

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

35th Legislative Day

March 26, 1999

Speaker Hartke: "The House shall come to order. The House shall come to order. Members will be in their chairs. We'll be led in prayer today by Lee Crawford, who is Assistant Pastor of the Victory Temple Church in Springfield. Our guests in the gallery may wish to rise for the invocation. Pastor Crawford."

Pastor Crawford: "Let us elevate our hearts as well as our mind as we pray for the most gracious God almighty. Most gracious and kind Lord God, we ask that You would abide with us. I ask God that You would inspire all of our thoughts. I ask God that You would pervade our imaginations. I ask Dear Lord that You'll suggest all of our decisions. Order all of our doings. And be with us in our silence as well as in our speech. In our haste, as well as in our leisure. Be with us in the weariness of this day. Now, I ask that You would give us the grace at all times to humbly rejoice in Your great and wonderful companionship. I ask God that You would grant to us wisdom. You said that any man lacketh wisdom, let him ask it of You, who in return would grant it liberally. God I ask that You would bless this Body abundantly with Your grace and with Your spirit. This we kindly pray. Amen."

Speaker Hartke: "We will be led in the pledge today by Representative Franks."

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

Speaker Hartke: "Roll Call for Attendance. Representative Poe, do you have a report on the Republican side?"

Poe: "Mr. Speaker, today we have Representative Mathias with an excused absence, Representative Tom Johnson with an excused

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absence and Representative Dale Righter will check in later."

Speaker Hartke: "Representative Currie, on the Democrat side."

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

Speaker Hartke: "Mr. Clerk, take the record. With 112 Members answering the Roll Call, there's a quorum present. Excuse me. Report in. Members are reminded that last night we passed out Agreed List #5 and those lists should be turned in to the Clerk, hopefully, by ten o'clock. So, work on those lists. Mr. Clerk, what is the status of House Bill 658? Representative Pankau."

Clerk Rossi: "House Bill 658 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Pankau, has been approved for consideration."

Speaker Hartke: "Representative Pankau."

Pankau: "Floor Amendment #1 makes this a shell Bill. It's a discussion concerning leased property as it affects the Mechanics Lien Act. And we've had numerous meetings. We're also in the stage where we're trading back and forth suggested language, but it's not done yet. And I ask that this Amendment be added to it to make it a shell Bill and be sent over to the Senate, where Senator Karpziel will pick it up and continue working on it."

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 658.' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 is adopted. Further Amendments."

Clerk Bolin: "No further Amendments."

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Speaker Hartke: "Third Reading. Ladies and Gentlemen, there was a pastor to arrive to give the invocation this morning. He got detained in traffic, but he is here now. So, if you will please stand and join us in prayer this morning by Father Kevin Vann of Our Lady of the Lourdes Church in Decatur. Father Vann is a guest of Representative Bill Mitchell. Reverend Vann."

Reverend Vann: "Let us pray. Soon in our homes and houses throughout this land and throughout the world houses of worship these words, or something like them, will be prayed in family or church or worship setting. Blessed are You, Lord our God, Ruler of the universe. Perhaps these words can help us as this Session begins today. Blessed are You, Lord our God, for having called those here to serve Your people in our state. Blessed are You, Lord our God, for the gifts, dedication, lives and hours of work and sacrifice represented here. Blessed are You, Lord our God, for dedication to truth, righteousness, justice and love, which should be the root and base of our work and workings of our state. Finally, Blessed are You, Lord our God, for Your spirit. May that spirit guide and direct all in this Session to Your honor and Your glory. Amen."

Speaker Hartke: "Mr. Clerk, what is the status of House Bill 1327? Representative Cowlshaw."

Clerk Rossi: "House Bill 1327 has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Cowlshaw, has been approved for consideration."

Speaker Hartke: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker and I'm sorry. I was on the phone. I... This is an Amendment that makes this into a shell Bill, so that continued negotiations can go on in the

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Senate. Thank you."

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 1327?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, what is the status of House Bill 733? Representative Woolard."

Clerk Rossi: "House Bill 733 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #3, offered by Representative Woolard, has been approved for consideration."

Speaker Hartke: "Representative Woolard."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think that everyone knows that we've been working for some time trying to make tertiary care available to the people of southern Illinois. We're still negotiating. We're shelling the Bill. Sending it to the Senate, hopefully, to come back in a perfect form. Thank you."

Speaker Hartke: "Is there any discussion? The question is, 'Shall the House adopt Floor Amendment #3 to House Bill 733?' 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."

Speaker Hartke: "Third Reading. House Bill 1326. Representative Cowlshaw. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1326 has been read a second time, previously. No Committee Amendments. Floor Amendment #2,

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

Speaker Hartke: "Representative Cowlshaw."

Cowlshaw: "This Amendment makes this Bill into a shell Bill, so that we can have continued negotiations in the Senate. Thank you."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 1326?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #2 to House Bill 1326 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, what is the status of House Bill 1165?"

Clerk Rossi: "House Bill 1165 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hoffman, has been approved for consideration."

Speaker Hartke: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, 1165... this Amendment just shells the Bill. And we're working on and attempting to have an agreement with all the parties involved with regard to this issue."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 1165?' 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. Mr. Clerk, read House Bill 1340."

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Representative Wojcik."

Clerk Rossi: "House Bill 1340 has been read a second time, previously. Amendment #1 has been adopted to the Bill. No Motions have been filed. Floor Amendment #2, offered by Representative Wojcik, has been approved for consideration."

Speaker Hartke: "Representative Wojcik."

Wojcik: "Thank you, Mr. Speaker and Members of the House. Amendment #2 amends the Illinois Act on the Aging. Provides that the task force that was established to study the feasibility of remapping, planning and service areas for the area agencies on Aging submit a report on its findings to the General Assembly no later than January 1, 2002. The... Amendment #1 had April 1, 2001. It also provides that the section creating this task force be repealed on July 1, 2002. Amendment 1 stated 2001. So, what we're doing, Mr. Speaker, is we're bringing up to the census track that we have all the information that's necessary. I ask for its favorable passage. Thank you."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 1340?' 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. House Bill 1718. Representative Scott. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1718 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Scott, has been approved for consideration."

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Speaker Hartke: "Representative Scott."

Scott: "Thank you, Mr. Speaker. Floor Amendment #2 is a technical change that... a language change that was suggested through negotiation. I ask for an 'aye' vote."

Speaker Hartke: "Discussion? Representative Parke."

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

Speaker Hartke: "He indicates he will."

Parke: "Representative, I understand the original Amendment was... a technical error in terms of how much money it's gonna cost."

Scott: "The original Amendment, Terry... the idea behind it is that beginning with the year 2000, that on day care the people that are eligible are 50% of median income, from the year 2000 on. The way the original Bill was drafted made it look like a hundred percent of median income. So this is a technical change to actually get the Bill to the place to have the idea that we wanted it to have in the first place."

Parke: "But isn't this Amendment 2 still have a increase in taxes in it? Isn't it still something like \$16,000,000?"

Scott: "Well, it doesn't have an increase in taxes in it, but it will result in it... "

Parke: "Well... within the tip."

Scott: "... it will result or may, I should say, result in a change in the amount that the program has to pay. Yes."

Parke: "Now, well... I mean we're... "

Scott: "Actually, the Amendment doesn't do that. By adopting the Amendment, you're actually... if you don't like the Bill, you should like the Amendment, because the Amendment actually gets it into a... a better position, if you don't like the Bill, actually. Because the way the original Bill's written it would be even worse on the budget."

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Parke: "So, you're gonna put the Amendment on a voice vote and then what are you gonna do with the Bill?"

Scott: "Try to call it."

Parke: "Right away or later?"

Scott: "I would assume later."

Parke: "Okay."

Scott: "I don't know that... well, we'd like to... I'd like more Members here to talk about the Bill and... "

Parke: "That's fine."

Scott: "... the price tag, so I'll... we'll them... "

Parke: "Want to put it on... "

Scott: "We won't object to the Amendment going on, but... "

Parke: "That'll be fine."

Scott: "... we'll talk about it later."

Parke: "Great. Thank you."

Scott: "All right."

Speaker Hartke: "Further discussion? Seeing that nobody is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 1718?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #2 to House Bill 1718 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments, but a fiscal note's been requested on the Bill, as amended by Amendment #2 and that note has not been filed."

Speaker Hartke: "The Bill will remain on Second Reading. House Bill 1781. Representative Reitz. Mr. Clerk, read the Bill. Out of the record. Mr. Clerk, House Bill 144. Representative Turner. Art Turner."

Clerk Rossi: "House Bill 144 has been read a second time, previously. No Committee Amendments. Floor Amendment #3, offered by Representative Turner, has been approved for



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consideration."

Speaker Hartke: "Representative Turner."

Turner, A.: "The... Amendment #3 is a shell. Strips the Bill and it makes a shell out of it and I move for the adoption of the shell."

Speaker Hartke: "Is there any discussion? No one seeks... seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill 144?' 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."

Speaker Hartke: "Third Reading. 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 has been adopted to the Bill. No Motions have been filed. Floor Amendment #2, offered by Representative Leitch, has been approved for consideration."

Speaker Hartke: "Representative Leitch."

Leitch: "Thank you, Mr. Speaker. Floor Amendment #2 restores some technical language in the Bill that was inadvertently dropped out of it as it came through LRB and I'd 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 #2 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 the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 2303. Representative

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Lopez. Mr. Clerk, read the Bill. Out of the record. House Bill 621. Representative Capparelli. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 621 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Capparelli, has been approved for consideration."

Speaker Hartke: "Representative Capparelli."

Capparelli: "Thank you, Mr. Speaker. And... in committee this Bill was not agreed upon. I said I wouldn't try to pass it unless there was agreement. And they put an Amendment to explain emergencies, please explain emergencies and I would ask to adopt Amendment #1, which is an Agreed Amendment."

Speaker Hartke: "Representative Parke."

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

Speaker Hartke: "He indicates he will."

Capparelli: "Yes, Sir."

Parke: "Representative Capparelli, it's my understanding that you said you've worked this out... this Amendment out and you've mentioned that to me. Who did you work it out with?"

Capparelli: "With the police associations and the Spon... and the locksmiths."

Parke: "Have you worked... have you shared that with the Minority spokesman for the committee that deals with this."

Capparelli: "No, I came over and I talked to you a few minutes ago."

Parke: "And that... but I mentioned to you... "

Capparelli: "No, oh no... I have not. No, you mean on the committee?"

Parke: "Yes."

Capparelli: "No... I presume... "

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Parke: "Minority spokesman on the committee."

Capparelli: "... that the... I don't know if he's been notified or not. I'd be glad to go talk to him about it. Poe... "

Parke: "Can you share with the Body what the compromise is? What is the compromise?"

Capparelli: "Okay. The compromise is when changes of circumstances under which a municipal officer may open a lock. Under the Amendment #1, an officer may open a lock when the location of the vehicle creates a danger to a... to the public or when a diligent effort has been made to contact a licensed locksmith. In emergency measures, a policeman may open this lock. In nonemergency measures, they must notify a locksmith. In automobiles they are so dangerous that one fireman used a 'slim jim' to open up a side door and he got... it choked him to death and killed him."

Parke: "In committee did... this came before a committee?"

Capparelli: "It came out of Executive. Yes."

Parke: "Was there anybody that was in opposition to this?"

Capparelli: "No one showed up, no."

Parke: "No further questions."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, except Representative Skinner."

Skinner: "Thank you. Are you saying that my Crystal Lake police can't open cars in the Jewel parking lot, anymore?"

Capparelli: "If it's an emergency measure, yes."

Skinner: "Well, Mr. Speaker and Members of the General Assembly, it's time to wake up."

Speaker Hartke: "To the Amendment."

Skinner: "There are towns like the town of Crystal Lake which are shopping centers or... its area. And as a public service, in order to draw people to the town of Crystal Lake, the

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police, routinely, open cars that... that shoppers lock. Now, this is a service that a community ought to be able to pay for out of sales tax dollars generated by the shoppers at those stores. This Bill as ame... once amended will prohibit that practice, right?"

Capparelli: "Not really. It says here that, 'an officer can open after diligent effort has been made to contact a locksmith.'"

Skinner: "So, what you're saying is... "

Capparelli: "What I'm saying is... "

Skinner: "Whatever the definition of... "

Capparelli: "... and what I'm saying is the officer has the determination whether he should open it or not."

Skinner: "So, if a police department wanted to be friendly to shoppers who accidentally lock their keys in their cars while spending sales tax dollars in a given town, that would not be prohibited by this Bill?"

Capparelli: "If it's not an emergency measure, I would say, no. Yeah."

Skinner: "I'm not sure I understand your answer."

Capparelli: "Well, if you lock your keys in your car, accidentally, and it's not an emergency measure to get in your car, I presume then you would have to contact a locksmith to open the door."

Skinner: "All right. Then my conclusion is correct. A village... "

Capparelli: "Whatever your collusion... whatever you're trying to get to... might be correct, yes."

Skinner: "All right. What I'm trying to get to is that this is an extremely anticonsumer Bill. And I hope people will defeat it."

Speaker Hartke: "Further discussion? The Chair recognizes the

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Lady from Cook, Representative Mulligan, on the Amendment."

Mulligan: "Thank you, Mr. Speaker. Representative Capparelli.. "

Capparelli: "Yeah."

Mulligan: "Many cars now days have chips in the key so that you can't just have anyone open it. You have to call your car dealer to come and open it and get another key with that chip in it. Is there anything that's going to prohibit you calling a car dealer from coming to open your car if you have that type of locking device?"

Capparelli: "Well, these keys that are not... that you have to get there got what little magnets or something in them that... "

Mulligan: "They have something in them that you can't just... you have to have a... "

Capparelli: "Yeah. Well, in those cases, you'd have to go to your car dealer and get another key or go home and get it. Right. I don't even think a locksmith can open that door."

Mulligan: "All right. 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 621?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 is adopted. Further Amendments?"

Clerk Bolin: "Floor Amendment #2, offered by Representative Granberg, has been approved for consideration."

Speaker Hartke: "Representative Capparelli."

Capparelli: "We're withdrawing that Amendment. We're withdrawing that Amendment. Table that Amendment."

Speaker Hartke: "Table. Floor Amendment #2 is withdrawn. Further Amendments?"

Clerk Bolin: "No further Amendments."

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Speaker Hartke: "Third Reading. House Bill 305. Representative Leitch. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 305, the Bill's been read a second time, previously. No Committee Reports. Floor Amendment #1, offered by Representative Leitch, has been approved for consideration."

Speaker Hartke: "Representative Leitch."

Leitch: "I'd like to move for the approval of Floor Amendment #1, please."

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

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

Speaker Hartke: "He indicates he will."

Giglio: "Mr. Leitch, why do we need Amendment #3?"

Speaker Hartke: "We're doing Amendment #1."

Giglio: "Excuse me, Amendment #1."

Leitch: "Amendment #1 becomes... "

Giglio: "I'm sorry. Can you speak up?"

Leitch: "Amendment #1 becomes the body of the fifth annual TIF reform Bill."

Giglio: "Well, there's two aspects of Amendment #1. The language for the day-care center. Can you explain that?"

Leitch: "That's not... that's not in Amendment #1."

Giglio: "Are there other Amendments for this Bill?"

Leitch: "Amendment #2."

Giglio: "All right. I'll speak to those. Thank you."

Speaker Hartke: "Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 305?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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Clerk Bolin: "Floor Amendment #2 offered by Representative Leitch."

Speaker Hartke: "Representative Leitch."

Leitch: "I'd ask for the approval of Floor Amendment #2."

Speaker Hartke: "Representative Giglio."

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

Speaker Hartke: "He indicates he will."

Giglio: "Representative Leitch, Amendment #2, what's contained in that?"

Leitch: "The point, I think, that you're concerned about is it would give the flexibility for... "

Giglio: "Excuse me, Mr. Speaker. Mr. Speaker, I can't hear the Sponsor."

Speaker Hartke: "Can we have some attention, please, Ladies and Gentlemen? Please. We have a lot of work to do today, so let's not have to repeat things."

Leitch: "Amendment #2 contains language, so that in... it provides a flexibility, so that, in some cases in TIFs, if an employer is seeking to hire low income people, they would be able to provide some specific day-care services. It's a request of the City of Chicago."

Giglio: "What... what is the child care center... day-care center language in Amendment #2?"

Leitch: "It would provide some money for operations in a day-care center serving low income people who would be hired in the TIF district."

Giglio: "To the Amendment. Ladies and Gentlemen of the chamber, I would urge you to read this Amendment before voting on it. This is an expansion of TIF districts. It's a plum for Rockford and the City of Chicago and certainly, we'd all like to expand our own TIF districts, in our own districts, and I think we set a bad precedence. We're

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opening up the door for TIF districts, for day-care centers. That's not the intent of the original TIF district law and I would urge a strong 'no' vote. Thank you."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 305?' 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 Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 2800. Representative Gash. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2800, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. Floor Amendment #1, offered by Representative Gash, has been approved for consideration."

Speaker Hartke: "Representative Gash."

Gash: "Thank you very much. This Bill deals with requiring the Tollway Authority to reimburse the state for land that's used to build toll roads... and provide that money back to IDOT for our crumbling roads throughout the state. This Amendment, actually, although I don't particularly like the Amendment, was something that we agreed to in committee that will actually weaken the Bill and was agreed to in committee already."

Speaker Hartke: "Representative Parke."

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

Speaker Hartke: "She indicates she will."

Parke: "Was there a... what does the Amendment actually do that makes it... whatever you said it was."

Gash: "This Amendment changes it so that the reimbursement is



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prospective rather than merely... rather than... actually, over the years, the tollway officials have received 387 acres of free land from the state. IDOT has purchased 1,080 acres from the... for the Toll Authority and 43 smaller parcels in three corridors. The state says it's paid 31.4 million for the 1,080 acres. IDOT officials say that. But, in fact, the Legislative Research Unit, several years ago, said it was 72 million, when you really included it all."

Parke: "Did anybody speak against this in committee?"

Gash: "This particular Amendment weakens the Bill, no."

Parke: "No one spoke against it."

Gash: "Not this, no."

Parke: "Thank you."

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

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of Floor Amendment #1. My friends, at a time when we are looking for resources to improve and maintain the state's deteriorating infrastructure, Floor Amendment #1 will enable the motor fuel funds to be rightfully returned when land acquisition is executed and this is only fair and equitable policy and I urge its adoption."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2800?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 650. Representative Lindner. Is she in the chamber? Representative Brunsvold

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for what reason do you seek recognition?"

Brunsvold: "Oh, Mr. Speaker, point of personal privilege."

Speaker Hartke: "State your point."

Brunsvold: "A couple years ago... I've had a Bill that forget that person in the left lane out of that left lane, so people could proceed to their destinations without being blocked. We passed that out of the House, sent it to the Senate and never got considered. And all I can say is, 'Everything comes to those wait.' You notice the paper this morning, under the ink column, 'Freshman Illinois Democrat Representative Willie Delgado took extraordinary action after an officer driving in the passing lane on southbound I-55 created a back up of 150 cars.' Now, those drivers were afraid to go around the police car, so Mr. Delgado went up there and asked... was identified by the police. They pulled over and allowed the cars to go by. I'm telling you what... Willie Delgado's my hero. The man is my hero. I've been trying to pass a Bill that would do the same thing and we've done it in the House here. We can't get the Senate to do it, so Willie Delgado... you're my hero."

Speaker Hartke: "Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. At the appropriate time, could we hear from Representative Delgado? Did the police officer have his seat belt fastened?"

Speaker Hartke: "Representative Delgado."

Delgado: "Actually, Sir, he did not."

Speaker Hartke: "House Bill 865. Representative Meyer. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 865, a Bill for an Act in relation to electronic home detention. Third Reading of this House

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Bill."

Speaker Hartke: "Representative Meyer."

Meyer: "Thank you, Ladies and Gentlemen of the House. This Bill comes out of an incident that occurred in my district and was a... an issue brought to me by a constituent. It's a case of... it was brought to me, a case of domestic violence. My constituent, who is a female, was shot point blank twice with a shotgun by her husband. And while her husband was awaiting trial and charges, he was allowed to go out on home monitoring... electronic home monitoring. While he was out on home monitoring and he was actually allowed to be off of that home monitoring for 12 hours before he went back on it, during that time the victim was not notified. This Bill re... would require that any person who's been charged with or convicted of some 28 different charges and they're enumerated in the Bill, if assigned to home monitoring would be required to have his or her whereabouts known at all times. If any defendant is in these categories, the crime victim shall have the right to request to be informed whenever the defendant is not being monitored. I'd like to thank Representative Dart, who was instrumental in helping me narrow the scope of this. We worked with the Cook County Sheriff's Office in coming up with the 28 different offenses that are a part of the criteria and I can see no reason why anyone would vote against this Bill. I would appreciate a 'yes' vote."

Speaker Hartke: "Is there any discussion? This is final passage. This is Third Reading. Is there any discussion? Seeing that no one is seeking recognition, the Gentleman asks for the passage of House Bill 865. 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?"

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Have all voted who wish? Mr. Clerk, take the record. On House Bill 865, there are 112 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. House Bill 1165. Representative Hoffman. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1165... "

Speaker Hartke: "Out of the record. Mr. Clerk, what is the status of House Bill 2605? Representative Winters."

Clerk Bolin: "House Bill 2605, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Winters, has been approved for consideration."

Speaker Hartke: "Representative Winters."

Winters: "Thank you, Mem... Mr. Speaker, Members of the House. This is technical corrections to the Bill. It's been heard in committee before. I move 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 #1 to House Bill 2605?' All those in favor signify by saying 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 to House Bill 2605 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 1822. Representative McKeon. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1822, the Bill's been read a second time, previously. Floor Amendment #1 has been adopted to the Bill. Floor Amendment #2, offered by Representative McKeon, has been approved for consideration."

Speaker Hartke: "Representative McKeon."

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McKeon: "Thank you, Mr. Speaker, Members of the House. I move the passage of Floor Amendment #2 which amends the Illinois Pest Compliance Act. This is an outgrowth of the Asian beetle infestation in the Ravenswood neighborhood which is in my district. It's written in a generic form that would cover any pest of a similar type and I urge its adoption."

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

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

Speaker Hartke: "He indicates he will."

Lawfer: "Representative, this adds definition, 'devastating insect and plant disease', to the Act. Is that correct?"

McKeon: "Yes, it is."

Lawfer: "Under the devastating insect and plant disease, the department can declare an emergency and designate an area as such. Is that right?"

McKeon: "They can designate it as a quarantine area and promulgate regulations that must be adhered to within the area of the quarantine."

Lawfer: "Do we have any other areas that are quarantined other than the Asian long-horned beetle area by the department?"

McKeon: "My understanding that two, possibly three counties may be declared quarantine areas relating to the Gypsy moth problem in northeastern Illinois."

Lawfer: "So, then they would be subject to this penalty, also."

McKeon: "That is correct."

Lawfer: "But what you're doing here is basically, changing that definition and increasing that penalty. Is that correct?"

McKeon: "That is correct."

Lawfer: "What is the change in the penalty?"

McKeon: "The penalty has a range of \$500 to \$5,000. If we were to implement a federal quarantine under the federal law of

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Department of Agriculture, which we could have done, their maximum penalty is also \$5,000. It gives discretion to the department to look at the specifics of the particular offense and impose a fine that would range at the low end of 500 and for a very egregious offense of \$5,000."

Lawfer: "Who would declare or who would decide what that penalty was?"

McKeon: "The Department of Agriculture."

Lawfer: "What... by discretion or would there be by rules and regulations to decide what that penalty?"

McKeon: "They have rules and regulations for violation of the Act. There's a hearing officer who would make a recommendation to the director. If the director concurred, the fine would be imposed. The collection of that fine, if not done so voluntarily, becomes the responsibility of the State Attorney General. And obviously, there is always recourse and appeal to the state courts if there is disagreement with the department."

Lawfer: "Mr. Chairman, to the Bill. I think... "

Speaker Hartke: "To the Amendment."

Lawfer: "To the Amendment, thank you. This puts in some place some rules, penalties and I think all of us that are faced with a outbreak such as this, Representative, wants to make sure that the proper quarantine is carried out and people do comply with that. I think it's a good Amendment."

Speaker Hartke: "Seeing that no one else is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 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 #2 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

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Speaker Hartke: "Third Reading. Mr. Clerk, what is the status of House Bill 182?"

Clerk Bolin: "House Bill 182, the Bill's been read a second time, previously. Amendments... Committee Amendments 1 and 2 were adopted through the Bill. Floor Amendment #4, offered by Representative Lang, has been approved for consideration."

Speaker Hartke: "Representative Lang."

Lang: "Withdraw Amendment 4, please."

Speaker Hartke: "The Amendment's withdrawn. Further Amendments?"

Clerk Bolin: "Floor Amendment #5, offered by Representative Lang, has been approved for consideration."

Speaker Hartke: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Floor Amendment #5 is Agreed with all 13 Members of the committee, as well as, the nursing home industry. Even the departments have backed up some of their concern about this. I would like to adopt the Amendment and then we'll discuss the Bill fully on Third Reading."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #5 to House Bill 182?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #5 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 2704. Representative Dart. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2704, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Dart, has been approved for consideration."

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Speaker Hartke: "Representative Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. Amendment #3 would make this a shell Bill, so that negotiations can continue to go on. I'd move for its adoption."

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

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

Speaker Hartke: "He indicates he will."

Black: "Representative, I'm a cosponsor with you on this Bill and I really think this is a most egregious abuse have been occurring in this business, but I do have a question about the Amendment. It only deletes Section 5 through 40, so that means that the punishment factors of the Bill are still in there, but none of the enabling language. Is that your intent with the Amendment or did you really intend to strip the entire Bill?"

Dart: "My intent was just to shell it and to possibly try to get something agreed, but to be honest with you, Bill, my chances of moving this today are not real strong. The real goal here, and it was something I was going to discuss with you, is to put together a task force to work on for the next couple months to come up with something, shortly. The lords in the other House have apparently decided to put their own study together and I was figuring that the House ought to at least do the same, but do 'em one better, frankly."

Black: "Well, I stand with you to see if we can put the House of Commons on a somewhat equal plane. So, thank you for your indulgence."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor



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Amendment #3 to House Bill 2704?' 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 Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. On the Order of Saviano, House Bill 661, Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. I think we have Amendment #1 here."

Clerk Bolin: "House Bill 661, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker. Floor Amendment #1 to House Bill 661 simply creates a shell Bill. We want to send it over to Senate for them to further negotiate this issue. And I would ask that we adopt Floor Amendment #1 to House Bill 661."

Speaker Hartke: "Discussion? Seeing no one's seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 661?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. A fiscal note and a balanced budget note have been requested on the Bill, as well as a judicial note. And those notes have not been filed."

Speaker Hartke: "Hold that on Second. House Bill 1925. Representative Saviano. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1925, the Bill's been read a second

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time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Saviano, has been approved for consideration."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker. Floor Amendment #2 to House Bill 1925 is an initiative of the Illinois Clerk Association and Aurelia Pucinski Clerk of Circuit Court of Cook County. What this Amendment does is designate a certain portion of funds collected through bail bonds to set up a criminal justice information network within the Clerk's office. I would ask that we have... adopt Floor Amendment #2 to House Bill 1925."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall Floor Amendment #2 to House Bill 1925 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 #2 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, what is the status of House Bill 661?"

Clerk Bolin: "House Bill 661 was held on the Order of House Bills-Second Reading pending the filing of several notes. The note requests have been withdrawn."

Speaker Hartke: "Third Reading. House Bill 1935. Representative Saviano. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1935, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker. Floor Amendment #1 to House

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Bill 1935 becomes the Bill. Provisions in there allow for the Cook County to raise the fee for record storage from one to \$5.00 to one to \$10.00. But also in this Bill we have a provision which would set uniformity on what adoption intermediary agencies could charge. They charge up to \$225 normally. This would reduce it to a cap at \$65. And I ask that we... adopt Floor Amendment #1 to House Bill 1935."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, except Representative Coy Pugh. Mr. Pugh."

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

Speaker Hartke: "He indicates he will."

Pugh: "Representative Saviano, I have a question relative to the... Page 4, Line 34. It says, 'the court may not waive the Clerk's retention of 10% of the amount deposited bail. And may not return to the accused or the defendant's designee more than 90% of the amount deposited as bail.'"

Saviano: "Mr... Representative, that's the wrong Amendment. That was the Amendment that was put on House Bill 1925."

Pugh: "This says 1935 in judicial... Judiciary-Civil Law. It says Amendment #1 to House Bill 1935."

Saviano: "I'm sorry, you're correct. You're right. Okay, proceed."

Pugh: "In the event that an individual is found innocent this also applies to that individual?"

Saviano: "That's correct. That's the common practice used today, Representative Pugh. I think that the judges, at least in Cook County, that I know I've never experienced any situation where they have waived that 10%. That... the 10% is simply the cost of processing the bond itself. That's

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existing law. We're not changing anything there."

Pugh: "Thank you. No further questions."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 1935.' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 2713. Representative Coulson. Mr. Clerk, read the Bill. Representative Coulson."

