill for an Act to reenact a portion of Public Act 89-21. Senate Bill 1101, offered by Speaker Madigan, a Bill for an Act to reenact a portion of Public Act 89-21. Senate Bill 1102, offered by Speaker Madigan, a Bill for an Act to reenact a portion of Public Act 89-21. Senate Bill 1105, offered by Representative Leitch, a Bill for an Act to amend the Personnel Code. Senate Bill 1107, offered by Representative Lang, a Bill for an Act to amend the Nursing Home Care Act. Senate Bill 1109, offered by Representative Pankau, a Bill for an Act in relation to child welfare. Senate Bill 1117, offered by Representative Winters, a Bill for an Act concerning rehabilitation of persons with disabilities. Senate Bill 1118, offered by Representative Moore, a Bill for an Act concerning taxation. Senate Bill 1125, offered by Representative Fritchey, a Bill for an Act to amend the Redevelopment Project Rehousing Act. Senate Bill 1130, offered by Representative Cowlshaw, a Bill for an Act in relation to marriage and family therapy. Senate Bill 1133, offered by Representative Jerry Mitchell, a Bill for an Act to amend the School Code. Senate Bill 1136, offered by Representative Hoffman, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 1142, offered by Representative Parke, a Bill for an Act to amend the Criminal Code of 1961. Senate Bill 1143, offered by

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Representative Parke, a Bill for an Act to amend the Unified Code of Corrections. Senate Bill 1150, offered by Representative Kosel, a Bill for an Act to amend the Criminal Identification Act. Senate Bill 1155, offered by Representative Gash, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 1170, offered by Representative Giles, a Bill for an Act regarding property. Senate Bill 1174, offered by Representative Klingler, a Bill for an Act to amend the Illinois Human Rights Act. Senate Bill 1189, offered by Representative Black, a Bill for an Act to amend the Illinois Farm Development Act. Senate Bill 7, offered by Representative Brosnahan, a Bill for an Act to amend the Criminal Code of 1961. Senate Bill 109, offered by Representative Feigenholtz, a Bill for an Act to amend the Criminal Code of 1961. Senate Bill 287, offered by Representative Burke, a Bill for an Act to amend the Illinois Dental Practice Act. Senate Bill 363, offered by Representative Woolard, a Bill for an Act concerning the licensing of insurance producers. Senate Bill 417, offered by Representative Brunsvold, a Bill for an Act concerning taxes. Senate Bill 487, offered by Representative Burke, a Bill for an Act to amend the Illinois Roofing Industry Licensing Act. Senate Bill 496, offered by Representative Novak, a Bill for an Act to amend the Environmental Protection Act. Senate Bill 563, offered by Representative Eileen Lyons, a Bill for an Act to amend the Hospital Licensing Act. Senate Bill 575, offered by Representative Art Turner, a Bill for an Act concerning the Chicago park district. Senate Bill 644, offered by Representative Acevedo, a Bill for an Act to amend the Unified Code of Corrections. Senate Bill 672, offered by Representative Eileen Lyons, a Bill for an Act

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to amend the Civil Administrative Code of Illinois. Senate Bill 753, offered by Representative Durkin, a Bill for an Act concerning crime victims and witnesses. Senate Bill 834, offered by Representative Hultgren, a Bill for an Act concerning research parks. Senate Bill 993, offered by Representative Kosel, a Bill for an Act concerning higher education. Senate Bill 1033, offered by Representative Schoenberg, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 1062, offered by Representative Righter, a Bill for an Act to amend the Firearm Owners Identification Card Act. Senate Bill 1064, offered by Representative Black, a Bill for an Act to amend the Abused and Neglected Long Term Care Facility Residence Reporting Act. Senate Bill 1106, offered by Representative Ryder, a Bill for an Act to amend the Nursing Home Care Act. Senate Bill 1114, offered by Representative Tom Ryder, a Bill for an Act regarding health care professionals. Senate Bill 1116, offered by Representative Mulligan, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of these Senate Bills. Senate Bill 1015, offered by Representative Brunsvold, a Bill for an Act concerning the Secretary of State. Senate Bill 1141, offered by Representative Lang, a Bill for an Act to amend the Illinois Municipal Code. Senate Bill 1144, offered by Representative Mulligan, a Bill for an Act to amend the Property Tax Code. First Reading of these Senate Bills. Having no further business, the House Perfunctory Session will stand adjourned. The House will reconvene in Regular Session at 10:30 a. m., on March 25."