Clerk Bolin: "House Bill 2713, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Dart, has been approved for consideration."

Speaker Hartke: "Representative Coulson."

Coulson: "Floor Amendment #1 becomes the Bill? And I hope I have the right Amendment here."

Speaker Hartke: "There are two Amendments. Amendments 1 and 3."

Coulson: "One and three?"

Speaker Hartke: "Yes."

Coulson: "Okay. Amendment 1 was accepted in committee yesterday and Amendment #3 is exactly the same as Amendment #1. It becomes the Bill."

Speaker Hartke: "Why don't we withdraw Amendment #1 and we go to Amendment #3."

Coulson: "That... that would be... great."

Speaker Hartke: "Amendment #1 is withdrawn. Mr. Clerk, further Amendments?"

Clerk Bolin: "Floor Amendment #2, offered by Representative Dart, has been approved for consideration. Correction. Floor

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Amendment #3, offered by Representative Dart, has been approved for consideration."

Speaker Hartke: "Representative Coulson."

Coulson: "Floor Amendment #3 becomes the Bill. It is the same as Amendment #1 except that it changes the wording that the insurance companies requested from, 'to proof of loss', which is a technical insurance term that they requested. And I would like to say this is a work in progress. We have been working on... with the insurance companies and the medical society."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #3 to House Bill 2713?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Floor Amendment #3 to House Bill 2713 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 487. Representative Howard. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 487, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Howard, has been approved for consideration."

Howard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 487 creates the Year 2000 Citizens Protection Act."

Speaker Hartke: "Excuse me. Mr. Clerk, is this Bill on Second Reading?"

Clerk Bolin: "House Bill 487 is on the Order of House Bills-Second Reading."

Speaker Hartke: "Okay. Excuse me."

Howard: "This Bill limits citizens liability against adverse financial ramifications resulting from electronic computing

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device failures associated with the year 2000 date change. Early on, there were a number of parties who had opposition to this Bill. With House Amendment #2, we think that, if there is still any they are very few who are opposed. House Amendment #2 does the following; it includes small businesses, excludes transactions that are governed by federal law, changes the period during which a creditor is suspended from enforcing an underlying obligation or imposing a late charge to approximately 90 days, provides parties protected by the Act with an affirmative defense to any attempt to collect a covered underlying obligation or late charge during the suspension period, provides persons with the ability to have a credit reporting agency that operates in Illinois include a 100 word explanatory statement prepared by the consumer relating to the negative item in his or her credit report that... about the results of the third party's Y2K disruption. This Amendment applies... makes the Bill apply only to claims or charges accruing on or after January 1, 2000 and it defines small business and individuals."

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 487?' 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 Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. It's the Chair's intentions to go to Third Readings for several Bills. House Bill 182. Representative Lang. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 182, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code. Third

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Reading of this House Bill."

Speaker Hartke: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill is the product of three years work. Three years ago I was the chair of a task force that started to study the problems in the mental health delivery system in the State of Illinois. That task force did site visits at various state facilities and community facilities, worked diligently to get a lot of information, a lot of testimony. This year I asked the Speaker to impanel a regular House committee, which he did. I was the proud chairman of that committee. We had 13 Members working on a bipartisan way to come up with resolutions of some really serious problems in the mental health delivery system and I'm proud to say that the product, House Bill 182, has been agreed to by all 13 Members of the committee. Indeed, it's also agreed to by the nursing home industry that stands to have to make some changes in the way they do their business. As you all know, the... there have been many allegations about the 'warehousing' of the mentally ill in nursing homes. This was a serious, serious problem because all of those folks were not being treated as mentally ill people. This Bill, for the first time, establishes in state law that all citizens in Illinois who are mentally ill deserve to have proper treatment, proper care, wherever they reside, whether it be in a state facility or whether it be in a private nursing home. So, the Bill does that, it also goes on to deal with the situation where we encounter with Shirley Allen in central Illinois, whereby she was supposed to have been committed, but the State Police couldn't get her out of her home to be committed. We have language here suggested by the State Police and other advocacy groups to

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deal with this problem, should it ever happen again. The Bill, also, deals with... it also deals with model protocols, so that each state facility that discharges a patient would have to use uniform standards and uniform documentation, so that community providers can keep track. Also, requires the department to follow up on these folks, so that they know they're getting proper care. It also requires that the state make sure that every bed in a state facility, that deals with the mentally ill or developmentally disabled, comply with all applicable federal standards for medicare, so that we receive all proper federal reimbursement. This is a Bill long time coming. It's a Bill agreed to by most and I think we ought to move it along to the Senate. I would ask your support."

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

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

Speaker Hartke: "He indicates he will."

Parke: "Representative Lang. You said you want to move this along to the Senate. Is that because it's still a work in progress?"

Lang: "To my way of thinking, Representative, if this Bill passed in its current form, I think we'd be making tremendous strides forward to improve the mental health delivery system in the State of Illinois. There are some that have come forward and said, 'Well, can we make this change? Can we make that change?' Most of those proposals are not major in character, but certainly, as we send a Bill over to the Senate, we have to recognize that there will be some who will propose changes to it. But, if House Bill 182 passed in its current form, we will have done a terrific and valuable thing for the mentally ill in the State of Illinois."



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Parke: "Did Amendment 5 become the Bill or is it just add to the underlying Bill?"

Lang: "Amendment 5 becomes the Bill."

Parke: "All right. How was... what's the nursing home's position on this legislation?"

Lang: "I thank you for the question. Interestingly, the nursing homes were very concerned when we first started talking about this issue, that we are going to dump severe regulations on them and, indeed, up until just a couple of days ago the nursing home industry had some concerns about this legislation. Amendment 5 worked those out and I'm proud to say that, although there have been... reports and articles in various newspapers regarding the treatment of mentally ill in private nursing homes, I'm proud to say that, we're able to work out arrangements with... with most of the folks that control the largest providers of nursing home facilities in Illinois and they have signed onto this proposal. So, they're prepared to have this moved forward."

Parke: "Well, let me ask you this. What about the Governor's Office? Have they contacted you whether or not they're for this or neutral or against it?"

Lang: "I have not heard from the Governor's Office, directly, but of course, certain state agencies were involved in our committee hearings over a period of time. They've had certain concerns, but I believe Amendment #5 has alleviated some, but perhaps not all of those concerns."

Parke: "Well, if it's not all, what would be the major concern that the Governor's Office has shared with you either in the committee hearings or on a one to one?"

Lang: "Well, again, the Governor's Office hasn't directly contacted me, but some of the state agencies have and their

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concern is always budgetary. But, I believe that, the most recent Amendment takes most of their budgetary concerns and alleviates them."

Parke: "Do you have any idea how much... what the fiscal impact of this will be?"

Lang: "We don't have this information based on Amendment 5, but I will tell you that earlier on, Representative... Representative... Representative... Representative... "

Parke: "I'm sorry. Thank you."

Lang: "Earlier on the department indicated that they thought the Bill would cost a hundred million dollars, however, that was before we removed required assessments out that were duplicative. And so, we believe, it is substantially less than that, much less than that."

Parke: "Fifty million?"

Lang: "I believe less."

Parke: "Twenty-five?"

Lang: "I don't have a number, Representative, nor has the department come back to me with a new number."

Parke: "How about the Department of Human Services? Any feedback from them?"

Lang: "Well, we're talking about the Department of Human Services, the Department of Public Health, but mostly the Department of Human Services has... have had originally evidenced concern, but they have read Amendment 5 and I have not heard from them since Amendment #5 has been filed or introduced."

Parke: "Amendment #5 in committee was... did anybody testify against it?"

Lang: "I'm sorry."

Parke: "On Amendment 5, did anybody testify in committee on... against it?"

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Lang: "Well, I'll be honest with you, Representative. Amendment 5 came straight to the floor because the entire committee signed on to the approach."

Parke: "Anything else, Ladies and Gentlemen? One moment... "

Lang: "I would also like to add that the department is not actively working against this Bill, as of today."

Parke: "Well, it's a significant piece of legislation. Can you just hold for one more... for another minute? Representative Black, as you can be aware... I mean Black... Representative Lang, there is a... there is a lot of work that went into this legislation. There obviously is still concern that people have and I'd like to think that this is still under consideration and under work and then the Senate, I hope that they continue to work on it and figure out how to make it better for all the people of Illinois. So, congratulations on the work to this point and we have no further questions."

Lang: "Thank you. Let me just add that Senator Radogno has taken this Bill in the Senate. She's been a mental health advocate for many years and we intend to continue to work with her. All 13 Members of my committee intend to continue to work with Senator Radogno and the Members of the Senate to try to make sure that this is the best possible Bill."

Speaker Hartke: "Representative Poe."

Poe: "Mr. Speaker, will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Poe: "Yeah, Representative Lang, you... referenced the Shirley Allen case and that being from several of our legislative areas here, between some of us. Could you tell me how that would have changed anything in that case?"

Lang: "Let me tell you, Representative, what the Bill does

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regarding that whole area of the law. It... it requires that a diligent effort be made to convince the person who's the subject of the hearing to appear voluntarily unless the petitioner reasonably believes that the effort would pose a risk of harm to the person and to others. It requires that a petitioner must present facts showing that a emergency exists to the extent that immediate hospitalization is necessary and the petitioner must testify before a court to substantiate that allegation. It provides that once the person has been transported to a mental health facility for examination the admitting facility must inquire if the person wants to notify anyone of their detention. It requires the Illinois Law Enforcement Training Standards Board to convene a task force for the purpose of developing and recommending a model protocol concerning this situation. So, we don't want the situation to occur again where the State Police have to surround somebody's home. So, this task force would create a model protocol to deal with this situation if it happens again in the future."

Poe: "So, basically, you're saying that someone would have had to have a court hearing or something before this could have been taken place?"

Lang: "The petitioner would have to go to court and convince a judge that the... the person needs immediate hospitalization."

Poe: "And I understand that, but I really can't see if this was handled the procedure... the way it was handled. And at the first... on serving the papers, going out, this probably really wouldn't have corrected that situation in that instance, would it?"

Lang: "What... yeah... That... that part of the Bill would not, but the task force, to create a model protocol for future

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happenings, is very relevant. And so, they would be taking the... the learning lesson from the Shirley Allen case and this task force would convene to make sure that... that mistakes that may have been made, if any, are not made again or simply to make sure that person gets transported properly to the right mental health facility."

Poe: "So, basically, what you're saying the task force, we hope, can set procedures that this instance wouldn't happen again."

Lang: "That is correct."

Poe: "Thank you."

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

Bellock: "Thank you, Mr. Speaker. To the Bill, I want to encourage support from both sides of the aisle. Everyone on this committee worked extra hours to make sure that this Bill would go forward into the Senate and receive more work over there. We did hear DHS is fine with the Bill, now. There are major, major, major changes to be done to people with mental illness and I ask for your support in this Bill. I think this is one of the best Bills to come out of here. Thank you."

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

Black: "Thank you very much, Mr. Speaker. My name was used in debate. Will the Sponsor yield?"

Speaker Hartke: "In confusion. Yes, the Sponsor will yield."

Lang: "I would yield even if your name wasn't... "

Black: "Thank you. Sure."

Lang: "... used in debate."

Black: "Well, Representative, I don't know that I'll go so far as to say this is one of the best Bills to come out of this

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Session, but it's an interesting Bill. But, I do have a question and it isn't timely. It isn't timely. I should have made the parliamentary inquiry, but if you'll look at Floor Amendment #3. I just want some clarification, so that we don't run up against the Supreme Court that we seem to have a... they seem to be very interested in the legislation that we pass lately. In Floor Amendment #3, you're amending the Illinois Act on Aging and in the same Amendment, Floor Amendment #3, you're amending the Mental Health and Developmental Disabilities Administrative Act. Will that, in fact, pass the scrutiny by the Supreme Court?"

Lang: "The answer is yes, Representative, because it deals with how the ombudsman deals with aging people in nursing homes. So... so, you have to talk about the Department of Aging... on Aging, as well, as these other agencies... these other Sections of the Code, if you're going to do that, because that's the responsibility of the ombudsman."

Black: "Okay, so no one then, in your opinion, no one will be able to raise an objection based on germaneness or amending two Acts in the same Amendment."

Lang: "Not in my opinion, Representative."

Black: "Okay and is it also the opinion of Justice DeWeese?"

Lang: "The Justice DeWeese agrees."

Black: "Well, may I say he served here a lot longer than any of the Supreme Court Justices, so I would tend to... to agree. And I do appreciate the work that you've done on the underlying Bill and I appreciate your indulgence."

Lang: "Thank you."

Speaker Hartke: "Further discussion? Representative Turner."

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

Speaker Hartke: "He indicates he will."

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Turner, J.: "Representative, I just have one inquiry. I thought I heard you say, when you were asked, if the nursing home association was in support of this that the larger nursing homes supported it. Were you implying that the smaller nursing homes in the state do not support the measure?"

Lang: "I don't know that they're opposed. I met with a group of people yesterday and we negotiated this. They were some of the people that have... many different nursing home interests. I can't tell you, categorically, that every nursing home owner in the state is for this piece of legislation, but I have pledged to all and continue to pledge today, that if there are problems that they see in this legislation we will continue to try to talk about them, so long as the kernel... the core of this legislation, it remains intact. And that is, that every mentally ill person in the State of Illinois, regardless of where they live, ought to get treatment as if they're a mentally ill person."

Turner, J.: "With that pledge, I will support your Bill. Thank you for the response."

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

Lang: "Well, first just to clarify, Mr. Speaker. Amendment #5 is the Bill. Mr. Black talked about Amendment #3, but Amendment 5 has become the Bill. Ladies and Gentlemen I appreciate the comments on the floor. This is a landmark piece of legislation to protect the mentally ill in the State of Illinois. For many years, the mentally ill have been sort of stepchildren of our state. There's been some attention paid to them, but not enough. This Bill goes many steps toward making sure that they receive proper care, proper treatment and proper dignity that they're

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entitled to. I want to thank all Members of my committee, particularly the Minority spokesperson, Representative Bellock, and staff for real yeomen work in putting this piece of legislation together. Pleas support it."

Speaker Hartke: "The Gentleman asked for the passage of House Bill 182. All those in favor will signify by voting 'yes'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 182, there are 114 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. House Bill 1925. Representative Saviano. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1925, a Bill for an Act to amend the Clerks of Courts Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker. House Bill 1925 is an initiative of the Clerk of Circuit Court of Cook County, Aurelia Pucinski and the Illinois Court Clerks Association. It's pretty much cleanup language. It provides some uniformity for the fees charged by the adoption intermediaries who usually charge up to \$225 for their services. This actually is a fee decrease on this provision, which caps it at \$65. It also has permissive language in the Bill which allows the county board to up their storage costs from \$1 to \$5, to \$1 to \$10 and I would ask for a favorable vote. Thank you."

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

Hoffman: "Will the Sponsor yield? Will the Sponsor yield?"

Speaker Hartke: "Sponsor indicates he will."



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Hoffman: "Representative, I... we're waiting on the file, but I think when I reviewed the file, this had something to do with... with when you get copies of your adoption papers, a fee for that? Or is that a different Bill? Well, I'm trying to figure out you... it's my understanding, it creates a fee of \$40 for requesting a copy of a judgement for adoption and \$65 in certain other areas. Right? What... What is it now, currently?"

Saviano: "There is... there is no set price. And the problem was that there were certain agencies that would charge astronomical amounts and the Clerk felt that she should be able to provide some uniformity and cap these costs, so she capped them at \$65, so that everybody was charged the same fee."

Hoffman: "Okay, thank you."

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

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

Speaker Hartke: "Indicates he will."

Turner, J.: "Representative, the fee increase that you talked about you said actually puts a maximum on a fee and could be... could I guess be, actually, a fee decrease? Is that what you indicated?"

Saviano: "Well, that... that's the way I interpreted it because of the pro... the reason we're addressing this is that some of these agencies were charging up to \$225 for these services, where other agencies, normal agencies, were in the \$60 to \$70 range. So, we locked it in at 65 'cause that was the most popular amount and that way we... we brought down all the more unscrupulous agencies who wanted to charge more."

Turner, J.: "Okay, that sounds all right. The only other

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question I had then, I thought you mentioned that it would authorize the county boards to increase a document storage fee. Does it do that?"

Saviano: "That is correct. Now, it's permissive language... the previous language said from \$1 to \$5. This language says from \$1 to \$10, depending on the county that you're in and what their regional cost would be to store it... store your records. It doesn't mandate any... any fee increase. It just allows them to tailor their fees according to their needs."

Turner, J.: "Was that in the original Bill or just in the Amendment... that became the Bill?"

Saviano: "The Bill was a shell and the Amendment became the Bill and it had all these provisions in it."

Turner, J.: "Thank you."

Speaker Hartke: "Further discussion? Seeing that nobody's seeking recognition the que... Representative Saviano, to close."

Saviano: "I would ask for a favorable vote. This is... this is cleanup language that some of the provisions we needed to cleanup for the Clerk of Circuit Court of Cook County. I would ask for your favorable vote. Thank you."

Speaker Hartke: "The Gentleman asks for the passage of House Bill 1925. 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? Representative Hoeft, do you have an announcement?"

Hoeft: "Thank you, Mr. Speaker. Just as a matter of personal note here, there is a foreign exchange student from Hanoi, from Viet Nam, her name is Chung Nguyen. This is her first vote and it is really sort of interesting that this 18 year old votes in this country, as a foreign exchange student."

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She was not 18 when she left Viet Nam and I just thought it's an interesting, sort of, reflection upon life. Nguyen, come here. She made a good vote."

Speaker Hartke: "Have all voted who wish?"

Nguyen: "Thank you."

Speaker Hartke: "Have all voted who wish? Mr. Clerk, take the record. On House Bill 1925, there are 111 Members voting 'yes', 2 persons voting 'no', 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. The Clerk, for an announcement."

Clerk Bolin: "The Rules Committee will meet at 10:30 a. m. in the Speaker's Conference Room. The Rules Committee will meet at 10:30 in the Speaker's Conference Room."

Speaker Hartke: "Mr. Clerk, what is the status of House Bill 742?"

Clerk Bolin: "House Bill 742, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Monique Davis, has been approved for consideration."

Speaker Hartke: "Representative Davis."

Davis, M.: "Mr. Speaker, we have Amendment #2 which shells the Bill and sends it over to the Senate shelled."

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 742?' 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 Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 1762. Representative Hultgren. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1762, a Bill for an Act concerning

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treatment of addicts and alcoholics. Third Reading of this House Bill."

Speaker Hartke: "Representative Hultgren."

Hultgren: "Thank you very much, Mr. Speaker. This is a Bill that was recommended by a judge in DuPage County. What this Bill does is amends the TASK program to make it more usable by the judges throughout our state for those who are a little more serious offenders. Right now, they are not allowed to be assigned to both TASK and also probation. What this would do is open up and allow judges to keep probation as part of the sentence. We are putting in language in here that would clear this up. It's really just a language change. That's all our intention is, is to make it something that's usable by judges. I've also talked with Representative Delgado about this to get his input on it, and also have talked with Senator Cronin over in the Senate who is willing to work with us on this. And I would request an 'aye' vote and would answer any questions you might have."

Speaker Hartke: "This is final passage. Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the House. I join in supporting Representative Hultgren with this Bill. I think it does wonderful work in terms of dealing with alcohol and drug dependency while committing a crime get placed on probation, then asked to go to a program called TASK. And TASK helps the offender deal with his problem or her problem and it's real important because, usually, unless they're bottomed out, they're not gonna do what they have to do. The probation side will definitely help give them the incentive to complete their program and allow us,

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as a society, to make sure that they do what needs to be done. I want to commend my colleague, on that other side, and I'd like to be a cosponsor of that... of this particular Bill. And I would ask that everybody on this side of the aisle give him a lot of green lights. This is a very good Bill. Thank you."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, Representative Hultgren to close."

Hultgren: "Thank you very much. I request an 'aye' vote."

Speaker Hartke: "The Gentleman asks for the passage of House Bill 1762. All those in favor will signify by voting 'yes'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 1762, there are 110 Members voting 'yes', 0 voting 'no' and 1 Member voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. The Members are reminded to turn in your yellow forms, so that the Clerk may begin tabulating your request. On page 30 on the Calendar appears House Bill 523. Representative Mautino. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 523, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 523 provides that all nonhome rule municipalities may impose a Nonhome Rule Municipal Retailers Occupation Tax, a Nonhome Rule Municipal Service Occupation Tax, a Nonhome Rule Municipal Use Tax upon the approval of a majority of the electors of the municipality. So, this is by front rule... by front door referendum they

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would be able to... all the nonhome rule communities would be able to go ahead and provide these funds by front door referendum to do public infrastructure, public safety work and it would be at the options of those communities who are sorely in need of this ability that the current home rule communities already possess. 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... The Chair recognizes the Gentleman from Logan, Mr. Turner."

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

Speaker Hartke: "He indicates he will."

Turner, J.: "Representative, this would, as I understand it, allow a tax increase under certain circumstances. Could you explain those to the Body?"

Mautino: "Yes, I would. What this would allow is by front door referendum a nonhome rule community would be able to go out and authorize, up to a half of one percent, sales tax for example. It would be the... affecting the Municipal Retail Occupation Sales Tax, the Municipal Service Occupation Tax and the Nonhome Rule Municipal Use Tax. So, it's up to a half of one percent. It must be put on by front door referendum. It can be used for public safety, infrastructure in communities that need it. All of your home rule communities have this ability now and it... without... without referendum, as a matter of fact."

Turner, J.: "So, it would only then be... a nonhome rule unit would only be allowed to raise the tax with a front door referendum... "

Mautino: "Absolutely."

Turner, J.: "... and only for safety considerations or infrastructure and it would be limited for those two

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purposes?"

Mautino: "No, it's not limited, specifically, to those. And I would also say, I have to commend Representative Scott who has done a tremendous amount of work on this Bill. Man has... he and Representative Mathias are... are very familiar with it, that he's... also assisting me to answer some of the questions. So... "

Turner, J.: "You said Representative Scott has worked on it. I thought Rockford already had the ability to do this? Is that not correct?"

Mautino: "They do and that's why he's a great resource for my community that doesn't have this ability."

Turner, J.: "Is there any other city, a nonhome rule city, that is allowed to do this, other than Rockford, in the state?"

Mautino: "No. No and there are quite a few communities that I've received letters in response from that are looking to have this ability and provi... nonhome rule municipalities that would like to have the option to present this to their residents should they need to make improvements or need to make use of these dollars and the people want to put those forward voluntarily."

Turner, J.: "We started talking about Representative Scott. We kind of digressed and I'm not sure I was quite clear when this tax can be imposed after the referendum and I had asked you whether it was only for safety considerations or infrastructure and you had responded 'no'. Is there any limitation or is it just any time that the city feels they want to bring in more revenue they would be allowed to take it to referendum and try to generate it, the revenue?"

Mautino: "It would be limited only as they are otherwise limited by law. I mean there are only certain things they can spend their... their dollars on. By current law, that

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would not change."

Turner, J.: "Are there any such limitations, then?"

Mautino: "Nonhome rule municipalities can only do what the statutes tell them... tell them that they can do. So I mean, they do have certain limitations."

Turner, J.: "I understood that. I thought maybe you were familiar with them, 'cause I'm not, what the limitations were. You're saying that whatever's in the statutory scheme then, that would still apply."

Mautino: "Does not change. Correct."

Turner, J.: "I see several proponents listed and I'm wondering if there is anyone in opposition."

Mautino: "I don't believe there was."

Turner, J.: "So, as far as you know then when it went through committee there were no opponents... opponents there or filing witness slips."

Mautino: "No... there... that's correct. There were no opponents that testified or filed witness slips that I know of in committee and... "

Turner, J.: "And just to be clear on the front door referendum, I believe I know what that means, but I think it's important as... "

Mautino: "I should correct the record. My apologies. The Department of Revenue was opposed to this legislation."

Turner, J.: "Why is the Department of Revenue opposed to this?"

Mautino: "They were opposed because they would have to collect it and send it back to the municipality."

Turner, J.: "Okay. And finally, I was getting to the front door referendum. I think I know what you mean, that is just... the city through its government would decide that they wanted to go to the people with an increase in the sales tax, for example, and then they would put that question to



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the people on the ballot in the general election. And then if passed and they would be allowed to do that. Is that what you mean by front door referendum?"

Mautino: "Yes."

Turner, J.: "And so there would not be a tax increase under your Bill, if it becomes law, unless that tax increase was first approved by the city and when I say approved by the city, by the voters in the city."

Mautino: "Correct. An example would be, say our property taxes are pretty well tapped out and we're in dramatic need... we have a tunnel project or something in the septic system that has to... in the sanitary sewer system that has to be taken care of. Then the city could, for emergency purposes, put this out and put on the sales tax specifically to do this. And they would now... under current law they can't go in and... and do it for this public safety project. They don't have that ability in statute. So they would go to the people say, 'Look we need to get this done. We're gonna place on this sales tax, with your approval.' If they approve, then we would go ahead and place it on."

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

Speaker Hartke: "Further discussion? This is on Short Debate. The Chair recognizes the Lady from Cook, Representative Krause."

Krause: "Thank you, Mr. Chairman (sic-Speaker). Will the Sponsor yield just for a brief question? And that... "

Mautino: "Oh. Hi there."

Krause: "Could you put into the record the proponents, the supporters of this legislation? Do you have it there as to the various groups?"

Mautino: "Yeah, I do. Hold on a sec. I've got some of them."

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I've got lots of letters from different municipalities throughout the city.. throughout the State of Illinois.. "

Krause: "All right."

Mautino: "... but I know the Municipal League, DuPage Mayors and Managers Conference, Will County Governmental League, West Central Municipal Conference, Municipal League, Northwest Municipal League. The opponents were: Department of Revenue."

Krause: "Thank you. I think that was the only opponent, as well as the supporters that you have named. To the Bill. I rise, Mr. Speaker, in strong support of House Bill 523 as laid out by the Chief Sponsor of the legislation. This Bill does provide that those local communities of ours that are nonhome rule, where they have a population of 25,000 or less and the citizens and the elected Representatives determine that there is a need for some services for infrastructure work, that they will put a referendum on the ballot for the citizens within the municipality. And the local citizens will determine whether or not they wish to have this sales tax, which I believe can go up to one half of one percent. This legislation, I believe, really reflects the essence of what local government is all about, and that is to provide that they can make their own determination. Through the years, this General Assembly has enacted a number of pieces of legislation which are mandates that we have placed upon local government and yet have not provided the types of revenues that they need. If, in fact, these local governments determine that they should have a referendum to levy this sales tax, then they will proceed to do so. I think this is sound legislation. It supports our local government, and yet, let the decision lie with the citizens. I would ask for a strong 'yes'

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vote."

Speaker Hartke: "This is on Short Debate. Does anybody stand in opposition to the Bill? Representative Skinner."

Skinner: "Mr. Speaker, some of my colleagues have been astounded to learn that I'm going to vote against this Bill and I'd like to explain why. Because I've stood on this House Floor and argued in favor of front door referendums. The front door referendums I've argued in favor of, taxed the people that vote for the referendum. This tax is not only the people who vote for the referendum, but everyone in the surrounding areas that live in unincorporated areas or in villages that do not have sales tax generators. Perhaps, that's too nice a distinction to make understandable, but that's the reason I'm voting against the Bill."

Speaker Hartke: "Representative Novak."

Novak: "Yes, Mr. Speaker, does the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Novak: "Frank, on the analysis, it indicates that the munci... the nonhome rule municipalities have a choice of one of three taxes that are currently law, right?"

Mautino: "Correct."

Novak: "Okay. Do they have a choice of all three? Can they provide for a referendum for... on all three taxes? One of three, two of three, or all of them?"

Mautino: "Yeah, on all of them."

Novak: "All of them? So one half of one percent of everyone of those three taxes? So, essentially, they'd have a one and a half percent, combined?"

Mautino: "It is, it is ... no, that's just, that's just all the sales tax, those three components."

Novak: "No, I understand. But your Bill says 'one half of one percent of the following three sales taxes.'"

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Mautino: "It... It would be a total, aggregate. In Revenue, we're working with the Department of Revenue on that to make sure that that's cleared up."

Novak: "Okay. So it'll be... So, if one of your municipalities is nonhome rule but floats a referendum and let's say they choose one of those three taxes, it's one half of one percent. But if they choose all three of those taxes, the combined tax can be no more than one half of one percent. Is that correct?"

Mautino: "Correct."

Novak: "Could we say that for intent here? Is that your intentions? Because you certainly could read into this.. "

Mautino: "Yes."

Novak: "... that it could be one and a half percent."

Mautino: "And that's what we need it to do, actually, is set out the intent on that. The maximum on that, as you had stated, Mike, I agree with the way you stated it, 'would be one half of one percent.'"

Novak: "Okay, thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition... Representative Holbrook."

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

Speaker Hartke: "State your point."

Holbrook: "Today we have Scout Troop 77 from Belleville in the gallery. I'd like to have the entire General Assembly welcome them, today."

Speaker Hartke: "Welcome to the General Assembly. Representative Mautino to close. Representative Mautino to close."

Mautino: "Thank you, Representative (sic-Speaker) Hartke, and Ladies and Gentlemen of the House. I'd simply ask for an 'aye' vote on this legislation. It gives very solid, local

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control support. If you're for local control, what better way than to allow the people who are living there and paying the taxes, to make the decision on desperately needed projects. And I thank you for an 'aye' vote."

Speaker Hartke: "The Gentleman asks for the passage of House Bill 523. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 523, there were 63 Members voting 'yes', 48 people voting 'no', 1 person voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. Would the staff please retire to the rear of the chamber. We have a special guest and a special announcement. Will the Members please be in their seats. Representative Rutherford, would you please be in your seat. Representative Daniels in the Chair."

Speaker Daniels: "Ladies and Gentlemen, it's my pleasure to introduce a former colleague of yours, the current State Treasurer of the State of Illinois, Treasurer Judy Baar Topinka."

Treasurer Topinka: "Thank you. Well, thank you very much, Leader Daniels. And to all of you for your kind attention. Today, we have some visitors who have come a long way to see us and have a very special relationship with Illinois through any number of reasons: through our universities, through our National Guard. We have with us today, the Counsel General of Poland here in Illinois, who is Ryszard Sarkowicz and his Assistant, Pawel Pietrasienski. And we have as visitors coming over, in a, basically, a thank you tour, of the United States for all of the United States'

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support of Poland entering into NATO. And this group is part and parcel of a 'think tank' that is going to be working with our universities to create an exchange program between Poland and the United States. If I may present to you, Maciej Kozlowski, he's the Undersecretary of State in the Ministry of Foreign Affairs, Barbara Jarzembowska, she's the investment woman, you understand women and money travel together. I like this woman. She is very good. Lieutenant Piotr Blazewicz, who is with the Polish Army and who is involved in the Partnership for Peace Program with our Illinois National Guard. So, if I may turn this over, at this point, to Mr. Kozlowski, for some comments."

Kozlowski: "Thank you very much, Ms. Topinka, for bringing us here. We're very honored to be here with you, and especially, that Illinois was one of the first states in the United States who's brought us to NATO. As you know, two weeks ago we became full-fledged member of the North Atlantic Treaty Alliance. But, long before that, this Assembly voted to bring us in and we wanted, very heartedly, to say 'Thank you for that, Ladies and Gentlemen.' And as we are now a full-fledged allies, we hope that the very good relations which were between United States and Poland, will be growing even more closely and both, in the sphere of investment, in the sphere of security, in the sphere of all the economy exchange, cultural exchange, the ties will be growing. And we hope that Illinois will be part of it."

Treasurer Topinka: "And if I may note, Illinois has the distinction of having the largest number of Polish-Americans and Poles outside of Poland itself, of any other state. And also, I would, you know, announce here at the podium, we have three folks who are involved with

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Poland on a more personal basis. Of course, Representative Bugielski, and Representative Novak, and Representative Wojcik. Thank you very much for your kind attention, and you're all invited to Poland, right? Everybody's invited to Poland, to the airport, after you're through. Thank you so much."

Speaker Hartke: "Representative Hartke in the Chair. House Bill 134, Representative Cowlshaw. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 134, a Bill for an Act concerning veterans' organizations. Third Reading of this House Bill."

Speaker Hartke: "Out of the record. We'll get right back to that. House Bill 806, Representative Novak. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 806, a Bill for an Act to amend the Metropolitan Pier and Exposition Authority Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Novak."

Novak: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill is some language that was suggested by the Metropolitan Pier Authority. It passed committee unanimously and I would like to, just once again, go over the provisions of the Bill, on House Bill 806. Number one, it raises the bid limit from the current \$5,000 to the state's level of 25,000. These changes mirrors... mirrors the new Procurement Cr... Procurement Code Law that my colleague, Representative Schoenberg, has passed in the General Assembly, just recently. Number two, it changed the date and the filing of the affirmative action plan simply from March 1st to September 1st. These changes are in conformity with annual goals of the MPEA. Number three, it provides for a process for emergency purposes, emergency

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purchases. This change is in response to an audit finding. The current statute is silent on the subject of emergency purchases. And finally, it eliminates a specific employee titles in Section 210/22, and instead, refers to employees generally. This is merely a technical language cleanup. Be more than happy to answer any questions. Thank you."

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

Black: "I'm sorry for the delay, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Black: "Representative, the only thing I'd like you to focus on and you may have covered it and I'm sorry, the noise level. Whenever I see language in a Bill, particularly, when it's aimed at my good friends in Chicago, it says, 'a contract does not have to be given to the lowest bidder.' I'd like to have some reassurance that we're not opening up a Pandora's box when we do that."

Novak: "Right, Representative, I understand your concerns. That was raised, and I can assure you that the changes that are in this Bill, are in conformity with the new State Procurement Code."

Black: "All right. So, we're not carving out an exemption?"

Novak: "We are not carving out an exception."

Black: "Okay. I think that's very important for us to know, because, while McCormick Place is, certainly, very important, to all of us in the State of Illinois, and in attracting conventions and expositions, you give your assurance that we're not carving out any exemption under the Procurement Code for McCormick Place or the Metro Pier Exposition Authority?"

Novak: "Correct. But, but... All right. Okay."

Black: "Thank you very much. That's all I wanted to know. Thank



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you."

Speaker Hartke: "Does anyone stand in opposition of this Bill?"

Novak: "Mr. Speaker, Representative Rutherford, my cosponsor, would just like to add a few words, please."

Speaker Hartke: "Representative Rutherford. My apology, Representative."

Rutherford: "Thank you, Mr. Speaker. This is cleanup language as the Representative said. I'd also highlight that the issue, with regards to the lowest bidder, as dealing with the emergency purchase this time and it would go through the board. We ask for a favorable roll call."

Speaker Hartke: "Representative Rutherford, my apology."

Rutherford: "Rutherford."

Speaker Hartke: "Rutherford."

Rutherford: "Thank you, Mr. Hartke."

Speaker Hartke: "The Gentleman asks for the passage of House Bill 806. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 806, there are 111 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. House Bill 143, Representative Cowlshaw. Mr. Clerk, read the Bill. 134. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 134, a Bill for an Act concerning veterans' organizations. Third Reading of this House Bill."

Speaker Hartke: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is a very simple Bill. It provides that for any property in the State of Illinois,

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that is both owned and operated by a nationally chartered veterans' organization, that as of next year the assessors are required to reduce the EAV for those properties by 85% and freeze that EAV at that level. This does not exempt veterans' posts from property taxes. It simply does for them, in regard to the EAV, something very similar to what we have done for senior citizens. This Bill has been negotiated and considered by every single group who could possibly have any interest in the issue. And as of the final Amendment that was adopted yesterday at the request of the Cook County Assessor, there are now no opponents whatsoever, to this Bill. Every veterans' organization in Illinois stands strongly in favor of it. But I would like to make one comment for the record, Mr. Speaker. There are several organizations from whom I have heard, who would like to believe that, perhaps, there could be a kind of regard of this as a precedent-setting kind of thing, because there are other groups such as the Moose Club, the Elk's Club, the Knights of Columbus and any number of other very worthy public-spirited community service organizations that are also struggling to pay their real estate taxes. It is not my intention that this legislation should serve as a precedent for anything. It is intended, exclusively, for veterans' organizations. And I would point out that there is a very important distinction to be made between any other property-owning entity, no matter how worthy, and the veterans' organizations. The veterans, you must remember, when they joined, risked their lives. I would be glad to answer any questions."

Speaker Hartke: "The Chair recognizes Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. To the Bill."

Speaker Hartke: "To the Bill."

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Stephens: "I rise in strong support. I think everyone understands what the Bill does. There may be some discussion about the merits but, certainly, today would be an appropriate day in which to pass this legislation. As I mentioned yesterday, the young men and women are... have their lives on the line in Eastern Europe as we speak. And, certainly, this sends a strong message that Illinoisans, and indeed, all Americans have not and never will forget the service that these young men and women provide, actually putting their lives on the line for the very freedoms that you and I express here on a daily basis and sometimes take for granted. I couldn't agree more with the Lady. And I appreciate the work that she's done and all of those who have expressed their cooperation and brought this Bill to this point. I hope that we'll send it over to the Senate and put it on the Governor's desk, quickly. Thank you very much."

Speaker Hartke: "Representative Wojcik."

Wojcik: "Thank you, Mr. Speaker. This is a point of personal privilege."

Speaker Hartke: "State your point."

Wojcik: "Well, to my right, I happen to have this illustrious State Representative who's having a birthday today. And they say the slogan is, 'One mo' for Poe.' So, here we are. It's Raymond Poe's birthday. He's asking all of you to come up and have a piece of cake. And let's wish him a happy birthday. Everybody loves Raymond."

Speaker Hartke: "Happy birthday, Representative Poe. Further discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. And perhaps, there should be a little more decorum in the chamber when you stand up and get a chance

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to discuss a Bill like this. I commend the Sponsor. You know, every once in awhile in this chamber, a Bill comes up that is so... so simple, and yet, so pure in its intent, and so noble in its purpose, that we really don't need to belabor the point. I will be absolutely amazed if this Bill doesn't get a unanimous support. If all of you read the Chicago Tribune last Sunday, there was an excellent article in the Sunday Tribune about veterans' groups having to actually sell their property in order to pay their taxes. I would, also, further recommend to you, you should read Tom Brokaw's book. It's on the best seller list and it's called The Greatest Generation. And I believe that the generation... the World War II generation, my father's generation, is absolutely, absolutely fits that designation. It was, and I think is, the greatest generation that this country has ever produced. And it's largely the World War II generation trying to keep these veterans' posts operational and alive and they are an integral part, particularly, in many of the small communities throughout the State of Illinois. You know we've tried in the years past... In the last decade, I think we've tried on two separate occasions to do this by Constitutional Amendment. And we were always very, very close but we never could seem to get the required percentage of 'yes' votes. It always passed, but it couldn't get to that magic 60% of those voting. So here comes Representative Cowlshaw with an idea that is so perfect and so simple and so noble in its... in its drafting, it simply deserves our support. I would be surprised if all of us haven't asked to be cosponsors of the Bill. It's long overdue. I commend the Sponsor for her diligent efforts on this. And if there was ever a

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group that deserve our support, it's the veterans' groups and posts throughout the State of Illinois. Not only for what they continue to do for our communities in public service, such as little league games and other activities, but to thank them for what they've done and what they sacrificed for, many years ago. This deserves an 'aye' vote and I hope it ends up on the Governor's desk in a very, very short period of time."

Speaker Hartke: "Representative Giles."

Giles: "Thank you, Mr. Speaker, Ladies and Gentlemen. Will the Sponsor yield for a question?"

Speaker Hartke: "She indicates she'll yield."

Giles: "Representative, I noticed in the original legislation, there were a procedure and mandates that any veterans' organization must submit an application to the chief county assessment before a certain date, September 1, 1999, and also every taxable year, thereafter, July... on July the 1st. Is that in your current legislation after the Bill was amended three or four times?"

Cowlishaw: "Yes, Sir. Each of the posts, or I believe in the case of the American Legion Hall, which my Dad belonged to, many years ago, that there is a requirement that there be an actual application made each year, partly because we need to substantiate that that property is still owned and operated by that veterans' organization."

Giles: "Thank you. Thank you, Representative. I think this is an excellent piece of legislation. Thank you."

Cowlishaw: "Thank you."

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

Cowlishaw: "I urge a 'yes' vote."

Speaker Hartke: "The question is, 'Shall House Bill 134 pass?'"

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All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 134, there are 112 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. House Bill 2275, Representative Kenner. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2275, a Bill for an Act to amend the Illinois State Collection Act of 1986. Third Reading of this House Bill."

Speaker Hartke: "Representative Kenner."

Kenner: "Thank you, Mr. Speaker. House Bill 2275 permits the Comptroller to check the names of state contractors with the Comptroller's Offset System to detect if the contractor's delinquent in paying debts to the state, or for child support, when contracts are filed with the Comptroller. If a match is found, the Comptroller may notify the contracting agency which may then void the contract. I'll answer any questions at this time. Thank you."

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

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

Speaker Hartke: "He indicates he will."

Black: "Representative, I have a few questions I need to ask you. We'll try to get through this quickly. I understand the purpose of your legislation is to help facilitate the process by which a contractor is notified if he or she owes the state money or owes back child support. But if you'll look in the Bill, on page 2, line 19, the language is

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permissive. It says the Comptroller 'may' notify the agencies, the contracting agency and the contractor that the contractor's name was detected by the system as being in some kind of arrearage. I would think that this language should... should read 'shall' instead of 'may'. Does the Comptroller not agree?"

Kenner: "You know what, the Comptroller's Office spent a lot of time looking at that same question, Representative. And after a number of conversations with them, I think that the Comptroller didn't want to really put agencies in a constraint. They wanted them to have the flexibility that, if there was an error made in the Offset System, that the agency itself would have the ability not to void the contract at that time and, also, you might have certain situations where the contract itself may be of such importance that we might not want to void that particular contract at that time. So, we just wanted to not put the agencies in that type of constraining position."

Black: "All right. You know, you may want to have the Comptroller's staff take a look at this when the Bill goes to the Senate. Because if the purpose is to prevent a contractor, who is in arrearage or owes the state money, from getting a state contract, I would think we would want to make certain that the applicable agencies 'were' notified and not 'maybe' notified. But, I can understand. But, that's something that I think, maybe, the Comptroller's staff would want to look at in the Senate. Now, also in the legislation, who makes the decision to void a contract?"

Kenner: "That would be the chief... that would be the CPO in the particular agency that would be involved. The Comptroller's Office would just give them the

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information... "

Black: "Right. Okay."

Kenner: "... that their... that the particular contract is in arrears."

Black: "Now, since we're giving this authority to the Chief Purchasing Officer of the affected agency, is there a due process provision? I did not see a due process provision in the legislation that the contractor could access if the contractor says, 'Hey, I'm wrongfully accused here. I do not have any arrearage.'"

Kenner: "Yeah. That particular point that you mentioned is not specifically mentioned in this particular legislation, but if you look at the rules and regulations themselves, you already have that in there. That the contractor does have the ability... "

Black: "Okay. So, in your opinion then, the contractor does have the absolute right of due process?"

Kenner: "Absolutely."

Black: "Okay, that... fine. I just wanted to make sure. Under the language, and I intend to support your Bill, Representative. I think it's a definite step... "

Kenner: "Good Bill. Thank you."

Black: "Well I... And I think it's a definite step forward. I do think we could make it even stronger but I... For example, let's say that a contract was already under way; we're building a bridge, all right? And in the process, the Comptroller discovers, uh oh, the contractor building the bridge does, in fact, owe back child support. But the contractor, upon notification, decides to exercise his or her right to appeal and say many, many weeks after the contract has been let and the bridge is already under construction, what happens in that case? Let's say the



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bridge... the bridge has one lane done and one lane not done, so the bridge cannot be crossed, and after various appeals, we find my gosh, this contractor not only is in arrearage on child support, he owes the state back taxes. Now, as I read this legislation, that contract can be terminated and there sits a bridge that nobody can go across. Now, what do we do in that situation?"

Kenner: "But, Representative, you just answered your previous... your question addresses your previous question and that is why we, primarily, have the language in there saying 'may' instead of 'shall'."

Black: "Okay. All right. And then the Bill references the best interest of the state. In other words, I would assume that goes back to if a contract should be voided, who makes that determination whether it will be in the best interest of the state to void the contract or to go forward with the contract?"

Kenner: "Well, these are the type of things that would be looked at in the process when it's under mediation to find out whether to... to see whether or not if it's necessary to void the contract or not."

Black: "Okay. But would the... would the affected agency, for example, if the contract was being administered by the Department of Transportation, would that agency make that determination of the best interest of the state, or would the Comptroller make that determination?"

Kenner: "It would be the Chief Procurement Officer of that particular agency."

Black: "Okay. Fine, fine. Thank you very much, Representative, I appreciate your indulgence. Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Black: "I think this a very positive step forward in trying to

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get at the problems that we all know exist in the Offset. I commend the Comptroller for bringing it forward. I did make some suggestions, and staff on our side of the aisle would make some suggestions. We may want to tighten the Bill up a little in the Senate. And, perhaps, the Comptroller, for reasons explained by the Sponsor, doesn't want to do that. But it is a good... it's a good step in the right direction, and perhaps, we may tighten it up in the future. But I do commend the Comptroller and the Sponsor for bringing the Bill forward."

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

Kenner: "Mr. Speaker, thank you very much. Ladies and Gentlemen of the House, thank you. I, personally, don't enter into contracts with individuals that owe me money and I don't pay out money when individuals owe me money. So, I certainly, don't think that the state should be in the same position to do the same thing. So, I think that an 'aye' vote would be a very good vote in this... for this particular legislation. Thank you very much."

Speaker Hartke: "The Gentleman's asked for the passage of House Bill 2275. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2275, there are 111 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. Ladies and Gentlemen, we're asking the Clerk now to read all the Bills on the Agreed Bill List, so we can pass them to Third. And then he will read them again and we will go to

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a vote on third. So, this'll take some time. So, sit back and relax. Mr. Clerk, would you read Agreed Bill List #5? Mr. Clerk, call the... Okay. House Bill 47, Representative Novak. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 47 has been read a second time, previously."

Speaker Hartke: "Third Reading. House Bill 50. Mr. Clerk, read that Bill again."

Clerk Rossi: "House Bill 47, a Bill for an Act amending the Property Tax Code. Third Reading of this House Bill."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill again. House Bill 50. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 50 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill again."

Clerk Rossi: "House Bill 50, a Bill for an Act amending the Public Utilities Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 92. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 92 has been read a second time, previously."

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

Clerk Rossi: "House Bill 92, a Bill for an Act amending the Environmental Protection Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 95. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 95 has been read a second time, previously."

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

Clerk Rossi: "House Bill 95, a Bill for an Act amending the Illinois Low Level Radioactive Waste Management Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 100. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 100 has been read a second time, previously."

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

Clerk Rossi: "House Bill 100, a Bill for an Act amending the Public Utilities Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 144. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 144, a Bill for an Act concerning insurance companies. Third Reading of this House Bill."

Speaker Hartke: "House Bill 390... or 389. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 389, the Bill's been read a second time, previously."

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

Clerk Rossi: "House Bill 389, a Bill for an Act amending the Local Mass Transit District Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 398. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 398 has been read a second time, previously."

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

Clerk Rossi: "House Bill 398, a Bill for an Act amending the Illinois Pension Code and State Mandates Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 489. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 489 has been read a second time, previously."

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

Clerk Rossi: "House Bill 489, a Bill for an Act in relation to judicial redistricting. Third Reading of this House Bill."

Speaker Hartke: "House Bill 490. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 490 has been read a second time,

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previously."

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

Clerk Rossi: "House Bill 490, a Bill for an Act in relation to judicial redistricting. Third Reading of this House Bill."

Speaker Hartke: "House Bill 539. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 539 has been read a second time, previously."

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

Clerk Rossi: "House Bill 539, a Bill for an Act amending the Illinois Plumbing and License Law. Third Reading of this House Bill."

Speaker Hartke: "House Bill 589. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 589 has been read a second time, previously."

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

Clerk Rossi: "House Bill 589, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 590. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 590 has been read a second time, previously."

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

Clerk Rossi: "House Bill 590, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 606. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 606 has been read a second time, previously."

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

Clerk Rossi: "House Bill 606, a Bill for an Act in relation to gaming. Third Reading of this House Bill."

Speaker Hartke: "House Bill 622. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 622 has been read a second time,

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previously."

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

Clerk Rossi: "House Bill 622, a Bill for an Act concerning the Lieutenant Governor. Third Reading of this House Bill."

Speaker Hartke: "House Bill 623. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 623 has been read a second time, previously."

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

Clerk Rossi: "House Bill 623, a Bill for an Act concerning the Lieutenant Governor. Third Reading of this House Bill."

Speaker Hartke: "House Bill 658. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 658, a Bill for an Act concerning construction. Third Reading of this House Bill."

Speaker Hartke: "House Bill 660. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 660 has been read a second time, previously."

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

Clerk Rossi: "House Bill 660, a Bill for an Act concerning fireworks. Third Reading of this House Bill."

Speaker Hartke: "House Bill 702. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 702 has been read a second time, previously."

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

Clerk Rossi: "House Bill 702, a Bill for an Act amending the Agricultural Areas Conservation and Protection Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 703. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 703, a Bill for an Act amending the Wildlife Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 706."

Clerk Rossi: "House Bill 706, a Bill for an Act amending the Home Repair Fraud Act. Third Reading of this House Bill."

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Speaker Hartke: "House Bill 708."

Clerk Rossi: "House Bill 708 has been read a second time, previously."

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

Clerk Rossi: "House Bill 708, a Bill for an Act concerning development and growth tax credits. Third Reading of this House Bill."

Speaker Hartke: "House Bill 733."

Clerk Rossi: "House Bill 733, a Bill for an Act amending the Illinois Health Facilities Planning Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 737. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 737 has been read a second time, previously."

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

Clerk Rossi: "House Bill 737, a Bill for an Act amending the Code of Civil Procedure. Third Reading of this House Bill."

Speaker Hartke: "739. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 739 has been read a second time, previously."

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

Clerk Rossi: "House Bill 739, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Hartke: "House Bill 742. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 742, a Bill for an Act amending the Metropolitan Water Reclamation District Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 770. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 770 has been read a second time, previously."

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

Clerk Rossi: "House Bill 770, a Bill for an Act amending the

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Illinois Promotion Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 775. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 775 has been read a second time, previously."

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

Clerk Rossi: "House Bill 775, a Bill for an Act amending the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Hartke: "House Bill 777. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 777 has been read a second time, previously."

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

Clerk Rossi: "House Bill 777, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Hartke: "House Bill 778. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 778 has been read a second time, previously."

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

Clerk Rossi: "House Bill 778, a Bill for an Act in relation to storm water management. Third Reading of this House Bill."

Speaker Hartke: "House Bill 784. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 784, a Bill for an Act to amend the Board of Higher Education Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 808. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 808, a Bill for an Act amending the State Finance Act. Second Reading of this House Bill."

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

Clerk Rossi: "House Bill 808, a Bill for an Act amending the State Finance Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 809. Mr. Clerk, read the Bill."



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Clerk Rossi: "House Bill 809 has been read a second time, previously."

Speaker Hartke: "Third Reading. House Bill 809. Mr. Clerk, read a Bill."

Clerk Rossi: "House Bill 809, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 823. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 823 has been read a second time, previously."

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

Clerk Rossi: "House Bill 823, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of this House Bill."

Speaker Hartke: "House Bill 840. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 840 has been read a second time, previously."

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

Clerk Rossi: "House Bill 840, a Bill for an Act amending the Local Records Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 847. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 847 has been read a second time, previously."

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

Clerk Rossi: "House Bill 847, a Bill for an Act amending the Service Use Tax Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 849. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 849 has been read a second time, previously."

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

Clerk Rossi: "House Bill 849, a Bill for an Act amending the Property Tax Code. Third Reading of this House Bill."

Speaker Hartke: "861. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 861 has been read a second time, previously."

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

Clerk Rossi: "House Bill 861, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Hartke: "904. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 904 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read a Bill."

Clerk Rossi: "House Bill 904, a Bill for an Act to amend the Illinois Underground Utility Facilities Damage Prevention Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 953. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 953 has been read a second time, previously."

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

Clerk Rossi: "House Bill 953, a Bill for an Act amending the Election Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 985. Represen... Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 985 has been read a second time, previously."

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

Clerk Rossi: "House Bill 985, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 986."

Clerk Rossi: "House Bill 986 has been read a second time, previously."

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

Clerk Rossi: "House Bill 986, a Bill for an Act amending the Illinois Insurance Code. Third Reading of this House Bill."

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Speaker Hartke: "House Bill 988."

Clerk Rossi: "House Bill 988 has been read a second time, previously."

Speaker Hartke: "Third Reading. House Bill 988."

Clerk Rossi: "House Bill 988, a Bill for an Act amending the Livestock Management Facilities Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 989. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 989 has been read a second time, previously."

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

Clerk Rossi: "House Bill 989, a Bill for an Act amending the Livestock Management Facilities Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1003. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1003 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1003, a Bill for an Act amending the Illinois Public Aid Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1005. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1005 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1005, a Bill for an Act amending the Department of Human Services Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1035. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1035 has been read a second time, previously."

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

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Clerk Rossi: "House Bill 1035, a Bill for an Act amending the Wildlife Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1043. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1043 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1043, a Bill for an Act amending the Illinois Public Aid Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1149. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1149, a Bill for an Act amending the Unemployment Insurance Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1160. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1160, it's been read a second time, previously."

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

Clerk Rossi: "House Bill 1160, a Bill for an Act amending the Unemployment Insurance Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1165. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1165, a Bill for an Act in relation to fire department promotions. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1215. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1215 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1215, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1318. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1318 has been read a second time,

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previously."

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

Clerk Rossi: "House Bill 1318, a Bill for an Act to create the Clean Coal Plant Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1326. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1326, a Bill for an Act amending the Illinois Highway Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1327. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1327, a Bill for an Act amending the Property Tax Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1348. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1348 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1348, a Bill for an Act amending the Illinois Insurance Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1406. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1406, a Bill for an Act amending the Civil Administrative Code of Illinois. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1409. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1409 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1409, a Bill for an Act amending the Public Utilities Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1492. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1492 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1492, a Bill for an Act amending the

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Unemployment Insurance Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1493. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1493 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1493, a Bill for an Act to amend the Metropolitan Pier and Exposition Authority Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1568. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1568 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1568, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1579. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1579, a Bill for an Act amending the Worker's Compensation Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1580. Represen... Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1580 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1580, a Bill for an Act to amend the Illinois Pension Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1581. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1581 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1581, a Bill for an Act to amend the Illinois Pension Code. Third Reading of this House Bill."

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Speaker Hartke: "House Bill 1582. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1582 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1582, a Bill for an Act to amend the Illinois Pension Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1583."

Clerk Rossi: "House Bill 1583 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1583, a Bill for an Act amending the Illinois Pension Code. Third Reading of this House Bill."

Speaker Hartke: "1590. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1590 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1590, a Bill for an Act amending the Illinois Public Labor Relations Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1597. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1597 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1597, a Bill for an Act amending the Illinois Pension Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1598. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1598 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk."

Clerk Rossi: "House Bill 1598, a Bill for an Act amending the Pension Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1628. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 1628 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1628, a Bill for an Act regarding the distribution of tobacco settlement proceeds. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1664. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1664 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1664, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1667. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1667 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1667, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1670. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1670 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1670, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1801. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1801, a Bill for an Act amending the Pharmacy Practice Act of 1987. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1828. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1828 has been read a second time, previously."

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



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Clerk Rossi: "House Bill 1828, a Bill for an Act amending the Counties Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1853. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1853 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1853, a Bill for an Act concerning courts. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1854. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1854 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1854, a Bill for an Act amending the Judicial Vacancies Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1992. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1992 has been read a second time, previously."

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

Clerk Rossi: "House Bill 1992, a Bill for an Act amending the State Finance Act. Third Reading of this House Bill."

Speaker Hartke: "2062. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2062 has been read a second time, previously."

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

Clerk Rossi: "House Bill 2062, a Bill for an Act amending the School Construction Law. Third Reading of this House Bill."

Speaker Hartke: "House Bill 2063. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2063 has been read a second time, previously."

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

Clerk Rossi: "House Bill 2063, a Bill for an Act amending the

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School Code. Third Reading of this House Bill."

Speaker Hartke: "2064. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2064 has been read a second time,  
previously."

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

Clerk Rossi: "House Bill 2064, a Bill for an Act amending the  
School Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 2067. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2067 has been read a second time,  
previously."

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

Clerk Rossi: "House Bill 2067, a Bill for an Act to amend the  
School Code. Third Reading of this House Bill."

Speaker Hartke: "2077. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2077 has been read a second time,  
previously."

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

Clerk Rossi: "House Bill 2077, a Bill for an Act to amend the  
School Code. Third Reading of this House Bill."

Speaker Hartke: "2081. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2081, a Bill for an Act amending the  
Cemetery Care Act. Third Reading of this House Bill."

Speaker Hartke: "2170. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2170 has been read a second time,  
previously."

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

Clerk Rossi: "House Bill 2170, a Bill for an Act to amend the  
Children's Health Insurance Program Act. Third Reading of  
this House Bill."

Speaker Hartke: "2171. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2171 has been read a second time,  
previously."

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

Clerk Rossi: "House Bill 2171, a Bill for an Act amending the Illinois Public Aid Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 2185. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2185 has been read a second time, previously."

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

Clerk Rossi: "House Bill 2185, a Bill for an Act amending the Health Maintenance Organization Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 2288. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2288 has been read a second time, previously."

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

Clerk Rossi: "House Bill 2288, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Hartke: "House Bill 2717. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2717 has been read a second time, previously."

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

Clerk Rossi: "House Bill 2717, a Bill for an Act in relation to expungement. Third Reading of this House Bill."

Speaker Hartke: "House Bill 2719. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2719, a Bill for an Act amending the Child Death Review Team Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 2770. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2770 has been read a second time, previously."

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

Clerk Rossi: "House Bill 2770, a Bill for an Act concerning

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judges. Third Reading of this House Bill."

Speaker Hartke: "Ladies and Gentlemen, we're going to open the board and those individuals... or you're asked to vote on the Agreed Bill List #5. Please record yourselves as voting 'yes'. If there are any changes you've made on the slips that you have turned in, those will be tabulated by the Clerk, and we announce... we will announce later, the results of Agreed Bill List #5. The voting is open. Have all voted who wish? Mr. Clerk, take the record. Representative McGuire, for what reason do you seek recognition?"

McGuire: "Just wanted to announce that I have two get well cards for Mike Boland, and two little pages went around the room to get everybody's signature. But if they missed anybody, that would like to sign a get well card for Mike Boland, raise your hand, or somehow let us know, and the page will get the card over to you. Thank you."

Speaker Hartke: "On page 20 of the Calendar appears House Bill 1935. Representative Saviano. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1935, the Bill's been read a second time, previously. It's on the Order of Third Reading."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker and Members of the House. House Bill 1935 simply redirects a portion of the bail money into the Criminal Justice Information Network Fund... "

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

Clerk Bolin: "House Bill 1935, a Bill for an Act to amend the Code of Criminal Procedure of 1963. Third Reading of this House Bill."

Speaker Hartke: "Continue."

Saviano: "Thank you. The reason for this is, if this system were

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to be put in place, it would be a great resource. A great source of information for local law enforcement authorities who don't have easy access to information about criminal cases in adjacent counties. The lack of this inhibits law enforcement's ability to know who they are dealing with when they detain someone for questioning. I would ask for a favorable vote. I think this is a good gesture on behalf of the clerks of the Circuit Court, to provide this information to our local law enforcement authorities."

Speaker Hartke: "Is there any discussion? Is there any discussion? Seeing that no one is seeking recognition, the question is 'Shall the House adopt... Shall the House pass House Bill 1935?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 1935, there are 112 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. On page 4 of the Calendar appears House Bill 353. Representative Brunsvold. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 353, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

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

Clerk Bolin: "House Bill 353, a Bill for an Act to amend the Worker's Compensation Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a shell Bill. There's an ongoing process

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now, between all the groups, trying to come to some agreement on a balanced billing issue, and I've talked to the other side of the aisle, and we'd like to move this Bill across to the Senate to continue the negotiations."

Speaker Hartke: "Is there any discussion?"

Brunsvold: "I ask for your 'aye' votes."

Speaker Hartke: "Seeing no one is seeking recognition, the question is 'Shall House Bill 353 pass?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 353, there are 95 people voting 'yes', 17 people voting 'no', and 1 person voting 'present'. And this Bill having received the Constitutional Majority is hereby declared passed. On page 14 of the Calendar appears House Bill 1340. Representative Wojcik. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1340, a Bill for an Act to amend the Illinois Act on the Aging. Third Reading of this House Bill."

Speaker Hartke: "Representative Wojcik."

Wojcik: "Thank you, Mr. Speaker and Members of the House. House Bill 1340 establishes a task force, within the Department on Aging, to study the feasibility of remapping, planning and service areas. It also provides that the director shall appoint one representative from each area Agency on Aging, to serve as a member of the task force. Provides that the director of the department may also appoint, not more than 17 other members. And it also provides that they shall report their findings as of January 1, 2002. I ask for its favorable passage. Thank you."

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

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seeking recognition, the question is 'Shall House Bill 1340 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? Mr. Clerk, take the record. On House Bill 1340, there were 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill having received the Constitutional Majority is hereby declared passed. On page 31 of the Calendar appears House Bill 1523. Representative Erwin. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1523, a Bill for an Act to amend the Board of Higher Education Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Erwin."

Erwin: "Thank you, Speaker. House Bill 1523 is a request of Governors State University to allow part-time students to serve as student trustees. I appreciate an 'aye' vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is 'Shall House Bill 1523 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? Have all voted who wish? Mr. Clerk, take the record. On House Bill 1523, there were 109 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. House Bill 405, Representative Kosel. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 405, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hartke: "Third Reading. Would you like to call that Bill

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now, Representative Kosel? Out of the record. House Bill 2336, Representative Giglio. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2336, a Bill for an Act to amend the Election Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Giglio."

Giglio: "Thank you, Mr. Speaker and Members of the House. House Bill 2336 is an initiative regarding local electoral boards and I'd ask for your favorable support."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is 'Shall the House pass House Bill 2336?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2336, there are 111 Members voting 'yes', 1 person voting 'no', 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. On page 30 appears House Bill 801, Representative Brady. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 801, a Bill for an Act to amend the Nursing and Advanced Nurse... Advanced Practice Nursing Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Brady."

Brady: "Thank you, Mr. Speaker. This is legislation, as I explained earlier this week, that allows for nurses to be licensed in the State of Illinois who have graduated from the Regent's System in New York and who have completed clinical experience. I ask for your favorable vote."

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

Turner, J.: "The Sponsor yield?"

Speaker Hartke: "He indicates he will."



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Turner, J.: "Representative, is this a shell Bill?"

Brady: "No, Representative. If you'd take the time to read this piece of legislation, you'd find it's very in-depth and substantive."

Turner, J.: "Are there any notes?"

Brady: "I hope not."

Turner, J.: "Have you checked?"

Brady: "Pardon me?"

Turner, J.: "Have you checked on that?"

Brady: "No, I haven't, Representative. But, it is on Third Reading."

Turner, J.: "Oh. Oh, I didn't notice that. Okay, thank you."

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

Johnson, Tim: "Mr. Speaker, I know, I'm joined by the requisite number of people in asking this extremely controversial, earthshaking Bill be removed from the Order of Short Debate. So, that we can spend two or three hours debating what I think is a threat to the underlying social fabric of Illinois. Do we have the requisite number of people?"

Speaker Hartke: "No."

Johnson, Tim: "Okay. Then, you go ahead and proceed, Representative Brady."

Speaker Hartke: "Does anybody stand in opposition to this Bill? Seeing that no one is standing in opposition, the question is 'Shall the Body pass House Bill 801?' 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 801, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill having received a Constitutional Majority is

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hereby declared passed. On page 7 of the Calendar appears House Bill 630. Representative Acevedo. Mr. Clerk, read it. Hold it. Take it out of the record. On page 33 of the Calendar... Representative Slone, for what reason do you seek recognition?"

Slone: "Thank you, Mr. Speaker. I accidentally pressed my 'yes' button twice on the previous Bill. I wish to be recorded as a 'yes'. Thank you."

Speaker Hartke: "The Journal will so reflect. On page 33 of the Calendar appears House Bill 2309. Representative Schmitz. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2309, a Bill for an Act to amend the Code of Criminal Procedure of 1963. Third Reading of this House Bill."

Speaker Hartke: "Representative Schmitz."

Schmitz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is gonna level the playing field for the prosecution in insanity cases. It outlines some penalties where... if, the defendant does not notify the prosecution in ample time, that they will not be able to use that defense. Be happy to answer any questions."

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

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

Speaker Hartke: "He indicates he will."

Turner, J.: "Representative, it looks like a fine piece of legislation, but it was kind of hard to hear. Could you just very, very briefly explain the Bill, one more time?"

Schmitz: "Yes, Representative. Is this for your benefit, or Mr. Clark (sic-Clerk)?"

Turner, J.: "I'm sorry, Representative. I couldn't hear you."

Schmitz: "I just wanted to make sure this was for your benefit

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and not Mr. Clark's (sic-Clerk's). This Bill... "

Turner, J.: "It's for my benefit."

Schmitz: "All righty. This Bill's gonna level the playing field for the prosecution in insanity cases. Currently, if the defendant decides to plead insanity, they just give prior notice or they don't give prior notice in some cases, does not give the prosecution ample time to prepare for it. What this is going to do is, is require that if they don't give ample notice to the prosecution, that they will not be able to rely on that defense."

Turner, J.: "Okay. So as I understand it then, this will require then notice from the defendant or defendant's counsel to the prosecution, if they're gonna use this type of defense. Is that correct?"

Schmitz: "That's correct."

Turner, J.: "And presumably, that notice would be reasonable and sufficient as determined by the court. Would that be correct?"

Schmitz: "That's also correct."

Turner, J.: "All right, and this would... I would think, as I read your Bill, be of assistance both to the prosecution and to the defendant. Would it not?"

Schmitz: "That's the intent."

Turner, J.: "Well Represen... Representative, thank you very much. You've been perfectly clear in your responses and I think you have a great Bill here."

Speaker Hartke: "This Bill is on Short Debate. Representative Durkin, do you stand in opposition to the Bill?"

Durkin: "No, Sir."

Speaker Hartke: "Does anyone stand in opposition? Mr. Schmitz to close."

Schmitz: "I'd urge an 'aye' vote."

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Speaker Hartke: "The question is, 'Shall House Bill 2309 pass?'

All those in favor signify by saying 'aye'; those opposed 'no'. No. Those in favor of the Bill 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 2309, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. On page 30 of the Calendar appears House Bill 675. Representative Feigenholtz. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 675, a Bill for an Act to amend the Naprapathic Practice Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Feigenholtz."

Feigenholtz: "Thank you very much, Mr. Speaker. House Bill 675 provides that if someone has been practicing naprapathy within the period from July 1, 1985 to July 1, 1993, that he or she may obtain licensure without examination, if he or she applies for such licensure before December 31, 1999."

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

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

Speaker Hartke: "He she indicates she will."

Black: "Representative this... this wasn't your Bill when it was first filed, was it? "

Feigenholtz: "No Sir, it wasn't."

Black: "Wasn't this Bill originally filed by the personal agent of the Naprapathic Association? Or a close personal friend?"

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Feigenholtz: "He said, 'Oh, oh, oh.'"

Black: "Or someone who resembles that?"

Feigenholtz: "Sure."

Black: "Yes. I, the only question and seriously the only question I have. I don't know why we would want to write in an exemption that would say that you could become a license or you can get a license, obtain a license if you will, without taking the required exam. I mean that... "

Feigenholtz: "I think that's a good question."

Black: "Why would we want to do that with any licensed occupation?"

Feigenholtz: "I would imagine Representative Black, as you know, very often in the General Assembly, when we create licenses that there are groups of people who probably were the architects of the Act to begin with. And probably wrote the exams that we forgot to take care of, that we have to help and grandfather in. And we do it all the time here. Do you understand what I am saying so on?"

Black: "I'm sorry you said it was a grandfather that originally wrote the Act? What... "

Feigenholtz: "They might be grandfathers now."

Black: "Oh, the architect of the Act. I see."

Feigenholtz: "The architects of the Act. So... "

Black: "Well... "

Feigenholtz: "... in this situation that's what we're doing here.

This is merely for tw... it's a merely Bill."

Black: "Oh, a merely Bill. Well... "

Feigenholtz: "For 12 people."

Black: "Yes."

Feigenholtz: "There are 12 people."

Black: "Twelve people. What do those people currently licensed under the Act think about this? Did they... are they

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concerned about it or... "

Feigenholtz: "They're the ones who brought it... brought the Bill to our attention."

Black: "Well, you know, I... I remember some years ago when we put a continuing education requirement on cosmetologists. And we didn't grandfather those people in. And I had ladies in my district who had been a cosmetologist for 60 years and were having to try and get back and get continuing ed classes. And they weren't very happy about it. I just wonder if... "

Feigenholtz: "I would have been happy to put that Amendment on.."

Black: "Oh."

Feigenholtz: "Representative Black."

Black: "Well, all right."

Feigenholtz: "But unfortunately... "

Black: "Okay, well... "

Feigenholtz: "... this Bill's on Third Reading."

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

Speaker Hartke: "To the Bill."

Black: "You know up until four or five years ago, I didn't even... I didn't even know what a naprapath was and let alone did I know that we licensed them. But now we have a Bill before us that says, you can get a license without taking an exam. But there's only 12 of them that haven't taken the exam, that could get the license if the Bill passes. Now, those who did take the exam and are licensed might get upset that those who didn't take the exam can get a license or maintain a license or be grandfathered in under the license. So, you have a real licensure question here. To license or not to license is the question. And if you believe that a naprapath can do whatever it is they

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do, without having to take the exam then I think this is safe vote. If on the other hand your concerned that a naprapath and whatever it is they do, should take the exam before they get a license to do to you whatever they do, do to you, then you'd have to be very careful about this Bill. And I trust I've made myself very clear."

Speaker Hartke: "Further discussion? Seeing that no one else is seeking recognition, the Lady asks for the passage of House Bill 675. 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 675, there are 72 Members voting 'yes', 39 Members voting 'no', 1 member voting 'present'. And this Bill having received the Constitutional Majority is hereby declared passed. On page 25... 22 of the Calendar appears House Bill 2120. Representative Moffitt. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2120, a Bill for an Act to amend the Local Government Acceptance of Credit Cards Act. Third... Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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

Clerk Bolin: "House Bill 2120, a Bill for an Act to amend the Local Government Acceptance of Credit Cards Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. 2120 is an initiative of the Illinois County Treasurers Association. It is simply to correct a problem that was not envisioned when the Local Government Acceptance of Credit Card Act was passed by the 90th General Assembly. In that, the county board could mandate

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that a local official allow the use of a credit card. For example, for a county treasurer to accept taxes. This would change it to where it would be the elected official making that decision, instead of the county board. The elected official that would have to negotiate the deal with a credit card company and deal directly with the constituents. The county board can still block the use of a credit card if they want to. But this is simply allowing the... the elected official that deals directly with the people, with the constituents, to negotiate that. Be happy to entertain any questions."

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

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

Speaker Hartke: "To the Bill"

Black: "And by the way, my sheet... my sheet indicated that this was a Representative Novak Bill. Has that been changed?"

Speaker Hartke: "The sponsorship has been changed."

Black: "All right. Ladies and Gentlemen, to the Bill. I served ten years in county government. And I don't like this Bill. And I'm gonna ask you to pay attention to it because you shouldn't like it either."

Speaker Hartke: "Shhh."

Black: "If you allow somebody to pay a bill by a credit card, be it a fine or a license or an application, now you all know here you're all smart enough to know how credit cards work. That's discounted. The county government, if... if you're charging a \$40.00 application fee on your credit card, county isn't gonna get \$40.00. It's that amount of money, minus the credit card fee. So, I know what counties are gonna do. I served in counties for... for ten years. The



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\$40.00 fee is gonna be \$42.00. So that when the credit card company takes their cut of the 40, the county's still gonna get what they want out of the cre... out of the bill. That's not right. That's a back door fee increase, any way you look at it. If they want the convenience of a credit card, then let them go to the public and just say, because of that convenience, we're gonna raise the fee or the permit or the fine by whatever the discounted percentage is on the credit card. Because we're not gonna take... we can't... we can't take less money by ordinance, so we're gonna have to charge you extra money to cover the discount on the credit card. This is not good public policy. And I rise in opposition and I urge you to vote 'no' until this Bill is fixed, so that the public gets constructive notice of what's gonna happen when they use a credit card to pay public fees or charges."

Speaker Hartke: "The Chair recognizes the Gentleman from Kankakee, Representative Novak."

Novak: "Yes, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Novak: "Representative Moffitt, you're a former county treasurer?"

Moffitt: "That is correct."

Novak: "I'm a former county treasurer. This young Lady that sits next to me is a former county treasurer. Is it true right now that county treasurers... people that want to pay there property taxes by credit card, is it true right now that the law allows them to do that?"

Moffitt: "If the county board approves it. We've already given this... "

Novak: "Right."

Moffitt: "... authority to county government... "

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Novak: "That's right."

Moffitt: "... and they have it now. This is not... "

Novak: "Irrespective... "

Moffitt: "... new action."

Novak: "... of all the wailing and hailing in the last conversation. So, this is not a bad Bill, Ladies and Gentlemen. We... a couple of years ago we passed permissive legislation allowing county boards to authorize county treasurers to allow taxpayers to pay their tax bills by credit card. All this Bill simply does, is it gives the county treasurers the authority to negotiate with the credit card company. Isn't that correct?"

Moffitt: "That's correct. The county can already authorize, the county board can authorize the credit card. This General Assembly gave them that authority. Now, this says that the county treasurer, the very people who are dealing with the constituents can negotiate probably a better deal. If you vote for this you're probably gonna arrange for a better deal... "

Novak: "Absolutely."

Moffitt: "... for a constituent than what's on the books right now that the 90th General Assembly passed."

Novak: "You are absolutely correct, Representative. And I stand in firm support of this legislation. You know how tough it is sometimes when people have that impending date hanging over their head and they've gotta come up with a thousand or fifteen hundred dollars. If they want to use a credit card, fine. You know we gave the authority to county boards to allow county treasurers to do that. So, I think it's a good Bill and you are... you have been a fine county treasurer. So I think, you know, let's allow the people to go get into the 21st century without... with respect to

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their finances. So, please support this Bill."

Speaker Hartke: "This Bill is on Short Debate. We'll move it to Standard Debate. There are several people seeking recognition. The Chair recognizes the Gentleman from Livingston, Representative Rutherford."

Rutherford: "Mr. Chairman, thank you. Will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Rutherford: "Representative, when there... when there comes the time that someone can pay whatever they can pay on this, could it be set up such that like the Secretary of State does, whatever you pay by credit card that they put a surcharge or some additional \$2.00 charge or some... some additional fee to help pay for that discount if they would like to do that?"

Moffitt: "That could be in the negotiation. I mean other... "

Rutherford: "Exactly."

Moffitt: "And you're pointing out that other branches of State Government allow the use of credit cards. And so that would be part of the negotiation. And any county treasurer's gonna be trying to negotiate a better deal than what's on the books today."

Rutherford: "Absolutely. I think the point here is that there are places in State Government for example, the Secretary of State's Office, that if you utilize your credit cards to pay for their fees that you do pay the surcharge. It doesn't discount and so forth. So, I stand in strong support of your legislation, Representative."

Moffitt: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from... the Lady from Macon, Representative Curry."

Curry: "Thank you, Mr. Speaker. As a former county treasurer in

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Macon County, there was many times when I collected real estate taxes that constituents would come into my office, taxpayers would come into the office and they would want to know if we would accept credit cards. And at that time when I was county treasurer, we did not. I don't particularly think that paying by credit card is a wise thing for... wise thing for people to do. But what this Bill simply does, is allows the county treasurer to be the one who negotiates with the credit card companies the deal that is worked out. And it's... and the county board has a discretion over whether or not the county will accept credit cards. That's all this Bill does. So... to... to the Sponsor of the Bill and as one of the hyphenated cosponsors of the Bill, this is just cleanup legislation that's been requested by the county treasurers across this state. They've asked for our help and I think that we should give it to 'em. Frankly, when an individual is delinquent in their real estate taxes, they pay 1.5% in interest every month and that's compounded. So, if they chose and the county board chooses and the county treasurer elects to receive payment by credit card, then we should allow 'em to do that if that is one of their choices. This Bill is just simply cleanup legislation and I would ask all of my colleagues to pass this Bill. Thank you."

Speaker Hartke: "Further discussion? Representative Skinner."

Skinner: "Well I'm the fourth county treasurer that thinks... that thinks that county treasurers or ex-county treasurer that thinks that county treasurers ought to have the ability to have this authority. Now, I associate myself with the former Lady's comments. I don't know why anybody would pay by credit card. Why would you ask... why would you pay more than one and a half percent, which is what the

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delinquent fee would be if you didn't pay at all? But if you want to pay by credit card, surely the county treasurer ought to have the ability to try to knock the price down lower."

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

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

Speaker Hartke: "He indicates he will."

McKeon: "Follow up on... on Representative Black's question. It seems to me and I don't understand totally this area, that there could accrue to the respective counties a savings in operating costs as a result of being able to use automatic kind of payments by credit cards, that might offset the discount rate that credit card companies might negotiate with the board present."

Moffitt: "Representative... I think it certainly... it makes it ... it moves county government into modern banking activities. It makes more convenience for the taxpayer. It gives the taxpayer a choice and if for some reason they don't have the cash and want to use the credit card, they can. It really, as far as the amount coming into the county that is not going to change. The county doesn't benefit from this directly, other than accommodating taxpayers being more convenient for them. They're not gonna receive any new fee. The county is not, from doing this."

McKeon: "I guess getting back to the point, is there any possibility of reducing the actual operating cost... terms of staffing and so forth, moving into this kind of automatic transfer payment and so forth?"

Moffitt: "Well, I don't think it would have much bearing, but as

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a former county treasurer, every tax payment cycle we would have people want to pay that way. And some... sometimes it would be person who perhaps they did not have the cash right then but could... could have been on time if they could pay with the credit card. Thus, you've... you've accommodated them. And so you've increased the collection rate by making sure that more people who want to opt that way. And it's their choice. You're empowering the people with this legislation. But if they want to pay with a credit card, they can. Some people didn't have... because you know that's a pretty big lump payment when you pay your property taxes. And so, there would be people who could pay with a credit card, but not the full amount in cash. So in that respect, it would be increasing the collection the percentage for the county, which is I believe what you're driving at."

McKeon: "Thank you, Representative."

Moffitt: "Thank you."

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: "He will yield."

Turner, J.: "Representative, I'm a little bit confused in looking at the Calendar. It appears that the Sponsor of the Bill is Representative Reitz. I'm informed that it was actually presented in committee by Representative Novak and now you're presenting the Bill on the floor. What is the history of this Bill, as far as the sponsorship?"

Moffitt: "I think you... you've outlined it. I was asked to present it as a former county treasurer and also I think maybe some of those prior Sponsors had maybe, had as many Bills as they were supposed to have and that's the only

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reason that it was changed."

Turner, J.: "Well, was Representative Reitz in support of this measure? If you know?"

Moffitt: "I don't know. I... "

Turner, J.: "Okay."

Moffitt: "Perhaps he wants to speak to it. I was under the impression that he was."

Turner, J.: "All right. Everyone... I didn't realize we had so many county, past county treasurers in the... in the Body. It's certainly nice to know that today, but... I don't know if the Bill's been amended. I wasn't on the committee, but as I read the Bill, it looks like to me this applies to elected officials. And while we've talked about treasurers, I don't see where that confining language is in the Bill. Could you point that out to me?"

Moffitt: "It does empower elected officials... county elected officials. Whereas the original law said the county board would make that decision, this allows the cou... but... but it's going to be more county treasurers want to use this because their constituents are wanting to use it than other offices. It would be probably put into use more in a county treasurer's office, by the nature of their work."

Turner, J.: "Well, if I might use Representative Black's argument. Certainly, I know it's been refuted to some extent by some of the other former treasurers. We haven't heard from any former circuit clerks or former county clerks, yet. Maybe they'll be talking on this, as well. But if I follow what Representative Black has previously indicated, this could result in an additional increase either, in a fee or if not a fee, in what was originally owed because the county may have to ask for more because the credit card is used. And if... if... if this applies

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to all elected officials, it would apply to circuit clerks who receive obviously, money every single day, county clerks who receive money to record or to file, and county recorders who receive money to record. So, what you're saying then is that every fine, every deed, every quick claim deed, warranty deed, every UCC statement filed, all of these things could be paid for with a credit card if this Bill passes. Is that not correct?"

Moffitt: "If the elected official opted to do that and if the person paying it, wanted to do that. We're... we're really saying and time and again down here hear us say, these people... the decision should be made by the taxpayers how they use their money. So, if they want to pay with a credit card, we're... we're increasing the chances that they could if they wanted to. It's a still... it's a decision by the elected official and then it's a decision by the constituent of that office of whether or not they want to use it. We're empowering the people and we are even creating the possibility that a better deal is going to be negotiated, lowering the cost to the consumer. If you vote against this, you're voting against any chance to lower the cost to the consumer."

Turner, J.: "Well, I thought Representative Black indicated this could increase the cost, because the fees would be increased. But I'm wondering if you've coordinated this with the state. Let me give you an example. If someone were to go in and to wish to record a warranty deed, when they file that warranty deed, or record that warranty deed, they also have to record a real estate transfer declaration, which is the... what we call the stamp tax. And that declaration is called the green sheet. Well, part of that money goes to the county government and part of it



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goes to the State Government. And if you allow these people who pay the stamp tax or transfer tax to pay with a credit card, I'm wondering how that money will be transferred to the state, and whether that would even be permissible and if you've cleared this through the State Government?"

Moffitt: "Representative, you're, you know, in part you're missing the point. This authority is already there. There are counties doing this now, where the authority has been given to them by the county board. So, that it's already in place. We're now... we're just simply saying rather than the county board making that decision, it should be the elected official, whether or not that works for their office. So this is not new from that standpoint. There are counties doing this now. There are counties operating under this by the authority that this General... the 90th General Assembly gave to them."

Turner, J.: "I'm sure not trying to miss the point but... So what you're gonna do is then say this decision-making process will be made by the circuit clerks, the county clerks, the county recorders, the state's attorneys. Does it include probation officers? They receive money all the time as well."

Moffitt: "They're not elected officials."

Turner, J.: "So it would not include those?"

Moffitt: "No."

Turner, J.: "But the county board then or the governing body of the county will have absolutely no say as to whether or not this is gonna take place. It'll be up to each... "

Moffitt: "You're incorrect. That's wrong."

Turner, J.: "Okay."

Moffitt: "That is not a true statement."

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Turner, J.: "Okay, well then... "

Moffitt: "Yeah."

Turner, J.: "... help me out."

Moffitt: "That was in error."

Turner, J.: "What would be a correct statement?"

Moffitt: "The county board can block it. They have veto authority. If they don't want their county involved with credit cards, they can prohibit it."

Turner, J.: "All right then I don't understand. What's the purpose of your legislation then?"

Moffitt: "To give the elected official the power to negotiate a better deal for the constituents of their county. And to make whether or not their office, it's probably by far better that... that the elected official of that office decide whether or not they even want to do this. They may not want to. And rather than the county board saying, 'You are gonna do it.' This is, we're being more permissive with this legislation. That the elected official of that office who faces the taxpayers and faces the voters is now gonna get to decide whether or not that works for that office and better serves their constituents."

Turner, J.: "If a circuit clerk wishes to accept fines, payments for fines, a seventy-five dollar fine, a hundred dollar fine or whatever the case may be, would they be able to accept a credit card for the payment?"

Moffitt: "If that elected official said they wanted to do that, then they could. Nothing making them do it. But if they feel that would better serve their constituents, then they could, providing there's nothing in the courts that prohibits it. And I don't think there is. One other thing you mentioned where there, a payment with a recorder I believe, where the recorder would be getting a payment and

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then part of it goes to the county and part of it goes to the state. Right now, isn't that done with like probably one check and then the county divides it up, probably at the end of the month?"

Turner, J.: "I believe there is one check, if you're asking me a question?"

Moffitt: "Well, this would still be the same way. The recorder would be getting the one payment from that customer, that patron that decided to use a credit card, and at the end of the month they would divide the fees up."

Turner, J.: "Do you know of any counties that are doing that today?"

Moffitt: "I don't have a list, but I know there are counties using credit cards. And why are they? It's nothing to the county. It's being more accommodating to the public. You know when I go someplace and they say we won't accept your credit card, I'm really offended by that. I have an excellent credit rating and if I want to use my credit card I feel I should have the right to do that. I still get to make that decision. This isn't a county official saying you have to use it. It's just saying if you want to, you can. We're not saying, 'Representative Turner, you know what? We won't accept your credit card.' I think it should be the other way around. Sure, if you want to use a credit card, you can."

Turner, J.: "Well, then there won't be any discretion left with an office holder. Once they make the decision that they're going to accept credit cards, they would have to accept my credit card or your credit card or anyone else's credit card? Or do they have to do some kind of check to make sure that the credit card is good? Do they have any discretion or once they've made that decision is it that

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they always must accept everyone's credit card who comes in and offers it?"

Moffitt: "That's the... that would be part of implementing, deciding how to implement. And I think any time you would implement credit procedures, if you know someone has like a bad credit card, a bad credit rating, that would be reason not to... to accept."

Turner, J.: "Is there any mechanism that they have to check to determine that we would have in a county office, to check to determine whether the credit card is good or... like when you buy something at a store, they're... I don't know what they're doing, but I always see that they're checking something out to make sure the credit card is good. Is that type of service... service available to the county officials?"

Moffitt: "Representative, if I were a county treasurer now and adopted this and negotiated with a credit card company, I would want to be able to scan the credit card or to authorize it to make sure it's good. That would be part of what I would build into it. That to make sure that it was a good credit card or the other side of that is, that the credit card company would guarantee me the payment, even if the credit card was bad. So, that would just be something that I would build into it."

Turner, J.: "If a person, and I know this is unfortunately does happen, gets a large debt on his or her credit card, and ultimately doesn't pay the credit card company back, perhaps files a bankruptcy, does that in any way affect the money that would have gone to the county? And number two as another part of that question, does the credit card company have any way of coming back on the county, if that were to occur?"

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Moffitt: "The credit card company accepts the responsibility for collection of payment. So the county's gonna get the money. And if they can't collect from the credit card holder, that's gonna be between the credit card holder and the credit card company. The county's gonna have its money."

Turner, J.: "So a person who uses the credit card to make a payment then to... whether it be the treasurer or the county clerk or circuit clerk, and it ultimately does not pay the credit card company back, that will not have any adverse affect, that you know of, on the county?"

Moffitt: "Representative, it's my understanding and again, if I were negotiating the deal for my county, it would be the credit card company that would have to stand for that bad payment to the credit card company, not my county. And you know you really raised another point, and it's really another point in favor of this Bill. Right now or before we had credit cards, every tax collection cycle we would get a certain amount of bad checks. And as another Representative asked a little bit ago. 'Would this improve the efficiency of the operation of a county?' Yes, it would and this is a good point that you've brought out in this debate because when those checks are bad, who is holding those? It's the county. It's the county that has not collected the taxes then. With the credit card, the county has gotten its money. So we've actually improved the efficiency and the collection rate. And thank, I mean that's really what you've brought out by this debate."

Speaker Hartke: "Further discussion? Are you finished, Representative Turner?"

Turner: "Well, I'm trying to, as Tom Cross often does, collect my thoughts here to see if I can think of anything else to

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ask. Are you shutting me off at this point, Mr. Speaker?"

Speaker Hartke: "Well... "

Moffitt: "Representative, may I respond to one of your questions?"

Turner, J.: "Sure. See, I didn't even ask the question and I got a response. Please do so."

Moffitt: "This is a follow up to your question. You asked if there are any counties and I know there are. Someone has come up and said that Lake County has implemented this. I know that there are other counties that have. McHenry County has. It's simply do we want to move in to the modern age of banking? That's what's at issue here."

Turner, J.: "Mr. Speaker, it looks like you turned the clock on. Does that mean that I have four minutes left? Have you heard from county clerks, state's attorneys, anyone other than county treasurers, as to whether or not they support this... this Bill?"

Moffitt: "This is an initiative of the county treasurers. I have not heard from the others. Again you're empowering them. If they want to adopt it, they can. But it's the treasurers who collect millions and millions and millions of dollars. They're the ones that get the request most often. You mentioned some legal procedures, generally those fines, those payments are much smaller than property taxes. It's the payment of property taxes where our constituents sometimes need a little help in being able to spread those payments out. And that's... that's what we're doing if we allow them to use a credit card. If we're saying to that local constituent, 'You can use your credit card if you feel that's in the best interest for your personal finances.' Not telling them they have to. But it... the treasurer's gonna get bigger payments."

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Turner, J.: "All right. We've, at this point, only talked about county officials. Does this also affect elected officials from units of local government that may not be county officials, that may be from municipality or perhaps any other type of district, library district?"

Moffitt: "Representative, the original legislation by the 90th General Assembly which is already the law of the land, empowered the county board. And we're just saying now it should be the elected county official, instead of the county board making the decision and cutting the best deal. The county board still has the power to veto entry into this program."

Turner, J.: "Okay."

Moffitt: "We're only chan... were only dealing with county."

Turner, J.: "All right. What... what I was getting at, though, as I read your language, it talks about an elected official of a unit of local government or of a governmental local governmental entity. And it sounds like to me that it is so generally drafted that it does not only affect county government, it also affects any other local government entity where there's an elected official."

Moffitt: "We're only changing the relation of the county board and the county treasurer, that authority. That's all we're changing. Everything else that's already in place, stays in place."

Turner, J.: "All right, so this doesn't affect any unit of local government other than county government?"

Moffitt: "Well, we're not changing anything. If other units can use it now, they still can. All we're changing is that the treasurer would negotiate the best deal, instead of the county board. That's the distinction. Everything else in the Act that's already the law of the land, remains the

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same."

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

Speaker Hartke: "The chair recognizes the Lady from Grundy, Representative O'Brien."

O'Brien: "Mr. Speaker, I move the previous question. And AHHHHH."

Speaker Hartke: "All those in favor say 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The previous question is just put. Representative Moffitt to close."

Moffitt: "Certainly, we've had a lot of discussion on what was a noncontroversial Bill. I thought the stars were lined up again in a particular manner because we're... Representative Skinner, Novak, Curry, and myself had agreed to sponsor this Bill. The issue here is, do you want to empower a county treasurer to negotiate a better deal for the taxpayers and their county? Do you want to move county government further into the modern age of banking and finance? That's what's at issue. They already have the authority, but just that the county treasurer could negotiate the best deal. Appreciate a 'yes' vote. Thank you."

Speaker Hartke: "The question is, 'Shall House Bill 2120 pass?' All those in favor 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 2120, there are 70 Members voting 'yes', 43 Members voting 'no', and 1 Member voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. Page 31 of Calendar appears House Bill 1466. Representative Morrow. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1466, a Bill for an Act creating the



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Illinois Africa Trade Project. Third Reading of this House Bill."

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

Morrow: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. At 1466 creates the African Trade Project Act. Amendment #2, Floor Amendment #2 which was adopted yesterday, gives DCCA a little bit more latitude. The purpose of this language, we want to encourage DCCA to create a African Trade pavilion to be located in the World Trade Center in the City of Chicago. Serve some as a... like a one-stop shopping center for African businesses that want to come to this state to create business opportunities. I'd be glad to answer any questions on this... on House Bill 1466."

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

Rutherford: "Thank you, Mr. Speaker, and having served as the head of international business for the Department of Commerce and Community Affairs a number of years ago, I worked very closely in the initiatives that the Representative is talking about here. He and I've spoken on this. There are some technical things that he has concurred to work very closely with the department on. And I think this is an excellent idea. And the time has come. I know Governor Ryan supports it and I stand in support of the legislation."

Speaker Hartke: "Does anybody stand in opposition? The question is, 'Shall House Bill 1466 pass?' All those in favor signify by saying 'yes'; those opposed 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 1466,

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there are 114 Members voting 'yes' and 0 voting 'no'. And this Bill having received a Constitutional Majority is hereby declared passed. On page 30 of the Calendar appears House Bill 583. Representative Hassert. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 583, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of this House Bill."

Speaker Hartke: "Representative Hassert."

Hassert: "Thank you, Mr. Speaker, and Members of the General Assembly. This House Bill 583 is just a land transfer Bill from the Department of Corrections for two parcels of land. One for the Lockport Park District, and one for the Will County Highway Department. I ask for its approval."

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

Black: "Thank you very much, Mr. Speaker. I just rise in support of the Bill. It's about time that we let lawn irrigation people be lawn irrigators and plumbers be plumbers. This is a good Bill. Oh, I'm sorry. It's not that Bill."

Speaker Hartke: "Does anybody stand in opposition to the Bill?"

Black: "I'm sorry, it's not that Bill. I thought it was the other Bill. Oh, well. I think it's time we let eminent domain do eminent domain. And those that don't, don't."

Speaker Hartke: "So does anybody stand in opposition of this Bill? Seeing none, the question is, 'Shall House Bill 583 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 583, there are 110 Members voting 'yes', 3 Members voting 'no', and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. On page

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7 of the Calendar appears House Bill 630. Representative Acevedo. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 630, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #3 offered by Representative Dart, has been approved for consideration."

Speaker Hartke: "Representative Dart."

Dart: "Thank you. Amendment #3 makes changes that the committee suggested as an attempt to answer concerns about it. And I'd be happy to answer any specific questions."

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

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

Speaker Hartke: "He indicates he will."

Cross: "Tom, does the Amendment become the Bill?"

Dart: "You know, Tom, I don't have the Amendment in front of me now. I'm trying to get a copy of it. Yes, it does."

Cross: "Does... Is this the Amendment or the initial Bill that dealt with the summary suspension for failure to take the field sobriety test?"

Dart: "This is the Bill, Tom, that we talked about before that deals with the field sobriety test."

Cross: "I've made... I don't want to be duplicative in terms of time. Are you about to run this... Are you gonna run this to third? Do you want to just debate this on third?"

Dart: "Yeah, if we could."

Cross: "All right. We will do it th... that's fine."

Speaker Hartke: "Further discussion? Representative Dart asks for the passage of Amendment #... Floor Amendment #3 to House Bill 630. 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. Third

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Reading."

Clerk Bolin: "No further Amendments."

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

Clerk Bolin: "House Bill 630, a Bill for an Act concerning driving violations. Third Reading of this House Bill."

Speaker Hartke: "Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 630, as amended, does the following three points. Requires persons to take a field sobriety test, or preliminary breath screening test when there is reasonable suspicion supported by specific facts that a person is DUI. Failure to take the test will result in the suspension of driving privileges for four months, for the first offense, at two years with a six month for a second offense. Second, if a person is not arrested after refusal to take a field sobriety test or preliminary breath screening test, the officer may, if he deems it necessary to protect the public, secure the person's car for up to six hours. Three, the Bill also makes it clear that all out-of-state DUI related offenses will count as a prior offense in the State of Illinois. Happy to entertain questions."

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: "Indicates he will."

Durkin: "Representative, I'm... one of the things that, when this initially was thought about, is that there's gonna be a situation where a... the police will pull over an individual, they'll ask that person to submit to a Breathalyzer examination, and now that we have lowered the blood alcohol to .08, that person submits to a Breathalyzer

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examination and they pass. They are just... maybe would be .06. Would they still have to be required to take a field sobriety test, even if they pass that Breathalyzer examination?"

Acevedo: "I'm sorry, Representative, I couldn't hear that."

Durkin: "Okay. My question is, if a person, if they are... if they are pulled over and the police officer has, you know, for whatever traffic violation he feels he's committed, either he is driving improperly, and he believes that person may be under the influence, and that person does submit to a Breathalyzer test on the street, and he does pass that Breathalyzer. Will he still be required to submit to a field sobriety test?"

Acevedo: "I don't believe so, Representative. Once he passes the Breathalyzer test, there's no need for a field sobriety test."

Durkin: "Okay. I'm just kind of concerned about that 'cause I think that, that's what a lot of us have been thinking about, that we're allowing someone who may, and I'm not sure if that's... if that's pointed out specifically, in the Bill 'cause I think that... "

Acevedo: "Representative, I believe the punishment is more severe for failing a Breathalyzer test than a field sobriety test."

Durkin: "Well, I think they're both... what is the... under this legislation... if you refuse a field sobriety test, what would be the suspension... what amount... how many months suspension would the driver face?"

Acevedo: "For the first offense, would be four months."

Durkin: "Okay. And if you... four months."

Acevedo: "Yes."

Durkin: "But if you refuse to submit to... if you refuse to

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submit to a Breathalyzer examination, I believe it's six months."

Acevedo: "I believe it's six months. Yes."

Durkin: "Correct. Okay. But my question is, I think, are we... is there anything there that prohibits a police officer from ordering a person to submit to a field sobriety test after they have taken a Breathalyzer and they have passed a Breathalyzer?"

Acevedo: "Well, Representative, I'm talking as a police officer, once you fail to... I mean once you fail the Breathalyzer test for us, there's no need to take... "

Durkin: "No, no, no. If you do pass a Breathalyzer examination, let's say if you're not point... we lowered it to .08. If your Breathalyzer is at a .06, and you have technically, you've passed the Breathalyzer, but will you still be required to submit to the field sobriety?"

Acevedo: "Right, I understand, Representative. And the Amendment is silent on that issue. But I would... I'm looking as a point of a law enforcement officer. If you pass that Breathalyzer test, there's no need to give you a sobriety test."

Durkin: "Well, I do, too."

Acevedo: "And I'm sure... "

Durkin: "And I... I just want to make sure that that is, that it's not... that it's perfectly clear that if a person does submit to a Breathalyzer examination on the street, and if they do pass that, that they will not be required, or a police officer's not gonna require that person to take a field sobriety test, correct?"

Acevedo: "Right. And Representative... "

Durkin: "That's not what you're trying' to do, correct?"

Acevedo: "No. And, Representative, I agree with you 100%. You,

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being an attorney, would know that anybody can beat that in court."

Durkin: "Okay. One of the... one of the... I'm just kind of looking through the Amendment right now, on page 45. It gives... allows for certain types of excuses for individuals to submit to the field sobriety test. It just states that if they have a medical condition which prevents a person from performing a test. Do they have to have a medical... I mean the only thing... I'm raising this issue is that a person, if they do for some reason have a medical condition which does affect their motor skills, and they probably would not be able to perform a field... you know a... that type of test. What type of a documentation, or what type of proof do they have to make to the police officer to be excused from performing that type of test?"

Acevedo: "Representative, as it stands now, the way I look at that, is if a person is impaired where he cannot do the field sobriety test, I believe the police officer would ask him to take the Breathalyzer test."

Durkin: "I'm just looking at the one under... on page 45, Section C."

Acevedo: "Representative, as... if I'm reading the same page you are, I believe it's up to the discretion of a police officer, where it says, 'the performance of any field sobriety test, may be dispensed... what wherein the judgement of a law enforcement officer, administering the field sobriety test, the performance of the test would jeopardize the safety of a person, or is not as viable due to weather?'"

Durkin: "Are we looking at the same Section? Under... on page 45 of the Amendment, Section C? That is the Section which I was asking about, which will excuse a person from

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performing a field sobriety test based on a medical condition."

Acevedo: "Representative, as I'm reading it, I still look at it as being under the discretion of a police officer, of the law enforcement officer giving... "

Durkin: "I'm just trying to say, what is the person who is... who is gonna be the driver of the automobile... certainly, it is up to the police officer to make that determination... whether or not... are we saying it's gonna be the police officer, it's gonna be his subjective interpretation of whether or not this person has a medical condition which prohibits him from... from partaking in this type of a test? It just... the way I just read it and it's just that I think it's unclear whether or not a police officer, whether a person who has been pulled over and he tells the officer, 'I', for whatever reason, 'I have a condition which will prohibit me from really performing this test accurately.' Does he have to have a... some type of documentation with him, or is this... or is there gonna be a presumption if he says that... or is this a standard which he will have to prove in the court at a later time? Or is it something which... which a police officer can take notice of on the street, and then it will... which would basically bar him, it will prohibit him from conducting that examination, and therefore he would not be subject to the penalties, the suspension under this... under this Act."

Acevedo: "I don't believe he would, Representative. I believe if the policeman realized that this person may be impaired, medically impaired, or is not able to do it for some other reason, or he does have proof, because some people do have proof. He might, if he thinks he's still was under the



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influence of DUI, we'll give him the Breathalyzer test."

Durkin: "Sure. My only concern is that, you know, there's a lot of people sometimes that do have neurological problems. They will have inner ear problems. I've been deaf in my ear for the past 15 years and despite what some people think, I do have coordination problems. But I think that some people have inherent problems, which are going to have... they will have problems performing these types of examinations. And I'm just trying to figure out whether or not this is something that they would be able to establish on the street, at the initial stop, or is it something which they would have to establish in a court at some point later if they're seeking to suspend the privileges which were taken away from them for refusing to submit to the examination?"

Acevedo: "Right. Representative, as I said before, right now they currently do that, that they make that determination on the street. But if in the opinion of a law enforcement officer, and he believes that the person is under the influence, he would be taken back to the station, and for the safety of the public be given a Breathalyzer test."

Durkin: "Okay, thank you very much."

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

Hoffman: "Yes, will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Hoffman: "Representative, I was trying to determine exactly what Amendment #3 does. I know that when this was in committee, this basically, had to do with refusal of field sobriety, and saying that you would, essentially, lose your license if you refuse a field sobriety test. Does this do anything in addition to that, now with this Amendment?"

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Acevedo: "Yes, yes, it does."

Hoffman: "The final Amendment that becomes the Bill... what I know... I know what it does with regard to the field sobriety issue, but... "

Acevedo: "Representative, there's two other parts to the Amendment, if you'd like me to read them."

Hoffman: "Yeah, that'd be great."

Acevedo: "Okay, the second part is, if a person is not arrested after refusal to take a field sobriety, or preliminary breath screening test, the officer may, if he deems it necessary to protect the public, secure the person's car for up to six hours. The second... the third part of the Amendment is, the Bill also makes it clear that all out-of-state DUI related offenses will count as prior offenses in Illinois, in the State of Illinois."

Hoffman: "To the Bill, Mr. Speaker. I understand the intention of the Sponsors and the previous Sponsor, and I think their intentions are admirable. But what we need to do is take a very, very close look at this legislation, and what it does. You know, what we're talking about here is, essentially, allowing police officers to make subjective decisions. If you talk about not taking a Breathalyzer, or refusing to take a Breathalyzer, that's a very objective decision. If you refuse to take a Breathalyzer test, then there's no read out. There's no test given. If you... if you refuse to take a field sobriety test, many times that's between an officer and the individual who is out on the street. They could say that you're not complying to the best of your ability, therefore, you're refusing and you lose your license. Now, I understand what the Sponsor's trying to do. And what we've done over the last few years is we have enhanced penalties with regard to DUIs. We

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have enhanced penalties with regard to repeat offenders. I've consistently, and will consistently endorse those types of provisions. As a matter of fact, some additional Bills with regard to driving under the influence, have come from the Senate, which I'm a cosponsor of. But I think that we have to tread very carefully, because what we need to do is we have to make sure that the people who are really offenders are being punished. We shouldn't just pass this type of legislation to allow such a subjective test, and insure that people... insure the possibility for abuse. I urge a 'no' vote."

Speaker Hartke: "The Chair recognizes the Gentleman from Kendall, Representative Cross."

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

Speaker Hartke: "He indicates he will."

Cross: "Representative, I hope I can get into some other areas that the previous speakers have not. But I, like the others, appreciate your concern about this issue, but have reservations just like they do and many based on what the prior speaker just talked about in the area of... it's so subjective. But... I see the addition of the use of an ignition interlock device in your Amendment, Representative. How does that come into play under this... on the failure to take the field sobriety test?"

Acevedo: "Representative, I'm sorry. I didn't hear the last part."

Cross: "How does the ignition interlock device come into play with your Amendment? I see it on the very first page, but then I don't see any other references to it."

Acevedo: "If you can bear with me one second, Representative. Representative, are you looking at a certain page? Is it Amendment... is it Amendment 3 you're looking at?"

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Cross: "I'm talking about, when would you be able to utilize the ignition device? There's some reference on it to page 5, and I'm not trying to be cute about it, Ed. I just... I want to know what the purpose of that language is and how it's to be utilized."

Acevedo: "Are you looking at Amendment #3, Representative?"

Cross: "Yeah, I'm looking at Amendment #3, the very first page. You have a definition of an ignition interlock device, and I want to know when... how you intend to have that, when a driver can use that, or has to use it?"

Acevedo: "Representative, I believe what... what we do... what we are asking is, for the device to be installed, that it's at the expense of the person who is being convicted. And that's priced at \$60 a month."

Cross: "I thought that I had been told something a few moments ago, that in the event you refuse to take a field sobriety test, that in lieu of a suspension you would be ordered to utilize this. Does that ring a bell?"

Acevedo: "No, I don't believe I said that.. I we're talking.. "

Cross: "Well, I'm not saying you said it. I was told that out in the hallway. I want to know, why we're even talking about interlock devices, or these ignition devices? When are they... when are they gonna be utilized under the Vehicle Code section here? It's rather important."

Acevedo: "Okay... you'd be suspended, but within 30 days, after 30 days you'd be able to apply for it."

Cross: "Apply to be able to use this instead of being suspended?"

Acevedo: "Right, right. At the owner's expense."

Cross: "My concern about the use of these is much like seat belts and air bags. There are clever people floating around this state, as there are all over the country, who know how... who can figure out ways to basically make these devices

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useless. And I want to know what we have either in this Bill or Amendment, or anywhere in the statute that insures that these devices will... would remain foolproof. And I guess my point is, I don't think they can."

Acevedo: "Well, Representative, you know as well as I do, nothing is guaranteed. I mean, everyday technology comes up with something new, and even the computers are how people go into 'em."

Cross: "All right. Let me ask... okay. On a summary suspen... Mr. Speaker, I hope I can get a little more time. I was unable to get answers for a while there. And I think while it's an important Bill, I think it's also one that needs a lot more debate than you may think. Representative, assuming that someone fails to take the field sobriety test, and they get their license suspended, and I want to contest that suspension. Do I do that at an administrative court system, or do I do it in the criminal court system?"

Speaker Hartke: "Proceed, Mr. Cross."

Cross: "Well, I'm trying, I'm waiting for an answer, Mr. Speaker."

Acevedo: "Representative, I was but the microphone went off. The criminal court system."

Cross: "Where does it say that in your Bill? Our under... my understanding is it's an administrative hearing."

Acevedo: "That was changed by the Amendment #3, Representative."

Cross: "Can you... and I apologize, and I don't see that in the Amendment. And I may very well be wrong... I think it pretty crucial. Can you show me where in the Amendment? As I say, I may be very well wrong... I may be wrong, but I'd like to see where it is."

Acevedo: "Just let me... give me a few seconds, Representative, while I look through... Representative, I believe it's on

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page 2, 2-11... 2-118.1."

Cross: "What page, Ed?"

Acevedo: "I believe it's on page 2, Representative."

Cross: "Well, for now, we'll take it. Are there any... are there any specific guidelines in your Bill, or do you intend to have any guidelines implemented by the State Police or local police, as to what specific field sobriety tests are gonna be utilized under your Bill?"

Acevedo: "Representative, I believe there's only one throughout the State of Illinois, which... the Police Standard Training Board will determine the sobriety test."

Cross: "Well, what are they... now that we're gonna... in the event this passes, do we have any idea what they are? I mean, I know some are used, but I know we're talking about... I know one that's utilized now that I've always had some questions about, is the Gaze Nystagmus Test. Do you know if that... if that's going to be one?"

Acevedo: "Representative, if I can tell you from my own experience... "

Speaker Hartke: "Mr. Cross, bring your remarks to a close. I've given you an extra three minutes."

Cross: "Sure, I'd like... I'd like... yeah, I'd like some more time, thanks."

Speaker Hartke: "Bring your remarks to a close."

Cross: "Well, Mr. Speaker... with all due respect to the Speaker, I'm having a little hard time getting answers. And if we get... maybe someone else can get some time and then get some answers. I think this is a pretty important Bill, and I would appreciate you giving other Members on this side an opportunity to ask some questions."

Speaker Hartke: "We certainly will."

Cross: "I hope so."

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Speaker Hartke: "We'll just move this Bill to Standard Debate.

The Chair will recognize the Lady from Cook, Representative Monique Davis. You have five minutes."

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

Speaker Hartke: "He indicates he will."

Davis, M.: "Representative, do they videotape these sobriety tests?"

Acevedo: "It depends if you have a videotape in the car, Representative. I mean, if you want to carry one, you're more than welcome."

Davis, M.: "So, Mr. 'Acevideo', you're saying that... "

Acevedo: "Acevedo, Ma'am."

Davis, M.: "Mr. 'Acevideo', you say they do videotape these sobriety tests."

Acevedo: "I said that it's up to the discretion of the officer. If he has video camera with him, handy, he can if he wants to."

Davis, M.: "Do they carry video cameras in the car?"

Acevedo: "No."

Davis, M.: "When they do the one leg test, is that optional or required?"

Acevedo: "It's required. Unless you only have one leg."

Davis, M.: "You know, that was gonna be my next question. What does a person do who really only has one leg? How do they do the one leg test?"

Acevedo: "At that point, Representative, as I explained to the other colleague, across the aisle, it's up to the judgement of a police officer. If he sees that person's impaired, there's no way that person's able to do... probably more than half of the part of the sobriety test, so he will not be given that test."

Davis, M.: "The police wouldn't open the door and say, 'Get out

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of the car?'"

Acevedo: "Well, if he thinks his safety is in jeopardy, yeah, he will."

Davis, M.: "He might say that. At what point would he require this breath test, at what point?"

Acevedo: "Well, if the officer pulls... a driver over because he believes he's under the influence, maybe he's driving from lane to lane, maybe he's speeding. In the officer's mind he believes this person's under the influence, and will pull him over to maybe give him a field sobriety test."

Davis, M.: "Keeping a person's car for six hours, where would you keep it?"

Acevedo: "Pardon?"

Davis, M.: "Isn't there a section that says that you can confiscate that person's car?"

Acevedo: "Yes, Representative."

Davis, M.: "For six hours?"

Acevedo: "Yes."

Davis, M.: "Where would you keep the car?"

Acevedo: "It's usually kept in the police parking lot."

Davis, M.: "And if my car, when I got ready to find it, what procedures would there be for me to get my car back?"

Acevedo: "Representative, I believe you will still be in lockup at the point... at that point. And at that point, after six hours, your car will be turned over to you. If you are released, or it will be given to somebody who comes with permission to receive the car because... "

Davis, M.: "I would be in lockup for six hours?"

Acevedo: "If you are... "

Davis, M.: "Mr. Representative 'Acevideo', you wouldn't dare want to do that."

Acevedo: "Acevedo, Ma'am. Do you know what Ma'am,



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Representative, just call me Eddie."

Davis, M.: "Well, I... I... I'm gonna call you Mr. 'Acevideo', 'cause I like your name, Representative."

Acevedo: "Just call me Eddie."

Davis, M.: "If a person is... refuses a sobriety test, they're automatically locked up, and their car is taken away for six hours. Is that correct?"

Acevedo: "No Ma'am, that is not what I said before. If a person refuses a field sobriety test, his license will be suspended for four months. He is not actually locked up. He is given citations. His car is impounded for six hours, and he will have to come back to the station, unless he wants to wait in the station for his car."

Davis, M.: "And he has to pay for that impounding of that car, is that correct?"

Acevedo: "No, no, Ma'am."

Davis, M.: "According to this Bill, it says he must be responsible for the cost."

Acevedo: "Can... Representative, can you show me, can you show me on the Amendment where it says... "

Davis, M.: "For six hours... Well, I'm simply going by what it says on this... "

Acevedo: "Okay. Can I see where it says... "

Davis, M.: "Well, let me just say... to the Bill, Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Davis, M.: "I believe that when you're stopped by the police for any offense, they are not the judge and the jury. They may be the group who brings a problem to someone's attention, but they do not decide on the spot, whether you are guilty or innocent and take your car for six hours or longer. It frightens me, Mr. 'Acevideo', that when we walk, when we

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walk a certain way, a police officer, who may not walk right himself, is gonna say, 'You can't pass this sobriety test.' There's something wrong with that. I have a foreign car, that I drive on very special occasions. And I really wouldn't want the police to touch my car. It would concern me that it would be placed, you say, in a police parking lot. Is that correct? If this is placed in a police parking lot, why should I have to... "

Speaker Hartke: "Bring your remarks to a close."

Davis, M.: "Representative... Mr. Chairman... Mr. Speaker, thank you very much. Representative 'Acevedo', I think this is a very bad Bill."

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

Acevedo: "Mr. Speaker, I ask a favor for the rest of the House. For those of you who does have speech impairments, please just call me Eddie."

Speaker Hartke: "Representative Turner."

Turner, J.: "I'm not getting' in the middle of that. Thank you, Mr. Speaker."

Speaker Hartke: "The Sponsor will yield."

Turner, J.: "No, I'm not going to ask any questions. In fact, I have to... "

Speaker Hartke: "To the Bill."

Turner, J.: "Have to say that I thought Representative Cross has several very, very good questions, questions that I wanted to hear answers to. But I don't believe that they were adequately answered. And that gives me concern, cause I have grave concerns about this Bill. I agree with what Representative Monique Davis just pointed out, and I agree for several reasons. No, it's not the first time I've

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agreed with her. I agreed with her yesterday when she was addressing Representative Hoffman. I also agreed with what Representative Hoffman said previously about the subjective nature of this type of test. Now, for those of you that don't know, and I think that probably it's pretty clear, the breath test, the intoxilyzer test is an objective test. It's a scientific test. It's a test of a machine. And what it says is if since we have passed a law in the State of Illinois, if you blow a .08 or more then you're guilty of driving 'under the influence'. And actually, that's rather technical because 'under the influence' is a bit different than the .08. What we have in the State of Illinois right now is, that you're guilty if you're .08 whether or not you're 'under the influence' and you're also guilty of 'under the influence', because of the presumption of the .08, if a jury so finds. But, the difference is for this particular test, the field sobriety test, as Representative Hoffman pointed out, it is entirely subjective. It's the subjectivity of the police officer, determining whether you touch the tip of your nose, or just below your nose, or how straight you walk that particular line. And what we're doing here is making it so that a person who fails to go along with the subjective test, will face the loss of his or her driving privileges. It goes a little bit further than this, and again this is a spin-off of what Representative Davis has just indicated. Before you can ask someone to take the breath test, that person has to be placed under arrest. That means that 'probable cause' has already been established. And this is a key for this particular field sobriety test. What the police officer is doing, is forcing you to cooperate, to establish 'probable cause' and that is a gigantic difference, a

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gigantic difference. We do not have a police state in the State of Illinois. Now we're gonna be stopping people, I guess, for negligently failing to put on their seat belts, based upon what passed out of here yesterday, or if you've got your light out on your license plate. And police officers can, essentially, stop you as you know, if they want to. Well, now if we pass this, they're gonna ask you to take a field sobriety test, and essentially force you, force you to help them establish 'probable cause' to put you under arrest. And that is a gigantic difference than asking someone to take the breath test after 'probable cause' has been established, and after a person has been placed under arrest. For the reasons stated by Representative Cross, Representative Hoffman, Representative Davis, and many others who have spoken on this issue, let me suggest to you that this is a very bad Bill. It should be voted 'no' upon. And I hope that you will listen to the 'probable cause' argument and take it very seriously. I believe it's a bad Bill. I ask for you to vote 'no'. Thank you."

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

Novak: "Thank you, Mr. Speaker. I'll just take a minute. I just want to congratulate Representative Turner for those eloquent words he used in his argument, because he is correct, right to the point. You know, the last time I looked at the Blue Book, we have a Constitution in this state, and we have a... still have a Constitution in this country. And Ladies and Gentlemen, this Bill definitively violates the Constitution of the State of Illinois, and the United States of America. The 'probable cause' argument is the key element in this Bill. So please, think about this

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very, very carefully. This Bill should be defeated. Thank you."

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

Dart: "Thank you, Mr. Speaker, Members of the House. I appreciate some of the comments of my colleagues here, but I couldn't more readily disagree with them. There is 'probable cause' involved in stops right now. The problem lies in the fact that we have individuals, lawyers, okay, who send out business cards to their clients who have been pulled over and arrested and convicted for DUIs already, puts on the business card, something to hand to the police officer saying, 'I'm not gonna comply with any of the tests.' So what ends up happening now, the police will pull somebody over for swerving in a lane, suspecting he might be drunk, the guy flips the card out the window, saying, 'I'm not gonna comply with any tests.' The police officer then is left with the decision whether or not to make an arrest or not. In that situation, if you do make the arrest, you're gonna have no case and a drunk has gotten off. This is simply meant to allow the police officers to have the tool, which they already do. They already ask people to comply with field tests. They already do that based on suspicion. They do that right now. But we have people who have been through the system already, who are abusing the system by saying, 'You know what? I know the best way to get out of a DUI. And the best way to get out of a DUI is to do nothing, to do nothing to assist the police officer.' We already require people, it's a privilege to drive on the streets of Illinois. They are already required to do certain things. We're just asking that this be added to this. This is not

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an unconstitutional Bill. This is not a stretch. This does not go as far as people want it to believe it does. The police officers right now, have a great deal of discretion out there, because by and large, most of the police are very good and they're trying very hard to uphold the laws of this state. This is purely a mechanism to try to go after repeat drunk drivers who know the system, they know how to abuse the system. And the best way is to just say 'no.' They say, 'no' to the police officer, and then you know what we have, we have another drunk who is back in his car, and back driving, and you know what he beat the system again. The message is loud and clear, that the best way to beat it is to just say 'no'. This is not 'big brother' kicking in the door, dragging people out of their cars, as some people might want to portray it. It's the police officers, the very same ones we have on the street right now, who are upholding the laws, who are gonna try to have a tool available to them to get people to comply with the law. This is a good Bill. The Sponsor has worked hard on it, and I'd appreciate that you support the Sponsor's Bill and give it a 'yes' vote."

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

Black: "Thank you, very much, Mr. Speaker, and Ladies and Gentlemen of the House. I did not intend to speak on this Bill, but the last Gentleman, unfortunately, raised my blood pressure just a few points. If you listened to his argument, as reasoned as it is, or was... "

Speaker Hartke: "Excuse me, Representative Black. For what reason does Representative Acevedo seek recognition?"

Acevedo: "Mr. Speaker, pull the Bill from the record, please."

Speaker Hartke: "Out of the record. On page 22 on the Calendar

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appears House Bill 2605. Representative Winters. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2605, a Bill for an Act to create the Illinois River Friendly Farmer Program Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Winters."

Winters: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House I hope this a rather less controversial Bill than the last one. Basically, it will set a program up similar to what the state of Minnesota does for farmers who are doing a good job of controlling erosion, applying their fertilizer and chemicals in a responsible manner and allow them to proclaim through a plaque that they are river... rivers friendly farmers. Very similar to the Illinois Century Farm Program that has been in existence for many years."

Speaker Hartke: "Any discussion? The Chair recognizes the Gentleman from JoDaviess, Representative Lawfer."

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

Speaker Hartke: "He indicates he will."

Lawfer: "Representative Winters, we've talked about this Bill and so on. I would like to kind of clear up some things if you would bear with me. The informa... a farmer would apply for this designation, is that correct?"

Winters: "Yes, it would be an application either to the Department of Agriculture or an agency that is designated by rules. Typically, it would be a soil and water conservation district or the local NRCS office."

Lawfer: "So the procedure would be set up by rules and regulations from what agency?"

Winters: "Correct. The Department of Agriculture is in charge of it."

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Lawfer: "Do you see that... would this be public information or would this be confidential information, in regards to the application?"

Winters: "I believe it would be public information through the Freedom of Information Act. Just as the erosion studies that are done today that the soil and water districts collect is public information."

Lawfer: "If I had a farm that was designated as river friendly and had, what... I'll get a plaque, will I that I can put up at that doors... my doorway or... "

Winters: "That is what Minnesota has done to try to spread the word that there are many farmers out there that are environmentally are taking care of their ground, are trying to leave the rivers of our state in better condition than when they started their farming careers. And this is simply a publicity and trying to show that farmers are doing the best they can."

Lawfer: "If I had this plaque then, does that make me immune from EPA coming on and prosecuting me for any... what they might perceive to be a violation?"

Winters: "I think some people would like that to be the case, but that is... there is no immunity in the Bill."

Lawfer: "There is no immunity in the Bill. Is that what you said?"

Winters: "Yes, that's correct."

Lawfer: "Would there be... okay, do you see any advantage for me being designated or a farm... a farmer being designated in this way?"

Winters: "Well there's really two different advantages. One is the farmer himself is asking himself some questions as he fills out this relatively simple application. He is asking himself, 'Am I doing everything that I can to make sure



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that I don't have an impact on the environment?' And the other advantage is to agriculture as a whole, and to our state in saying that we are honoring. And by designating these farmers as environmentally sensitive and environmentally friendly, that we are, in fact, saying that that industry is trying to do the best that it can to insure that Illinois agriculture is strong in the future."

Lawfer: "A couple more questions in that regard. The earlier Bill had something to do with profitability, that there had to be some profitability. Has that been taken out by the Amendment?"

Winters: "That's been taken out. We felt it was very difficult to determine whether or not a farm was as profitable as its neighbors'. So, that was simply removed."

Lawfer: "I see on the original Bill, that's still used in a paragraph earlier on. You might consider that when that goes over to the Senate. Is there any opposition to this Bill?"

Winters: "I'm not, well the Illinois Pork Producers took opposition to the original Bill. I think we've met most of their objections. The Farm Bureau to my knowledge has not taken a position. The Department of Agriculture is neutral. But yesterday the Director, Joe Hampton, said that he's looking forward to seeing this over in the Senate and would like to see the program take place."

Lawfer: "I think this is a very interesting concept. A lot on how this plays out will be how the rules and regulations are put together by the department. And I would hope that you would continue on this and keep close track as those rules and regulations are developed. Thank you very much for those questions. I think this is a good concept, Mr. Chairman. To the Bill. I plan on voting 'yes'."

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Speaker Hartke: "Further discussion? Does anyone stand in opposition? The Gentleman... Seeing no one is seeking opposition to the Bill, the Gentleman asks for the passage of House Bill 2605. 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 2605, there are 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 31 of the Calendar appears House Bill 992. Representative Sharp. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 992, a Bill for an Act amending the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Hartke: "Representative Sharp."

Sharp: "Thank you, Mr. Speaker. Ladies and Gentlemen. This Amendment will create a motor voter type opportunity for ex-convicts when they regain the right to vote under the existing law that the department of corrections will comply with using either a deputy register or a mail-in voter registration form. I would like your... an 'aye' vote on this."

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

Johnson, Tim: "Honestly, it's not... not Representative Sharp's fault, but I didn't understand a word she said because of the din in the chamber."

Speaker Hartke: "Yes. I agree. SHHHH. Ladies and Gentlemen we're trying to get finished with a lot of Bills this afternoon and to avoid what just happened, let's tone it down just a little bit and use our inside voices and pay

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attention. Okay? Representative Sharp, would you repeat for Representative Johnson?"

Sharp: "Yes, I will. Representative Johnson, what this Bill does is that after an ex-con is released from prison, this would give him an opportunity if he would like to register to vote there at the correction or either by... their correction giving him a mail-in voter's registration form at that time."

Speaker Hartke: "Representative Johnson. Representative Durkin, do you have questions?"

Durkin: "Sure. Now, where'd this idea come from? The Department of Corrections or is this... "

Sharp: "No, Representative. In my community I am a committee woman and a lot of times we go out to get try to get people to vote, register to vote. And a lot of ex-convicts don't even know in the State of Illinois that they... after they are released as felons that they have the opportunity to vote."

Durkin: "All right. Well, if you are going to register to vote in the State of Illinois, you have to list an address."

Sharp: "Yes, you do."

Durkin: "All right. And a number of people who walk out of the Department of Corrections do not have a address in which... a permanent address in which they would be able to register to. How'd you intend to solve that dilemma?"

Sharp: "They have to have an address of where to be paroled to. And this just gives them an opportunity, if they have an address to be able and the opportunity to be able to vote. A lot of the ex-convicts when they come out they also need a means of identification. This would also, if they have the proper things that they need to register, either to be given in... this mail in. They will give them an

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opportunity to also have a form of identification."

Durkin: "I think the law states that you have to prove they are residents of a precinct for 30 days prior to registration... prior to an election."

Sharp: "Yes. It does, but this just gives the ones that are able to do this, once again, if you are able to do this, it gives them the opportunity as ex-cons, as citizens, as people coming back into the society, to know their opportunity and their right to vote."

Durkin: "So, you're saying at every facility in the State of Illinois there's going to be right by the exit sign there's gonna be a booth that's going to have a deputy registrar, a Department of Corrections fella putting a different hat on saying, 'Register to vote.' Is that what's gonna happen?"

Sharp: "I really don't know how the corrections will do it. I know it'll be on the time that they are departing because they have to be released. If they're just gonna hand them the mail-in form or how they're gonna do it, that's at their own discretion."

Durkin: "Well, thank you and I think you just answered my question and a lot of us over here, I think, as you said, that you're not quite sure how the Department of Corrections is gonna administer this. And I don't think anybody over here has any idea how this will be administered. I think if an inmate chooses at some point in his life he wants to get involved in the political process, that's his ability, but I think this is a mandate on the Department of Corrections. By the fact that we don't know what... how they're gonna administer it is quite clear that DOC has not had any input on this Bill. This is a tremendous mandate on them. We have prisoners who are coming in and out of the system by hundreds in a day and I

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don't believe that this is a well-thought-out Bill. And I would strongly encourage a 'no' vote."

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

Pugh: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This particular piece of legislation is a very important piece of legislation, particularly in the African-American Community, because as many of us know 50% of the men in the African-American Community are ex-offenders. Therefore, if the Department of Corrections were able to afford them the opportunity to register to vote, there would be more representation. You would have more eloquent, dynamic, elected officials possibly in the House of Representatives like the one that is speaking to you at this present time. If the Department of Corrections is burdened by dismissal requirements, let's take into account the fact that once an individual is released from prison, the only thing that he receives from the Department of Corrections is a bus ticket and a set of clothes. Therefore, we're only asking the Department of Corrections, who has said they are neutral on this piece of legislation, that they have no problems with this piece of legislation, that they see no problem with giving an individual a mere affidavit once they are released, along with the other forms that they might receive. In response to a previous question that was asked, each individual, each individual that is released from the Department of Corrections has to have, has to have an address by which he would be paroled to. That is state law. Secondly, the same rights that we're talking about affording these individuals has been afforded to individuals who are homeless. Individuals that are homeless can register to vote at a shelter by which

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they are going to be living in. According to the Constitution, once an individual has served his time and has been released from prison, it is not only the opportunity of the state, but I think it's more the mandate of the state to restore this individual full rights as a human being into this society with full voting privileges. And I humbly request an 'aye' vote."

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

Johnson, Tim: "Thank you, Mr. Speaker."

Speaker Hartke: "Did you not speak already in debate?"

Johnson, Tim: "Well, if I did I guess I can't again. I didn't think I did. Well, okay."

Speaker Hartke: "The Chair recognizes the Gentleman from Madison, Representative Stephens."

Stephens: "For what purpose?"

Speaker Hartke: "I don't know, you seem to be seeking recognition."

Stephens: "I was dancing. Well, while I've got my light on, you know I just don't know that there's a hue and cry among the citizens of Illinois to literally stand at the gates of the prisons and register to vote prisoners as they... as they are relieved of their obligation to serve behind the walls. I don't know, it's late in the day. I don't mean to be disrespectful, but I just can't think of a worse public policy then to pass this legislation. I regrettably stand in opposition."

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

Morrow: "Thank you. I rise in very strong support of House Bill 999. And those of you who argue... 992 rather, it has been a long, long week and a long day. Those of you that argue

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against this Bill need to reconsider or need to consider this fact. When a person has been found guilty of a crime and is sentenced to jail, he's a convict. He's a criminal. But what we fail to forget or fail to realize as Members of this Body; when a person serves his time, he serves his time. No one after serving his time and being released from prison should still have that tag of a criminal on them. He may be an ex-criminal, but being an ex-criminal does not make you unable to be a productive citizen. And the purpose of incarcerating criminals, as I've been told by many of the so called 'law and order Members of this General Assembly', is to punish people and make them turn their lives back into productive citizens. A productive citizen is a citizen that votes. An unproductive citizen, whether they be a criminal or not, is a citizen that does not vote. So as far as I'm concerned, a criminal, an ex-criminal who wants to change his life around and become a part of this society is more valuable to the society with their vote than a person who does not have a criminal record and does not vote. We have almost 60% of our citizens, the so-called citizens who are productive citizens, do not vote, do not exercise their God-given right that many have died for. I feel that we should not target or label anyone who wants to exercise the right of a productive citizen. House Bill 992 should get 118 green votes. A hundred and eighteen green votes because they've served their time. They're not criminals anymore. They've served their time. And as Representative Pugh said earlier, when someone mentioned that they do not have an address. We make special provisions for the homeless on that... on this issue. We can make those same provisions for criminals that have served their time, who are now

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released, who are now regular citizens of the society until they break another... break another law, they are... should be considered just as equal as any other citizen within this State of Illinois, deserving of the same rights and the same privileges. I urge green votes on House Bill 992."

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

Lang: "Thank you, Mr. Speaker. I rise in support of this Bill. Someone on the other side of the aisle said he couldn't imagine a worse public policy. I don't know what he could possibly be thinking. These are people who have served their time. They're going back into society. We want them to be productive citizens. We want them to be like everyone else. We want them to join the mainstream of society. So, what's the first thing we say to them, according to this Gentleman? He says, 'Well don't let them vote.' Perhaps, if we allowed people with those kinds of life's experiences to vote, we would elect a lot of people who addressed the problems that caused those situations in the first place. We need to allow people to go to work. We need to allow people to be citizens and join the mainstream of society when they leave prison. And why not make it easy for them to vote? Why not give them the opportunity to come and be among the rest of us and do what our neighbors do, which is vote to elect us or our opponents or other people to public office. I think it's a good idea. I think Representative Sharp is right on track and you ought to be voting for this Bill."

Speaker Hartke: "Further discussion? For what reason does the Gentleman from Cook, Representative Pugh, seek recognition? You have spoken in debate."



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Pugh: "My name was mentioned in debate, Sir, and I just wanted to read what the Constitution by which we develop all of our laws are based on. Some people say that we don't have, or we don't need the right to vote. Well, our forefathers fought and died to give us the right to vote and I... "

Speaker Hartke: "Excuse me. For what reason does Mr. Johnson seek recognition?"

Johnson, Tim: "Mr. Speaker. All I did, initially, was to ask Representative Sharp to speak up, and I guess the... Speaker correctly ruled that that was speaking in debate and he wouldn't allow me and I think correctly so, to speak again. I don't know how this is any different. Gee whiz. You know, if it's good for the goose, it's good for the gander. He's spoken once, he doesn't need to speak again. I didn't even speak initially and I did give up my second time."

Speaker Hartke: "Okay. Representative Pugh, make it brief."

Pugh: "Thank you. Mr. Johnson, you did not mention my name. Sir. Now."

Speaker Hartke: "Continue Mr. Pugh."

Pugh: "We make... we spend a lot of time debating a lot of issues like, like hog farms and... and... and... and... and fowl and those kind of things. But when it comes to issues that affect the African-American community, it's funny. It's a joke. And we're saying that we're entitled to the same rights that you're entitled to in the State of Illinois. The Constitution of the State of Illinois entitles an individual to the right to vote once he is released from prison. We are mandated as elected officials to make our community, our constituents, aware of their rights according to this Constitution of Illinois. Now, I know that many of you all, who say that don't let them vote,

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probably are some of the same people who said that they never deserved the right to vote. And I am sure that you probably would like to see most of them remain in prison. But the reality of the situation is that once an individual has corrected his life style and is released from prison, he deserves the right to vote. The Constitution states that no person shall, who has been legally convicted in another state or... or in federal court may... may vote, but once an individual is released from confinement, he is entitled to vote. I submit to you that this is a Constitutional right and if we are in the business of taking away rights from individuals, then we are in the wrong business in this House of Representatives. Thank you."

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

Gash: "Thank you, Mr. Speaker, that's Lake, but that's okay. My comments have actually already been made, but I just want to say that if we're concerned about preventing crime, then we vote 'yes' for this legislation. This Bill promotes good citizenship. If we want our prisoners to become productive nonrepeat offenders citizens upon their release, this is a great step in that direction. Thank you."

Speaker Hartke: "The Chair recognizes the Gentleman from Champaign, Mr. Johnson."

Johnson, Tim: "Point of personal privilege... "

Speaker Hartke: "State your point."

Johnson, Tim: "... since Representative Pugh mentioned my name in debate."

Speaker Hartke: "Yes. Proceed."

Johnson, Tim: "Representative Pugh, you and I are good friends. We agree on a number of issues, but the issue has been

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totally misstated on this floor. The question isn't the right of a convicted individual to vote. I agree with you. The individual ought to have the right to vote. No one is suggesting, on this chamber... in this chamber, at least I'm not, I don't think any of the other opponents are, that individuals who have paid their debt to society shouldn't have a right to vote. They should. There's no question about that. But there's a dramatic qualitative difference between giving a person the right to vote versus not only facilitating it, but having it there immediately upon release. When somebody gets their driver's license, they have a right to go in under the Motor Voter Act and register to vote. But we don't have something that provides that every time somebody renews their license there's a form right there that says, 'here, sign up to vote.' We don't have something that provides when you get your hairdressers license or your license to practice medicine, or law, or dentistry, or whatever it is, that along with that comes a... comes a form or a solicitation that provides you the ability to register right there or that when you file your tax returns or get your estimates from the Department of Revenue, that along with that a deputy registrar has to call you and provide you the opportunity to vote. That isn't the... that isn't the question here. No one questions that. And I would think it's insulting to me and other Members in this chamber to suggest that we want to keep people in the penitentiary. We don't want to do that. We want to provide an environment, both from a law enforcement and a social standpoint where people don't commit crimes to get in and when they pay their debt to society they ought to be released and have full rights of citizenship. And they do.

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They have the right to go to a deputy registrar. They have a right to go to the county clerk's office, to the Secretary of State's office, to a Public Aid office, everywhere else to vote and to afford themselves of that opportunity. So no one is denying an individual that opportunity and I think Representative Lang and Gash and others are correct, in saying that we should certainly engender the opportunity for people to get themselves back into the mainstream. But there's a gigantic difference between saying, 'Let's afford people the opportunity' versus saying 'as soon as you get out of prison, here, here's a registration voter form. Sign up.' Notwithstanding all the real problems of it. So, I agree. I agree that we ought to do what's necessary to encourage not only people who are from... who are... who are convicted of crimes, who are being released, but everybody in society. We have a very poor participation in our democracy in terms of voting, registering, and otherwise, and I think we ought to encourage that, encourage registration, encourage voter participation. But there is a difference between what this Bill is trying to do versus simply affording people the opportunity. Motor Voter went a long, long ways, in fact, beyond what some people wanted it to do, in terms of providing that opportunity. But this would single out this special category of convicted felons for... for providing them a special ability and an elevated ability to get registered to vote. They want to get registered to vote, they can do it. And I hope they do. And I hope they participate. And I hope they get back in the mainstream. I think we ought to do what we can that's necessary to... to... to do that. But there's a big difference and this is not good public policy."

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

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

Speaker Hartke: "She indicates she will."

Bost: "Earlier in debate you mentioned the fact that you were a precinct capt... precinct committee person, is that correct, that's when you noticed this problem?"

Sharp: "I didn't hear you."

Bost: "That was not it. You said while working your precincts or working your area, early on, very early on in the debate, I thought that was mentioned."

Sharp: "No. I said I was a committee woman."

Bost: "You're a committee woman. All right, as a committee woman, do you know who your registrar at large is?"

Sharp: "Yes, I do."

Bost: "Then, isn't it your responsibility to contact that person and make sure that those people are registered from that aspect?"

Sharp: "And that's why I'm doing this Bill. That's exactly why I'm doing this Bill. It's to... it's to let people know, the ones that are ex-convicts that are coming out, that they have the same opportunity that you and I or anyone else has. We are... we have this at different places, we have it at the library, you have it at... when you have a... a... a... a... I can't even think, you have it at a lot of large places, excuse me, I'm tired too... You have it at a lot of large places and whatever place would not be large than a place that incarcerates prisoners and I... and their time coming out, to give them the chance to have the opportunity to register to vote. I'm not saying they have to register. I'm just saying this is another avenue. Just like we have service a lot of other different places to

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register to vote. Now, this is just another avenue to help those individuals, to give them the opportunity, to give them some identification, to bring them back into society, so that they can do what they need to do to become the person that they need to be in this society. This is not making anyone vote. This is just giving them the opportunity. And me as a committee woman, that's the things that I have to look for. It's the best interest for the citizens so they know the direction and the right way in which... so they know their rights as a citizen to vote."

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

Speaker Hartke: "To the Bill."

Bost: "Many people have already spoken and I wanted to be very clear that the people just if we vote 'no' on this, does not mean we don't want people registered to vote. We want to encourage people to vote. We have the opportunities to register. Everyone has an equal opportunity to register. And we want to encourage that. I think that maybe instead of offering all the opportunities to register, besides that, we ought to do things to encourage people to vote. Because our problem is not getting people registered. It's actually getting rid of the apathy and getting people out so they will come and vote. Now, if we want to encourage these people, that's fine, but to offer them a special opportunity that is taking more tax dollars, is taking more of the time of our correctional officers and those people that operate the Department of Corrections to have to offer this when it comes at... when they're doing all the other paperwork and the things that need to be processed as these people are released from our Department of Corrections, it's not necessary. I ask for a 'no' vote. And, I just

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encourage everybody to vote 'no' on this."

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

Black: "Mr. Speaker."

Speaker Hartke: "Yes, Sir?"

Black: "I move the previous question."

Speaker Hartke: "The previous question has been called for. All those in favor signify by saying aye'; opposed 'no'. The previous question is put. Representative Sharp to close."

Sharp: "At this time, I would like to thank you all for your... your words of encouragement and everything else. And I'd like you to remember that this week sometime, we passed the Bill 1682. I thank Representative Winkel for the Motor Voter and this is just to extend and to enhance that program. And this is an opportunity to let people know. You know people perish for the lack of knowledge. And when you're incarcerated, you don't get some of the knowledge that you need. This is just an opportunity to bring people who have been incarcerated and to give them knowledge. I hope you'll join me in extending the opportunity to a class of citizens who need to be told that they can be equals under the law and that they can behave like regular citizens. They don't have to be criminals and we don't have to treat them like criminals. And I ask you all for a favorable vote and have a wonderful Easter."

Speaker Hartke: "The Lady's asked for the passage of House Bill 992. All those in favor will vote 'yes'; 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 992, there are 53 Members voting 'yes'; 58 Members voting 'no', and 1 Member voting 'present'. And the Lady requests

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Postponed Consideration. Inquiry of the Chair."

Black: "Postponed to when, Mr. Speaker?"

Speaker Hartke: "Good question."

Black: "Is this not Third Reading deadline day?"

Speaker Hartke: "Yes it is."

Black: "Could we not, you know, our good friends in the House of Lords, are any of us... and I have Bills that aren't gonna get called today. And I've lost the only Bill I cared about.\*\*\*\*\* House of Lords is going to let anything that we do today out of Rules? I mean, come on folks, we've been here long enough. Let's tell the freshmen the 'facts of life'. Let's go home."

Speaker Hartke: "Representative Erwin for an announcement."

Erwin: "Well, before you go home, I would like to make an announcement and encourage all of my colleagues to join me in supporting two events for the Penny Severns Scholarship at Southern Illinois University. For those of you that will be in the Chicago area on Monday, April 12, there is a fund raiser. I have some of those invitations here, at Sorisso's Restaurant and on April 20 in Springfield, there will also be an event at the State Library. This will fund a full scholarship, an annual scholarship for... at SIU for a political science major, a young woman who wants to serve in public service. So I would appreciate your support and I have some of the invitations here. Thank you."

Speaker Hartke: "Thank you. We're not near ready to adjourn. Representative Morrow for an announcement."

Morrow: "Yes, thank you Mr. Speaker, Ladies and Gentlemen of the House. I just want to remind some of the Members, this coming Monday, on March 29, Representative Jay Hoffman, who's the Chairman of Transportation and myself, I'm the



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Chairman of Appropriation on Public Safety, we will be holding a hearing, a joint hearing, March 29 at 9:00 a. m. at the Peoria, Peoria, Illinois, IDOT... IDOT District 4 office, Becker Building, 400 Main Street on the sixth floor. So if any Members would like to attend that hearing, Monday, March 29, at 9:00 a. m., Peoria, Illinois. On Tuesday, March 20, we'll have two hearings that day, 9:00 a. m. at Chicago Heights, Prairie State College Auditorium, that's at 9:00 a. m. and at 1:00 p. m. we'll be in Joliet at Local 150 of the Operating Engineers, located at 1050 North I-55, each (sic-East) Frontage Road. If any Members would like to make sure that they would like to attend that hearing or get some of their citizens from their district here, we're going to discuss on those two... at these hearings road conditions, and mass transit conditions within the State of Illinois. Thank you, Mr. Speaker."

Speaker Hartke: "Representative Lyons for an announcement."

Lyons, J.: "Thank you Speaker, Ladies and Gentlemen of the House. As long as we're doing announcements on committee hearings, we're gonna have a committee hearing on Monday, the 29th, this Monday at the Thompson Center, downtown Chicago, on the subject of child support enforcement. Several elected officials from Chicago, from Cook County will be giving oral testimony. Anybody who would like to stop in the 16th floor of the Thompson Center at 10:00 on Monday. Thank you."

Speaker Hartke: "Ladies and Gentlemen with regards to the Agreed List #5, the Clerk has certified that all Bills have received a sufficient number of votes and therefore the Bills contained on Agreed Bills List #5 have received the required number of Constitutional Majority and are hereby

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declared passed. On page 23 of the Calendar... 28 of the Calendar appears House Bill 2760. Representative Ronen. Representative Klingler to handle the Bill. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2760, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Klingler, has been approved for consideration."

Speaker Hartke: "Representative Klingler."

Klingler: "Thank you very much. Representative Ronen has asked that I carry this Bill for her today in her absence. House Bill 2760 amends the Public Aid Code to exempt from enrollment in Medicaid HMO any juvenile who is a ward of the court and has been mandated by the juvenile court to a residential substance abuse treatment facility. Originally, this Bill would have also exempted the juvenile from the 'financial eligibility test' of the Department of Public Aid. This Floor Amendment #1 removes this blanket exemption and inserts a provision that the juvenile must either... must meet either the Medicaid or Kid Care financial eligibility level. The Department of Public Aid has removed its opposition to this legislation with this Amendment. The Bill is supported... and the Amendment is supported by juvenile judges and probation departments throughout the state. The Gateway Foundation and the unanimous support of the Children and Youth Committee. I ask your favorable support for this Amendment."

Speaker Hartke: "Is there any discussion on the Floor Amendment #1? Seeing that no one is seeking recognition, the question, 'Shall the Floor adopt... House adopt Floor Amendment #1 to House Bill 2760?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of

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the Chair, the 'ayes' have it. And Floor Amendment #1 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

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

Clerk Bolin: "House Bill 2760. A Bill for an Act to amend the Public Aid Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Klingler."

Klingler: "Thank you, Mr. Speaker. House Bill 2760, as amended, amends the Public Aid Code to exempt from enrollment in Medicaid HMO any juvenile who is a ward of the court and has been mandated by the Juvenile Court to a residential substance abuse treatment facility. The concern and the reason why the Juvenile Judges and Probation Departments and those involved in alcohol and substance abuse were concerned is that if there would be limitations on the length of treatment, that the necessary treatment for those youths with problems of alcohol and drug abuse would not be met. And it was felt that the best way to address the problems was to keep the treatment as it is now being given by the foundations."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is 'Shall the House pass House Bill 2760?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2760, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill having received the Constitutional Majority is hereby declared passed. On page 6 of the Calendar appears House Bill 487. Representative Howard. Constance Howard. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 487, a Bill for an Act concerning electronic computing devices and the year 2000 date change. Third Reading of this House Bill."

Speaker Hartke: "Representative Howard."

Howard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I bring for your consideration House Bill 487. This Bill creates the year 2000 Citizen's Protection Act. It would limit citizen's liability against adverse financial ramifications resulting from electronic computing device failures associated with the year 2000 date change. Early on, there were a number of parties in opposition. But we think that House Amendment #2 has now dealt with all of the objections... that this House Amendment does the following: it includes small businesses, excludes transactions that are governed by Federal Law, changes the period during which a creditor is suspended from enforcing an underlying obligation or imposing a late charge to approximately 90 days. Provides parties protection by the Act with an affirmative defense to any attempt to collect a covered underlying obligation or late charge during the suspension period. Provides persons with the ability to have a credit reporting agency that operates in Illinois to include a 100 word explanatory statement prepared by the consumer relating to the negative item in his or her credit reporting... credit report that is, resulting from a third party's Y2K disruption. This applies only to claims or charges accruing on or after January 1, 2000. As well, this Bill would define... this Amendment defines small business and individual. I'm very happy to also let you know that Representative Dale Righter, the spokesperson for our committee is a cosponsor on this. I'll answer any questions."

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Speaker Hartke: "Is there any discussion? This Bill is on Short Debate. Mr. Cross, do you stand in opposition to this Bill?"

Cross: "I think... yeah... I think so, Mr. Speaker."

Speaker Hartke: "Proceed."

Cross: "Will the Sponsor yield?"

Speaker Hartke: "She indicates she will."

Cross: "What's the effective date of this Representative?"

Howard: "The effective date would be immediately. The sunset date would be January 1, 2007."

Cross: "Representative, I know, does Amendment #2 become the Bill?"

Howard: "That is correct."

Cross: "All right. We've been told over here that there's no longer any opposition to this Bill. Is that correct?"

Howard: "It is my understanding that either that is the case or there is very little opposition and those who oppose have not yet brought that to my attention."

Cross: "Can you give us the scenario or explain to us what the Bill does in the event someone fails to pay... make their mortgage payment next year in a timely manner?"

Howard: "If that is done... if that is the case and that is the fault of a third party, then that person has protections by this particular Act. And that, of course, only extends until April 1 of next year."

Cross: "Do we put on your Bill any burden on the mortgage company to determine why that payment was not received in a timely manner before they begin a law suit?"

Howard: "Representative Cross, the consumer has a responsibility and a burden to notify the creditor of the belief that there is a problem due to Y2K glitch."

Cross: "Where... where in your Bill does it outline the

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responsibility of the consumer?"

Howard: "Section 3."

Cross: "All right, is that in Section 3(a)? How is the... "

Howard: "Yes, a and b."

Cross: "What's the mechanism or the type of notice that needs to be provided?"

Howard: "One would have to have notified within 21 days of finding out about the problem."

Cross: "Would it... do you have any provisions in this Bill that would take care of those situations where someone inappropriately or in a fraudulent manner notified a mortgage company, for instance, would in fact... that the Y2K problem was not the reason?"

Howard: "We have not spoken to that in this particular piece of legislation. We leave that to other laws."

Cross: "Does the notification bar the mortgage company or any creditor from filing a law suit upon receipt of that notification?"

Howard: "It does not preclude that, but it gives the... the consumer protection until April 1 of next year."

Cross: "Are you saying a mortgage company is prohibited from filing a law suit prior to April 1, if they receive a notice?"

Howard: "This... this Act would give the protection until April 1 of next year to that consumer."

Cross: "Well... I... so... a bank cannot file a mortgage foreclosure 'til April 1 of next year?"

Howard: "Would you repeat that please?"

Cross: "A bank cannot file a mortgage foreclosure action 'til April 1 of next year if they receive a notice?"

Howard: "Yes. We feel that is adequate time for the consumer to have made the determination and to wait until the problem

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has been sufficiently repaired or addressed."

Cross: "So, I could go January, February, and March and not make a mortgage payment errorly and claim it was a Y2K problem and not until April could I begin a mortgage foreclosure action as the bank. That's... is that accurate?"

Howard: "Representative, the burden of proof, or the burden of... the consumer has a responsibility to demonstrate that there is, in fact, a problem. And they have until April 1 of the... of the... of the... of next year to accomplish that."

Cross: "So, the answer is 'yes'. I cannot, as a mortgage company or a credit union or Com-Ed or Illinois Power, cannot file any action against a consumer until April 1?"

Howard: "That... that is certainly the case and that is the case if, in fact, it is due to a third party's Y2K computer problem."

Speaker Hartke: "Mr. Cross, bring your remarks to a close."

Cross: "Well. Representative, do you have a definition of a Y2K problem by a third party? I mean... it sure seems like... and I understand what we're trying to do here. We talked about this in committee. But it sure seems like there's the potential to manipulate this Y2K problem as a consumer who doesn't pay his or her bill on time. I may not make my mortgage payments in November and December and then just realize that I've got three more months to play the system, if you will, and claim there's a Y2K problem. What's the... what's de... what's defined as a Y2K problem?"

Howard: "Representative Cross, it is due to the improper or incorrect transmission of data or resulting from the inability of a financial transaction to occur in a timely manner as a result of a failure of an electronic computing device. In the possession or control of a person or entity

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other than the individual or small business owing on the obligation to accurately compute, recognize or timely process the Year 2000 date change."

Cross: "What's a small... What's your definition of a small business in the..."

Speaker Hartke: "Representative Cross."

Howard: "Section 10(2) indicates that small business means a corporation or a concern, including its affiliates, that is independently owned and operated, not dominate in its field and employs fewer than 50 full-time employees or has gross annual sales of less than \$4,000,000. I'm told that's taken out of the existing Administrator... Administrative Procedure Act."

Cross: "So Representative, there are two people in a family, they have a mortgage payment. One of the individuals receives their paycheck in a timely manner, but the other one's is a slowed down a bit because of a... well, assume your Y2K definition problem is adequate, does that give someone the relief they need to... or the ability to pro... "

Speaker Hartke: "Mr. Cross, this Bill is on Short Debate. You have spoken in opposition for 8 minutes. To the Bill. Representative Cross."

Cross: "You know, Mr. Speaker, it's kind of difficult to utilize this time when it takes awhile to get answers. If you want to cut off debate, that's fine. This is a Bill, I think, that's gonna affect people adversely. But if that's the wish of the Chair, that's fine. Thank you very much."

Speaker Hartke: "Representative Howard to close."

Howard: "On the contrary, Representative Cross. I think this Bill is going to affect people in a positive manner. You, of course, know that there's much frustration among constituents, your constituents, mine, consumers, citizens



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of this state because they are afraid of what might happen as a result of the computer 2000 glitch. It is my intention to try to give them some kind of confidence in the... in business. Some kind of confidence in the society and in a system that they must address. So, it is not... this is not any kind of Bill that is... that is where we're trying to get around individuals assuming the responsibilities of their debts. It is something that I hope will give them the confidence so they will not run to the banks and take all of their money out. So, they will not feel the need to go and stock up on... on food items and... and will not feel the need to buy generators, that they'll use inappropriately. I think this is a good consumer Bill and I certainly urge all of my colleagues in this House to vote 'yes'. Thank you."

Speaker Hartke: "Mr. Franks, for what reason do you rise?"

Franks: "Mr. Speaker, I had filed a slip to be pulled off as a CoSponsor. I realize I have a potential conflict and as a result, I'll be voting 'present'."

Speaker Hartke: "Mr. Scully."

Scully: "Mr. Speaker, because of a potential conflict of interest, I'll be voting 'present'. I commend the Sponsor for her hard work in bringing together a good consortium of... on a very difficult issue."

Speaker Hartke: "The question is, 'Shall House Bill 4... Mr. Durkin, for what reason do you rise?'"

Durkin: "I was hoping to ask a question. But I know that... I thought we'd finish it up, but there are people who are speaking to the Bill. I'd like to perhaps maybe just address one specific area of this Bill."

Speaker Hartke: "She did close and Mr. Scully was wrong in his remarks. He should be admonished for that. Representative

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Osmond from Lake."

Osmond: "Due to a con... potential conflict of interest, I'll be voting 'present' as well."

Speaker Hartke: "The question is, 'Shall House Bill 487 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. The voting is open. Have all voted who wish? Please record yourselves. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 487, there are 81 Members voting 'yes', 28 Members voting 'no', and 4 Members voting 'present'. And this Bill having received the Constitutional Majority is hereby declared passed. On page 8 of the Calendar appears House Bill 661. Representative Saviano. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 661, a Bill for an Act amending the Metropolitan Water Reclamation District Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Earlier today we put an Amendment on here which made this a shell Bill. We're going to send it over to Senate and further negotiations. I would ask that we... we approve it and send it over to Senate. Thank you."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall House Bill 661 pass?' All those in favor signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 666 (sic-661), there are 59 Members voting 'yes', 52 Members voting 'no'. And the Gentleman asks for Postponed Consideration. On House Bill 28 of the Cal... on

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page 28 of the Calendar appears House Bill 2800. Representative Gash. Representative Gash in the chamber? Out of the record. On page 30 of the Calendar appears House Bill 820. Representative Schoenberg. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 820, a Bill for an Act amending the Mental Health and Developmental Disabilities Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 820 expands the definition of 'qualified examiner' to include clinical licensed professional counselors with certain academic qualifications and experience. It adds... a qualified examiner's a person who's authorized to determine as to one's mental capacity and fitness for institutionalization and release and the certificate of a qualified examiner is to qualify before anyone can be involuntarily committed to a state mental institution. We currently have... we currently allow others, such as social workers and... to have these powers. And it's only logical... it's only logical as we rely more upon community mental health centers that they have the necessary staff possible to serve as qualified examiners. I'd be happy to answer any questions anyone might have."

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

Wojcik: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker Hartke: "Do you stand in opposition of the Bill?"

Wojcik: "Opposition."

Speaker Hartke: "Opposition. This is on Short Debate."

Wojcik: "Representative, is the Medical Society still opposed to

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this?"

Schoenberg: "Representative, in committee, there was no opposition expressed, whatsoever. I don't know if they... no one registered in opposition and, as a matter of fact, I believe Representative Pankau consulted with... publicly with the Society. And they did not fill out a witness slip or express any opposition. If they've done so subsequently, I'm not aware of it."

Wojcik: "Well, according to my analysis, it says that they are against it. I was just wondering if you knew why. Mr. Speaker, I'm surrounded by the requisite numbers to take this off of Short Debate. Would you please take it off Short Debate?"

Speaker Hartke: "The Bill will be placed on Standard Debate."

Wojcik: "Thank you."

Schoenberg: "Representative Wojcik, the only other thing I can add to that is there have been prior versions of this Bill in previous years and they stood in opposition then. They did not submit any formal opposition this time. If there has been a change in that, then I'll accept that. If you're telling me that, I take your word at it."

Wojcik: "Okay, thank you."

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

Black: "Thank you very much, Mr. Speaker. If you'll bear with me for just a minute, we're going through our committee slips here, just a second."

Speaker Hartke: "The Sponsor will yield."

Black: "He will?"

Speaker Hartke: "Yes he will."

Black: "Thank you. Representative, do you feel that the education and training that a licensed clinical

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professional counselor receives is comprehensive enough to allow them to examine an individual for an involuntary admission to a mental health agency?"

Schoenberg: "Mr. Black, that very question was asked in committee and the correct answer, I believe... "

Black: "See, I wasn't there. What... what was the answer in committee?"

Schoenberg: "The answer in committee was that it takes more than one individual to sign off on the involuntary commitment of... of an individual to a facility."

Black: "You mean, it takes a... kinda like it takes a village to admit someone, is that... I read a book with that title, but I can remember the exact title."

Schoenberg: "That title's vaguely familiar."

Black: "Yes. That's coming back to me now. What is a... how are you defining a 'qualified examiner' under... under your legislation?"

Schoenberg: "Well, right now, psychiatrists, licensed clinical psychologists, licensed clinical social workers, and psychiatric nurses can serve as qualified examiners. On expanding the definition of qualified expenditures... qualified examiners, in House Bill 820 it's sets up... in Section 1-122(c) there are educational requirements of a master's or doctoral degree in counseling or psychology or similar master's or doctoral program from a regionally accredited institution. And there's an experience requirement as well, of at least 3 years supervised clinical professional counseling experience that al... that also includes mental health... provision for mental health services for evaluation, treatment, and prevention of mental and emotional disorders. So there is a very strong education as well as experience... experience component to

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this and it... and what it really boils down to is enabling local community-based mental health center administrators to have sufficient personnel and sufficient means to make the necessary call on the involuntary institutionalization of individuals."

Black: "Well, Representative, my fear is, and I... I know that nobody's listening, but you know, what this Bill does is to broaden the scope, if you will, broaden the number of people who could be utilized to commit someone to an institution against their will. And I think... why wouldn't it be good public policy to narrow the scope of people who could commit you to an institution without your permission rather than broaden the scope of those who can commit you against your will?"

Schoenberg: "Mr. Black, as I indicated, the primary function of this Bill will enable... As you know, we have made a more concerted effort over the last several years to treat the mentally ill through community-based programs as opposed to a heavy dependence on institutionalization. I believe we should give community-based mental health agencies, who are already strapped for resources the capacity to have qualified individuals, who they already have on their staff, who have the necessary educational and experience background to be... to be... to have the power to help identify the appropriate treatment option for an individual who has to be involuntarily committed."

Black: "Okay. Well, thank you, Mr.... thank you, Representative. I appreciate it. Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Black: "Yes. Ladies and Gentlemen, if you look at this Bill, you are expanding the number of people who could commit you, against your will, for mental health treatment. Now it

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could be a community-based treatment center, it could be an institution. Rather than narrowing the field of people who can make the determination to commit you, against your will, for treatment, we're... we're broadening the number of people. I was a... I was a camp counselor for three years at Camp Portland Arch. Now, I know under the Gentleman's Bill, that doesn't qualify me as a qualified counselor to admit someone against their will for mental health treatment, but the point I'm trying to make is, just because someone might have licensed clinical psychologist or licensed counselor behind their name, doesn't necessarily mean that we should be expanding the number of people who, against your will, can commit you for mental health treatment. I think that's... I don't know whether it's good public policy. I come from an area, as the Gentleman's Bill addresses, where there are not a number of psychiatrists, obviously. But at the same time, I don't know how broad I want to make the definition of a qualified counselor who could conceivably, against my will, commit me to mental health treatment. As attractive as that might be to some of you in the chamber, it's not very attractive to me, and I think you should probably look at this Bill very carefully before you cast your vote."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is,... oh, Representative Schoenberg to close."

Schoenberg: "Thank you. The qualifications for licensed clinical professional counselors are equivalent to those of licensed clinical social workers, who we already let function as qualified examiners and I'd urge an 'aye' vote."

Speaker Hartke: "The question is, 'Shall House Bill 820 pass?' All those in favor will vote 'aye'; those opposed vote

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'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 820, there are 59 Members voting 'yes', 52 Members voting 'no'. And this Bill having failed to receive the Constitutional Majority is hereby declared lost. On page 29 of the Calendar appears House Bill 506. Representative Cowlshaw. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 506, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I want to begin by thanking Representative Brunsvold for all of his help in the meetings that have been held to arrive at the agreed provisions of this Bill. This Bill changes the Prairie State Achievement Exam with certain recommendations made by the State Board of Education to delay the implementation of that test for one year beyond the date that is in the current statutes. This Bill is endorsed by all of the major interest groups surrounding education, including the Illinois Education Association. If we enact this Bill, the savings that is estimated will be \$4.2 million in the first year and \$2,000,000 of savings each year thereafter. I'd be glad to answer any questions."

Speaker Hartke: "Is there any discussion? Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 506?' 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 506 there are 110 Members voting



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'yes', 0 voting 'no', and 0 voting 'present'. And this Bill having received the Constitutional Majority is hereby declared passed. On page 13 of the Calendar appears House Bill 1248. Representative Currie. Barbara Currie. Mr. Clerk, read the Bill. Out of the record. On page 28 of the Calendar appears House Bill 2800. Representative Gash. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2800, a Bill for an Act concerning highways. Third Reading of this House Bill."

Speaker Hartke: "Representative Gash."

Gash: "Thank you, Mr. Speaker. House Bill 2800, as amended, requires the tollway to repay at fair market value of the interest conveyed to IDOT for any land conveyed from IDOT to the Toll Highway Authority. They repeatedly say that they have no money to repair and improve our existing roads, IDOT, but so much money has been spent giving 'freebies' to the tollway and I'd be happy to answer any questions."

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

Cross: "Will the Sponsor yield?"

Gash: "No."

Speaker Hartke: "Sponsor will yield."

Cross: "She said 'no'?"

Speaker Hartke: "She said 'yes'."

Cross: "Oh. Representative, what do you want to do?"

Gash: "We want the tollway to reimburse IDOT for monies that were spent on purchasing land."

Cross: "Why? Why?"

Gash: "The tollway advertises itself as a taxpayer-free entity that only uses user fees, in fact, it takes a lot of taxpayers' subsidies. Our roadways all over Illinois are

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crumbling. This is the kind of legislation that many people throughout the General Assembly can come together on. Downstaters can support it, people in the suburbs who are affected by existing tollways, where tolls are frequently raised in order to pay for new roads in other areas, people who are affected by new roads being built in other areas, people from the City of Chicago who need money from IDOT to pay for crumbling roads in their areas."

Cross: "Representative, are we talking about today's value or the value of the... value of the... the property the day it was purchased or the time it was purchased?"

Gash: "You understand that, as amended, we're only dealing with prospective land... actually, as I would have liked the legislation to be, it would have dealt retroactively, as well as other issues, like public relations and planning, et cetera."

Cross: "It seems like, Representative, and I may not have it straight, but you want to take money away from your area and then basically spread it around other parts of the state? Doesn't that hurt your constituents?"

Gash: "Not at all. In fact, it's my constituents who have brought this to me, who feel most strongly about it. We... this is also a good Bill for other areas. The tollway should exist the way the tollway says it exists, which is user-based. What happens... what happens frequently is that people in my area who pay gas taxes just like everyone else, we pay... we pay... we send money to IDOT, in fact, we don't get back our fair share. But we get the added advantage of paying, what people call double taxation for roads in our area that are called tollways. In fact, it's not double taxation, it's triple taxation. 'Cause the roads that we're riding on frequently have already long

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since been paid for. I, also, have legislation that would require that tolls collected on one segment of the tollway would be used for the betterment of that segment only. The monies that are collected on the tollways that are existing are used for the benefit of what's called the 'system'. They go to build roads in other areas. So people who have existing toll roads in their area should be concerned about the way the tollway uses its money."

Cross: "Thank you. So Representative, just so I'm clear and I think I am, you're not disputing that this takes money away from your area and that it hurts your district?"

Gash: "Oh. I definitely dispute that. There's no question in my opinion that in the long run, the whole process that we use now is more expensive for people in my area when we build roads into new areas, and you have to use a tremendous amount of taxpayer money that doesn't go to build... to help improve the IDOT roads in my area that definitely need to be improved, but instead goes into other areas. You have issues of growth and development. You have issues of spending more money on infrastructure for water, all kinds of things that need to be done when the roadways go into areas that have not been developed. Taxes go up. School... property taxes go up. There's a significant cost associated with this. We're finding that this is very, very expensive the way the tollway's operating now."

Cross: "Representative, it appears, and I know there was just... this was discussed earlier as an initiative of the Downstate Caucus. Are you support... are you doing this on behalf of the Downstate Caucus?"

Gash: "This has been an initiative of many people who want to reform the tollway from the suburbs for a long time. This is something we have finally been able to get the Downstate

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Caucus to actually understand, benefits everyone throughout Illinois."

Cross: "Don't you think as a result of your Bill, we're gonna basically, I mean, bottom line, increase the cost of any future tollway extensions? Which, once again, will indirectly, or I should say directly, affect your constituents and others."

Gash: "You may not be aware now that future extensions actually are frequently funded by existing tollways. So my constituents and many of ours throughout the suburbs are paying for roads that have already... we are repeatedly paying tolls on roads that have long since been paid off for new toll roads that, in fact, cannot support themselves. We think the process should be changed and how we determine where roads should be built should be changed. It should make sense. And the tollway is not obligated to do the kinds of things that IDOT regularly does to determine whether roads are needed."

Cross: "'Yes' or 'no'. Will this increase the cost to the tollway for further... future extensions? Just 'yes' or 'no'."

Gash: "No."

Cross: "Are we gonna require IDOT to do this when other land transfers are made... to other state agencies?"

Gash: "Other... other state agencies are not the same, as you well know, those are taxpayer-funded agencies. We're dealing with what is considered a nontaxpayer-funded agency."

Cross: "Thank you for that concise answer. I have no further questions."

Speaker Hartke: "Ladies and Gentlemen, this is on Short Debate. Mr. Black. Do you stand in opposition to this Bill?"

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Black: "I don't know, Mr. Speaker. The Bill's very, very complicated. I need to ask some questions. I'm not familiar with toll roads. It's not in my area of the state, but I... I'm concerned. As a concerned Illinoisan, I'm very concerned. So I need to just ask some questions."

Speaker Hartke: "Would you like to request that it be put on Standard Debate?"

Black: "Actually, Mr. Speaker, I think unlimited debate might be the category. Standard, you say?"

Speaker Hartke: "I would suggest Standard."

Black: "Mr. Speaker, I'm always willing to bow to your desire. Joined by... "

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

Black: "Yes... "

Speaker Hartke: "Proceed."

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

Speaker Hartke: "She indicates she will."

Black: "Yes. Representative, is this Bill retrospective?"

Gash: "Well, although I'd like to see it be retrospective, this Bill is prospective."

Black: "I'm sorry, I just asked... I'm just an old downstater. Could you... if you can... "

Gash: "No."

Black: "Oh. There we go, okay. So it is not... it is not retrospective. So it is then, therefore, only prospective. Correct?"

Gash: "Yes."

Black: "Meaning that, any land conveyed, transferred, purchased, whatever, prior to the effective date of your Bill, I assume the proceeds then go to the Toll Road Authority."

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Correct?"

Gash: "Excuse me?"

Black: "Prior to the effective date of your Bill, any... any monies from a conveyance, a sale, et cetera, would... would go to the Toll Road Authority, correct?"

Gash: "Are you reversing that? You mean would go to IDOT, would go to the road fund?"

Black: "No. You said your Bill was only prospective."

Gash: "Okay, previously, that money that has been given or... or land that has been purchased for the tollway, the tollway would... "

Black: "So... "

Gash: "... retain... "

Black: "... current... Yes. Current practice is then the money goes to the Toll Road Authority. Correct?"

Gash: "Correct."

Black: "Okay, do you refer to that as up there... do you refer to that as the TRA? The Toll Road Authority or how is that referred to up there?"

Gash: "I-S-T-H-A. It's called the tollway."

Black: "Oh. I-S-T-A? Like ISTA. Okay."

Gash: "I-S-T-H-A. Illinois State Toll Highway Authority."

Black: "I-S-T-H-A."

Gash: "ISTHA."

Black: "Okay. ISTHA. I saw that movie. It was terrible."

Gash: "It wasn't that bad."

Black: "Well, I don't know, I thought it was... well, anyway. So what we're doing now, if your Bill becomes law, the money from any conveyance or purchase goes to the road fund. Correct?"

Gash: "Yes, Sir."

Black: "The road fund... "

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Gash: "Which benefits... "

Black: "Oh, I'm sorry. What?"

Gash: "I'm sorry. It should be pointed out that the road fund benefits people throughout the State of Illinois. All Representatives in this room have road fund money in their districts."

Black: "Well, some of us have more than others, but... but that's... "

Gash: "Correct."

Black: "We can address that in a Bill, later. So... "

Gash: "And suburban Legislators... "

Black: "... now that's the road fund... "

Gash: "... have needs."

Black: "... that's administered by the Illinois Department of Transportation, headquartered in Springfield, Illinois. Correct?"

Gash: "Yes."

Black: "Okay. And the road fund... Is the road fund subject to appropriation by the Illinois General Assembly?"

Gash: "Are you... Is that a serious question?"

Black: "Yeah. No. Is it? I mean is... "

Gash: "Yes."

Black: "... the road fund subject to appropriation?"

Gash: "Yes."

Black: "Expenditures from the road fund are subject to appropriation by the Illinois General Assembly? So, so, I could sponsor a Bill asking that these road fund monies go to, at least, put some tar and chip on some of the dirt roads that still exist in my district, then couldn't I?"

Gash: "Yes."

Black: "Well, that makes eminent good sense to me."

Gash: "Yes. It should."

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Black: "Well, Representative, when we tar and chip the next dirt road in my district, I want you to be there with me and I will give you your due for sponsoring this Bill. You will get to throw out the first bucket of tar, and I will get to throw out the first bucket of chips, and we can finally begin to make some progress on getting central and southern Illinois out of the mud. And I thank you for finally bringing this forward. I think it's... "

Gash: "And I thank you for bringing that up. And I should also point out that my suburban constituents will also be pleased when there may be money that would now be available for helping with the crumbling state roads in my area."

Black: "Oh, I think they should be elated. But if you could find any of your suburban constituents that have dirt roads, would you have them come over and talk to me, please. Because we want to get a... we're trying to start a Dirt Road Caucus. And you may have given us the impetus to do that. So... "

Gash: "Representative... "

Black: "... thank you."

Gash: "... you may be interested to know there are quite a few dirt roads in Lake County."

Black: "Thank you. You may yet become an honorary Member of the Downstate Caucus, Representative."

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

Schoenberg: "Thank you, Mr. Speaker. I rise in support of the Bill. And the reason I rise in support of the Bill is because, currently, we have two parallel transportation agencies which do not interface as much as they need to. We've repeatedly bemoaned on this House Floor the diversions from the road fund, such as those for license



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plates, for pensions, for all other purposes except for building and maintaining roads. This provides that the Toll Highway Authority, when they acquire property that's paid for out of IDOT Motor Fuel Fund Taxes, provides fair market reimbursement for that acquisition. I don't know how anybody can find fault with that. It certainly... if you look at the list of diversions from the road fund, this ranks at the very top of the list. Everybody gets very anxious and exorcised over whether or not we should vote for a license replating program or whether or not we should do anything else with the road fund. The reality is that we can ill afford to take money from the road fund and give it to another transportation agency without getting anything in return. I think we all understand how our two transportation agencies need to work more in sync with each other and that's why I'm pleased to be a cosponsor of House Bill 2800. And if you care about the road fund and its sorry condition now, you'll certainly support this Bill. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Logan, Representative Turner. Do you stand in opposition of this Bill?"

Turner, J.: "Well, Mr. Speaker, I got a surprise for you, I don't have any questions of the Sponsor. I just wanted to make a comment."

Speaker Hartke: "To the Bill."

Turner, J.: "To the Bill. I commend Representative Gash. I believe this is a very good Bill. I've listened to the debate very closely for downstaters, and I certainly intend to support your Bill. I will confess, I don't see how it helps Representative Gash's district at all. But I'm convinced that it does help my district in the 90th and for

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that reason, I'll be supporting this and I would encourage all the downstaters to support it, as well. Thank you."

Speaker Hartke: "The Chair recognizes the Gentleman from Cook, Representative Delgado. For what reason do you seek recognition?"

Delgado: "Thank you, Mr. Speaker, and Members of the Illinois House. I just wanted to... on a personal privilege... "

Speaker Hartke: "State your... state your point."

Delgado: "Thank you, Mr. Speaker. Pointing to the gallery, we have my cousin, Gladys Zavala, who's a school teacher, here with a group of students from Irving Park Middle School. We just want to acknowledge them in the gallery and welcome them as a pleasant surprise to me, as my first cousin and many of her students, and we just want to give them a Illinois House applause. Thank you very much."

Speaker Hartke: "Welcome to the Illinois House. The Chair recognizes the Lady from Will, Representative Kosel."

Kosel: "Thank you, Sir, Ladies and Gentlemen of the House. Will the Sponsor yield?"

Speaker Hartke: "She will yield. Are you a proponent or an opponent?"

Kosel: "I am an opponent, I think, but I'm not sure. Can you tell me, would this affect other property that would be transferred from IDOT to other agencies or only to the toll road? Is this very specific?"

Gash: "Toll road."

Kosel: "So, in other words, no one else would be affected by it?"

Gash: "Correct."

Kosel: "Would this increase the cost of constructing toll roads that are already on the books or only ones in the future?"

Gash: "I... it doesn't necessarily increase the cost of anything. What it does, is require the tollway to pay for itself."

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What it does is require the tollway to actually pay for itself. It makes it so that there aren't taxpayer subsidies going to the tollway. Extensions that are to be built in the future, would then have to be determined to be whether they can pay for themselves or not. The money would not come from existing roadways in the tollway system, to pay for those tollway extensions that may or may not be able to support themselves. There would have to be a practical reality-based decision-making process and not political."

Kosel: "So, in other words, additional dollars are going to be charged, but it won't cost anymore?"

Gash: "There's no additional dollars that would be charged. There would not be taxpayer subsidies from IDOT. By the way, your district benefits significantly from IDOT, as well. So the money that would go to IDOT would benefit your district as well as everyone else's."

Kosel: "Well, hopefully, IDOT benefits all of our districts."

Gash: "That's right."

Kosel: "I think that's the purpose of IDOT in the state is to support our roads in our district. How do you determine a new construction under this Bill? What is the... what is the time line? Is it... is it things that are already in the plan? As you know, I have a toll road... "

Gash: "New purchases. It would be... "

Kosel: "New purchases of land? So, it is... it is your intention that new purchases of land would be the only ones that affected this, not land that is already purchased?"

Gash: "That is correct. So for many of the areas that you and I are concerned about, that land has already been purchased."

Kosel: "Thank you very much."

Speaker Hartke: "Further discussion? Seeing no one is seeking

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recognition, Representative Gash to close."

Gash: "This is a Bill that's supported by the Sierra Club, Business and Professional People for the Public Interest, many, many groups from all over Chicago, all over the suburbs. Representative Kosel, some of the groups that you have worked with on tollway issues in the past are very strongly behind this and have worked on this legislation for years. People made... groups made up of suburbanites, who are very concerned about the impact of the tollway in their area. This is a Bill that everyone can support, including people who support the tollways. And I would urge your 'aye' vote."

Speaker Hartke: "The question is, 'Shall House Bill 2800 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 2800, there are 84 Members voting 'yes', 23 Members voting 'no', 1 Member voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. For what reason does Mr. Johnson, from Champaign, seek recognition?"

Johnson, Tim: "Mr. Speaker, I would ask that the Journal reflect that, had I voted, I would've voted 'present', on House Bill 820."

Speaker Hartke: "The Journal will so reflect. On page 33 of the Calendar appears House Bill 2355. Representative Brady. Mr. Clerk, call the Bill."

Clerk Bolin: "House Bill 2355, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Brady."

Brady: "Thank you, Mr. Speaker. This is the Bill which we

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amended this week which'll authorize a permit to be issued by the Illinois Department of Transportation allowing tow truck operators to tow emergency vehicles at certain weights to remove them from the highways. I ask for your favorable support."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall House Bill 2355 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 2355, there are 106 Members voting 'yes', 3 Members voting 'no'. And this Bill having received the Constitutional Majority is hereby declared passed. On page 14 of the Calendar appears House Bill 1268. Representative Brunsvold. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1268 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 Hartke: "Third Reading. Mr. Clerk, call the Bill."

Clerk Rossi: "House Bill 1268, a Bill for an Act concerning taxes. Third Reading of this House Bill."

Speaker Hartke: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. This is a shell Bill. We're working on an agreement trying to come up with some language to address the vending business and I've checked with the other side of the aisle and would ask for an 'aye' vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall House Bill 1268 pass?' All those in favor will vote 'aye'; those

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opposed 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 1268, there are 91 Members voting 'yes', 16 Members voting 'no', and 1 Member voting 'present'. And this Bill having received the Constitutional Majority is hereby declared passed. On page 30 of the Calendar appears House Bill 816. Representative Wait. Mr. Clerk, call the Bill."

Clerk Bolin: "House Bill 816, a Bill for an Act to amend the Public Funds Statement Publication Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Wait."

Wait: "Thank you, Lady and Gentleman (sic-Ladies and Gentlemen) of the House. House Bill 816, basically, just says for Public Funds Statement Publication Act that, in other words in the newspaper, which we have to by law, that we would raise it from a thousand dollars to \$2,500. As far as I know, there's no opposition to this. I'd be happy to answer any questions."

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

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

Speaker Hartke: "He indicates he will."

Turner, John: "Representative, I'm not familiar with the Public Funds Statement Publication Act. What is that Act? What's it about?"

Wait: "Basically what that says, is government bodies that have to publish in the paper, it would simply cut down on what they would have to put in in a line item. Right now, it says, if a line item is over a thousand dollars they have

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to list it by line item. This would say that we'd raise it up to 2,500 therefore, the lines that they'd have to publish would be reduced, therefore, it would save the taxing bodies money."

Turner, J.: "Is there any fiscal impact from your piece of legislation, Representative?"

Wait: "I do not believe there is. It help... it helps the municipality to save money."

Turner, J.: "Okay. Is there... is there any type of fee increase involved in this or tax increase of any kind or new tax?"

Wait: "No... no there is not."

Turner, J.: "Are there any opponents?"

Wait: "I don't... I do not believe there are any."

Turner, J.: "And who are the proponents?"

Wait: "All the government bodies that would have to pay for this to put this in the papers would be in favor of because it's going to save them money. Save tax dollars."

Turner, J.: "Do you know if the township officials are supportive of the measure?"

Wait: "Yes, they are in favor of it."

Turner, J.: "Thank you."

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

Wait: "I'd simply ask you to support this Bill. It's a good Bill. It's gonna save the taxpayers money. Thank you."

Speaker Hartke: "The question is, 'Shall House Bill 816 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, take the record. On House Bill 816, there are 94 Members voting 'yes', 12 Members voting 'no', and 0 voting 'present'. And this Bill having received a Constitutional

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Majority is hereby declared passed. On page 30 of the Calendar appears House Bill 878. Representative Hoffman. Mr. Clerk, call the Bill."

Clerk Bolin: "House Bill 878, a Bill for an Act to amend the School Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. This is... comes out of the task force that ... that we were involved with with regard to education safety. It does many things including... creates a task force made up of various Members who will study and make recommendations of school safety programs. It also contains provisions regarding enhancing penalties for aggravated assault on teachers or other school employees; makes that a Class IV Felony. It makes it a Class X Felony to do that with a firearm. In addition, it provides that the State Board of Education shall develop safety audits and grants to local school districts in order to have safety programs. As you know, we've seen a proliferation of school violence throughout this nation. This is something that is proactive and we're moving it forward and I ask for an 'aye' vote."

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

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

Speaker Hartke: "He will yield."

Turner, J.: "Representative Hoffman, who are the proponents of the Bill?"

Hoffman: "I'm sorry, Representative. I apologize."

Turner, J.: "Apology accepted. Who are the proponents?"

Hoffman: "It's my understanding that the... the Illinois Education Association is in favor of it. I believe that the Illinois Federation of Teachers also has been in favor



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of the prov... certain provisions of this Bill in the past. In addition, we're working with the various school organizations to get a complete... a complete agreement on the Bill. I've already talked to Senator Watson over in the Senate. He has agreed to carry the Bill and we're going to work with the Attorney General's Office, hopefully, to attempt to craft the finalization of a couple of the provisions of the Bill."

Turner, J.: "And what are the provisions you envision changing?"

Hoffman: "One... one of the concerns that was raised by a couple organizations that represent schools is the provision regarding reporting requirements if... if there is a felony or a misdemeanor that is contained on school grounds. We have an agreement... it's my understanding that those organizations are now working with the Attorney General's Office to... to define specific offenses. And I have an agreement and I've talked to Senator Watson about it, that when they come with agreement, we'll fold it into this Bill."

Turner, J.: "Are some of those concerns raised by the School Management Alliance?"

Hoffman: "That... that's... I couldn't think of the organization. But... but I made a commitment to them in committee and I'm making it here on the floor, that these are not insurmountable problems. We're gonna work together and we're gonna have a good Bill come out of both Houses."

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

Hoffman: "Thank you, Representative."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, except Representative Mitchell from Whiteside."

Mitchell, J.: "Thank you, Mr. Speaker. I rise in strong support

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of this Bill. I think Representative Hoffman has put together a good package. Something is needed in today's climate within our schools and the objection of School Management Alliance has somewhat with the language, making sure that it's clear and in the kind of form that they can understand. And as soon as that's done, I'm sure the Management Alliance will also be in favor of this Bill. I rise in support and think everyone should vote 'aye'. Thank you."

Speaker Hartke: "Representative Hoffman to close."

Hoffman: "Thank you, Mr. Hartke (sic-Speaker Hartke). I just urge an 'aye' vote for the safety of our children in our schools."

Speaker Hartke: "The Gentleman asks for the passage of House Bill 878. 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 878... 8-7-8, there are 107 Members voting 'yes', 1 person voting 'no', and 0 voting 'present'. And this Bill having received the Constitutional Majority is hereby declared passed. On page 4 of the Calendar appears House Bill 306. Representative Leitch. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 306, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Leitch."

Leitch: "Thank you, Mr. Speaker. House Bill 306 extends the Industrial Jobs Recovery Act Law which will otherwise sunset in March of next year. To my knowledge there are no opponents and I would ask for its favorable consideration."

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

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seeking recognition, the question is... Representative Giglio."

Giglio: "Would the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Giglio: "Representative Leitch, could it be said that this is an expansion of TIFs?"

Leitch: "No."

Giglio: "And... "

Leitch: "This does not have... this is a different law than the TIF Law. The Bill you're... you want to talk about is House Bill 305."

Giglio: "Sorry to bother you. Thank you."

Speaker Hartke: "Further discussions? Seeing that no one else is seeking recognition, the Gentleman asks for the passage of House Bill 306. 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 306, there are 107 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill having received the Constitutional Majority is hereby declared passed. On page 33 of the Calendar appears House Bill 2831. Representative Scully. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2831, a Bill for an Act to amend the Elder Abuse and Neglect Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Scully."

Scully: "Thank you, Ladies and Gentlemen. I present House Bill 2831, which is an Amendment to the Criminal Code of 1961, specifically, the crime of abuse or gross neglect of a long-term care facility resident; increasing the penalty for abuse from a Class III to a Class II felony; increasing

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the penalty for gross neglect from a Class IV to a Class III. I'd ask for your favorable support. Thank you."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the Gentleman asks for the passage of House Bill 2831. Representative Turner, caught by the hair of your chinny chin, chin."

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

Speaker Hartke: "You just caught it. I just almost went straight ahead. I didn't catch your light."

Turner, J.: "I'm sure you're... you're laughing with me and not at me. Will the Sponsor yield?"

Speaker Hartke: "Yes, I'm laughing with you. Do you have questions of the Sponsor?"

Turner, J.: "I just didn't hear his explanation. I think I'm for the Bill. Could he just briefly give it again?"

Speaker Hartke: "Representative Scully. Shhh."

Scully: "The Amendment increases the penalty for abuse of a long-term care facility resident from a Class III to a Class II felony. And increases the penalty for... grossly neglecting a long-term care facility resident from a Class IV to a Class III."

Turner, J.: "So... so, Representative, it just increases penalties, it does nothing else?"

Scully: "That's correct."

Turner, J.: "Is the Department of Aging opposed to this Bill?"

Scully: "The Department of Aging has not stated any opposition to the Bill, and it really has no impact on the Department of Aging, who has no authority to enforce this law, and would certainly in no circumstances be a defendant in a case."

Turner, J.: "Thank you."

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

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Johnson, Tim: "Yes, Mr. Speaker, Members of the House. I'm gonna vote for this Bill, like I assume most people are, because it would be politically incorrect to vote 'no', but this Bill, and Representative Scully's not alone, I've been guilty of it, I think we all have over the many years since 1961 when we enacted the Criminal Code. But this points up the reason why we need Representative Johnson's Bill, I think it's House Bill 403, to totally re-examine the Criminal Code. We do it piece by piece, parcel by parcel, and the ultimate result is we turned a Criminal Code from 1961 that was a nationwide model into something that's so inconsistent, and so jerrybuilt that it really doesn't make any sense. Who can vote against this Bill? No one's in favor of abusing senior citizens. But I really do think this points up the need to look at our Criminal Code, structure it appropriately, and not then build on piece by piece by piece that ultimately results in a product that really doesn't make any sense. And I'm not singling Representative Scully out. He's in good faith on this, and I respect him. We've all done this, but we really need to look carefully after we pass and implement Representative Johnson's Bill, about what we're doing or what we've done to our Criminal Code."

Speaker Hartke: "Representative Black, do you stand in opposition of this Bill?"

Black: "No, Mr. Speaker. I have a parliamentary inquiry."

Speaker Hartke: "State your... "

Black: "It may... it may not be timely, but until the parliamentarian rules, I won't know that. So, I'll ask the question. This is an interesting Bill. The underlying Bill amended the Elder Abuse and Neglect Act, and then the Amendment that guts the Bill, references the Criminal Code."

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And I... I would question the germaneness, and if it's not timely, I apologize. I... I should have caught it earlier."

Speaker Hartke: "The question of germaneness should be done on Second Reading. Your request is not timely."

Black: "Well, see I can't because it's on Third Reading."

Speaker Hartke: "It was on Second at one time."

Black: "Oh, in other words, has the parliamentarian ruled? I saw the Clerk whisper in your ear, I know what's going on. The Parliamentarian then, is not going to answer my parliamentary inquiry."

Speaker Hartke: "The Parliamentarian will be here shortly to make a ruling upon your request."

Black: "Well... and I do make it... I do make it in a serious vain, and I do apologize. I know that I should've done it on Second Reading. I overlooked it, but I do think there is a serious problem of germaneness in the Bill and I do apologize for not... not catching it on Second Reading. That's my fault."

Speaker Hartke: "Do you withdraw your request? Representative Cross."

Cross: "Maybe to make sure we have an accurate and a Bill that will withstand constitutional scrutiny we would ask... I would ask Representative Scully, in the interest of seniors, to move this back to Second, and then let Representative Black proceed with his germaneness question. I think that's the only fair thing to do. I really plead with Representative Scully to do that."

Scully: "Representative, the underlying Bill addressed the issue of elder abuse in the context of the Elder Abuse and Neglect Act. The Amendment addresses elder abuse in the criminal context. I think they are very germane, and I...

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in response to your request, I do not agree to pull it back down to Second."

Cross: "Well, no one can force him to do it, Mr. Speaker."

Speaker Hartke: "The Parliamentarian will rule on Representative Black's request."

Parliamentarian Uhe: "In response to your... on behalf of the Speaker, in response to your inquiry, Representative Black. As I understand, your inquiry relates to whether the Amendment is germane to the underlying Bill. The Amendment has already been adopted to the Bill, therefore the inquiry is untimely pursuant to House Rule 63, a Motion on a different subject."

Speaker Hartke: "Representative Black."

Black: "Yes, thank you, Mr. Speaker. I appreciate the fact that you had the Parliamentarian make the ruling. I... because of my lack of timeliness, I think his ruling is absolutely correct, but I am taking this opportunity to serve notice to the Illinois Supreme Court... here comes another one."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is... Mr. Scully to close."

Scully: "Thank you very much, Mr. Speaker. I ask for your favorable support."

Speaker Hartke: "The Gentleman has asked for the passage of House Bill 2831. 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 2831, there are 107 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. On page 28 of the Calendar appears House Bill 2713. Representative Kosel.

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Coulson, excuse me. Representative Coulson."

Clerk Rossi: "House Bill 2713, a Bill for an Act regarding managed care. Third Reading of this House Bill."

Speaker Hartke: "Representative Coulson."

Coulson: "Thank you very much, Mr. Speaker. House Bill 2713 is a legislation for prompt payment of health care claims. Late payment of claims by health carriers, including HMOs, insurers, and third party administrators, have become a common problem for many health care providers in a wide range of practice settings. In no other business setting would a business entity tolerate routinely late payment of owed accounts. If late payment becomes a significant problem, many providers are left with no option but to bill their patients for services. Not all companies are like this. We have many excellent insurance companies in the State of Illinois. However, it's come to our attention that there are some that are not paying their bills, and sometimes up to 120 days late. I would appreciate your support on this. We are gonna continue to work on it with the insurance companies and the Medical Society in the Senate."

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

Skinner: "I wonder if the gentle Lady would tell us whether this will apply to the State of Illinois plans that don't pay within thirty days?"

Speaker Hartke: "The Lady will try to respond."

Coulson: "I'm sorry, I couldn't hear the question."

Skinner: "Will this apply to the State of Illinois plans, that is for state employees, you and me, that don't pay within 30 days, as they certainly didn't in the last year."

Coulson: "That's covered under a separate statute. It does



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not... it's not covered in this Bill."

Skinner: "Well, it seems to me if it's not good enough for us, we shouldn't foist this on everyone else."

Coulson: "Well... "

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

Mautino: "Thank you. The Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Mautino: "Beth, is this the... I know there was some language which was drafted by the Med. Society. Is that the Amendment which was put on?"

Coulson: "The Amendment earlier today... "

Mautino: "I don't believe that was."

Coulson: "Yes."

Mautino: "That is?"

Coulson: "Not... not the Amendment that's floating around that you've seen, but an earlier one. Maybe Representative Dart could answer."

Mautino: "Okay. Okay, you don't have that? Okay, it's not on yet. Is it the intention to put that language that we've seen outside today into the Bill? Okay."

Coulson: "The intention is to continue."

Mautino: "They're okay. I'll go back to the questions because in looking at that Amendment that we put on today, it looks pretty much like a disaster. The... "

Coulson: "That Amendment that was not put on had problems with wording, as does the current Amendment."

Mautino: "Sure. My concern in that, if I could, and I'll just go directly to the Bill. Is that, you didn't have in the definition where that cycle, or where that point of service began, where the 30 days exactly commenced in there. And then you also had some functions, and I know it was

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probably in errors in the drafting, but I want to get your commitment on correcting those because we then have the Department of Insurance acting as a collection agency. I don't think that that's what you want to be doing. So the Amendment that we put on is not your intention for that Bill? Okay. I wanted to make sure we got that into the record, because as it's structured, I mean, there is throughout the cycle of insurance, a structure for getting the payments and claims. But when it starts, when it stops, I think needs to be a lot more clearly defined than what was put on today."

Coulson: "We agree. We agree with the... "

Mautino: "Thank you."

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

Brady: "Sponsor yield?"

Speaker Hartke: "She indicates she will."

Brady: "Representative, are there any opponents to this Amendment?"

Coulson: "The... to the Bill, as amended, the insurance... the Life Insurance Council and I have spoken, and we are looking at rewording the Amendment for the Senate. And at this time I'm... they are opposed to what's in this Bill, but we know that it needs a lot of work and are gonna continue to do that in the Senate."

Brady: "Representative... "

Coulson: "And we just had a discussion an hour ago, and they are committed to work on it with me."

Brady: "This legislation requires prompt payment within 30 days of proof of loss, and if they don't, it's a 9% interest penalty. Is that correct?"

Coulson: "That's what the current legislation says... the current

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Amendment says."

Brady: "So, that's the Bill."

Coulson: "There's also sections on HMOs, and capitations."

Brady: "As far as precedent-setting, is there any other area where the Legislatures determine when people have to pay bills, and what the interest rate on not paying those bills and individual contracts will be?"

Coulson: "Absolutely. The state must pay their bills within 30 days."

Brady: "No, I meant contracts between private parties, which this is. Is there any other area where we have entered into and we have legislated how quickly someone must pay their bills and what interest rate, if they don't pay it, they will have to pay?"

Coulson: "We regulate interest rates to say what's usurious. We also have required that the Department of Public Aid must pay their bills within 30 days. Right now, they're paying within 16 days. I don't have... I don't understand the problem with having bills paid within a certain amount of time."

Brady: "Thank you."

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

Coulson: "I would encourage all of you to vote 'yes' on this Bill. It's important that our providers, our health care providers, can continue to provide the services so... and that their insurance gets paid, so that your constituents don't have to pay out-of-pocket for something they've been paying for insurance for all those years. And I would appreciate a 'yes' vote."

Speaker Hartke: "The question is, 'Shall House Bill 2713 pass?' All those in favor will vote 'yes'; those opposed vote

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'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 2713, there are 99 Members voting 'yes', 6 Members voting 'no', and 1 Member voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. On page 33 of the Calendar appears House Bill 2626. Representative Mautino. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2626, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Mautino."

Mautino: "Thank you, Representative Hartke, Ladies and Gentlemen of the House. This Bill came through the Local Government Committee, unanimous. We spent a lot of time working on it. I thank Representative Black for joining me to co... as a cosponsor. It deals with a problem in many of our communities where the sewer system is owned by the municipality and the private company controls the water. If there is nonpayment on the sewer bills, the municipality really has no... nothing that they can do at this point. So this would allow that municipality to enter an agreement with the private company for shut off and compelling of payments. We have worked a long time. This Bill's been around here a lot of years. And I think we have agreements, and I'd just appreciate an 'aye' vote. Answer any questions."

Speaker Hartke: "This Bill is on Short Debate. Does anyone stand in opposition? Representative Wirsing."

Wirsing: "I'm sorry, Mr. Speaker. On House Bill 2713, I intended to vote 'yes'."

Speaker Hartke: "The Journal will so reflect. The Chair

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recognizes the Lady from St. Clair, Representative Younge."

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

Mautino: "Certainly."

Younge: "This Bill does not affect the East St. Louis area, right?"

Mautino: "No, actually, in two sections of the Bill, we've taken out East St. Louis."

Speaker Hartke: "Further discussion? Seeing that nobody is seeking recognition, the question is, 'Shall House Bill 2626 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 2626 there are 106 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. On page 19 of the Calendar appears House Bill 1843. Representative Bassi. Representative Bassi. Out of the record. House Bill 2176. Representative Meyer. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2176, a Bill for an Act relating to charitable organizations and activities. Third Reading of this House Bill."

Speaker Hartke: "Representative Myers (sic-Meyer)."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2176, which is brought before you today, is a Bill that has been before this Body several times. It's cleanup language for the Charitable Trust Act reform that was implemented by this Body a couple of years ago. Last year, it got caught up in the last moments of the Legislature, and was not passed out of the Senate. This Body is... on at least two or three occasions during the

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past year, quoted with no dissenting votes on this piece of legislation. Be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall House Bill 2176 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 2176, there are 106 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. On page 32 of the Calendar appears House Bill 1795. Representative Smith. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1795, a Bill for an Act amending the Counties Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Smith."

Smith: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. This is a measure that comes to me from the state's attorney in Tazewell county and the county board. As you may or may not know, counties do not receive any of the revenue from the river boats that are licensed in this state, but unfortunately, they do have some of the costs that have resulted from those boats, in the criminal justice system. This Bill would authorize a \$6000 reimbursement to each county for their State's Attorneys Office for the added caseload that has resulted from the river boats in their counties. Similar to what we do for state's attorneys who have correctional institutions, who have mental institutions, who have state universities, similar situations where they receive increased caseload. I know of no opposition to the Bill. It is supported by the State's Attorneys Association, and the Illinois Church

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Action on Alcohol Problems. I'd be happy to answer any questions."

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

Skinner: "Yes. Would the Gentleman yield for some questions?"

Speaker Hartke: "He will."

Skinner: "I was unaware the river boats caused any problems. What problems do river boats cause?"

Speaker Hartke: "Representative Smith."

Smith: "Representative Skinner, I think that state's attorneys will tell you, in the counties that have river boats, that they have seen increased caseload in their office, particularly with compulsive gamblers, who have, unfortunately, through whatever means, violated a number of state laws and criminal statutes, in order to support their habits."

Skinner: "What crimes? What crimes do compulsive gamblers commit?"

Smith: "Well, Representative Skinner, I'm not sure that I can give you specific examples, but I know there have been an increase in a number of forgeries, embezzlements, and not to mention bankruptcies, which of course will not be covered by the state's attorneys."

Skinner: "Well, why do you think it's only the state's attorney of counties that are across from river boats that have this expense? My state's attorney, for example, had to prosecute a deputy sheriff who stole money from the property room to gamble in Elgin. Why do you have more than... why do... "

Smith: "I think, Representative Skinner, because there is increased activity in the counties where the boat exists. I understand what you're saying, but this is similar to

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what we do for other institutions or facilities that do cause similar increased prosecutions."

Skinner: "Yes, but those are state institutions. These are private enterprises. Where is the 6000 coming from, the general fund or from the river boats?"

Smith: "The \$6000... this simply authorizes that, but the \$6000 would come from the General Revenue Fund."

Skinner: "Well, it would seem more appropriate to come from the gambling boat, since the river boat is what is causing the problem."

Smith: "Well, Representative Skinner, this is a state licensed facility, all be it a private enterprise, but to do that then would be taking money out of the river boat fund, which as you know, goes into the common school fund."

Skinner: "Well, why don't we just raise the taxes on the river boats by \$6000 per affected county?"

Smith: "Representative Skinner, I think the counties would be very happy to do that, as long as they receive some of that tax revenue."

Skinner: "I don't object to your idea, but I do think the money is coming from the wrong place. And I thank you for highlighting the problem that riverboats cause to law enforcement officials."

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

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

Speaker Hartke: "He indicates he will."

Mulligan: "Representative Smith, I tend to agree quite a bit with the last speaker. I don't know why this isn't coming from the boats, number one, and I don't know why it's not going to every county for the simple reason that every county incurs the problems from this right now. And I think you



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voted for it, came out of the House. I'm looking to do a study on white collar crimes, in order to try and pass the Task Bill. But, I certainly realize that, not only state's attorneys, but I think local law enforcement officials, incur a greater amount of money where the boats are, but I think state's attorneys across the state, particularly Cook County. In my area we have a lot of this, DuPage County. I think that it shouldn't just go to this area. I think it should go to everyone, and I don't think it should come from State or General Revenue Funds. I think it should come directly from gambling revenue, or the boats themselves, that are theirs. I mean I would like to support this, but I see a problem. I think the scope is much too narrow, and I would like to see it expanded."

Smith: "Thank... thank you, Representative Mulligan. I remember having this discussion with you, when I had this Bill last time, here on the House Floor, and I support the... your efforts on this... on this issue also. This is an attempt to address some of the problems that I think we're seeing from the river boats in our state. I... I understand what you're saying, but I am responding to a request from one of the counties that I represent that has had a various, drastic affect... "

Mulligan: "Do you have a Senate... "

Smith: "... because they happen to host one, and... and the counties, again, do not receive any of the revenue, such as the post municipality."

Mulligan: "Do you have a Senate Sponsor for this Bill?"

Smith: "Not at this point, no."

Mulligan: "I would like to see, if this Bill leaves this Body, that if it has a Senate Sponsor, you'd recommend to them to broaden the scope and change where the funding is coming

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from."

Smith: "I'd be happy to do that, Representative Mulligan, if you'll help me get it out of here, so I can find a Senate Sponsor."

Mulligan: "I certainly think that an 'aye' vote recognizes the need, although it certainly doesn't help my state's attorney in Cook County. Thank you."

Smith: "Thank you."

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

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would ask for your 'aye' vote on this so that we can continue this debate. I think we have to realize, that while the river boats do bring economic benefit to many of our municipalities that hosts them, they do not... the counties that host the river boats do not receive any benefit from that; do incur expenses. This is an attempt to reimburse the counties and the State's Attorneys Office for the expenses they have incurred. And I would urge an 'aye' vote."

Speaker Hartke: "The question is, 'Shall House Bill 1795 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? Have all voted who wish? Mr. Clerk, take the record. On House Bill 1795, there were 50 Members voting 'yes', and 50 Members voting 'no', and it's a 'tie'. This Bill having failed to reach a Constitutional Majority is hereby declared lost. On page 4 of the Calendar appears House Bill 305. Representative Leitch. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 305, a Bill for an Act amending the Illinois Municipal Code. Third Reading of this House

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Bill."

Speaker Hartke: "Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker. I am very pleased to bring to you in this fifth year, the fifth annual..."

Speaker Hartke: "Excuse me, Representative Leitch. For what reason does Representative Jones seek recognition?"

Jones, J.: "Mr. Speaker, I think it may be time to adjourn whenever you start making jokes and laughing at 'em at yourself. You know it? I think it may be time to adjourn."

Speaker Hartke: "The Chair apologizes. Continue, Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker. This is the TIF Reform Bill which we've been working on for five years and I would like to share with the Body that, finally, after five long years this Bill is supported by the South Suburban Mayors and Managers, the Bar Association, the State Chamber of Commerce, the bankers, the Association of Realtors, the Chicago Bar Association, the Illinois Government Finance Officers Association, DuPage Mayors and Managers, Chicagoan Association of Commerce and Industry, the Illinois Development Council, the Northwest Municipal Conference, the West Central Municipal Conference, the Chicago Southland Development Council, the Illinois Municipal League, the Home Builders Association, Lake County Municipal League, City of Chicago, Metropolitan Planning Council, Civic Federation, Statewide Housing Coalition, and others. For those of you who have been concerned, as many of us have, over the eligibility reforms, the definitions in this Bill have been tightened and those issues have been addressed. For those of you who have been concerned about the accountability reforms

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necessary, the roles of the joint review boards have been strengthened. For those of you who have been concerned about the impact of this in the south suburbs on education, there are agreed formulas in here to address that very important issue. For those of you who have been very, very justly concerned about the issue of retail rating, importantly, that is finally addressed and dealt with, in this reform. For those of you who have been concerned about the inappropriate expansion and use of TIF to build municipal buildings, golf courses and the like, that is in this Bill. For those of you who have been concerned about a whole litany of issues, those issues have been addressed in this Bill and I am very pleased to be able to recommend this Bill to you. And I would strongly urge your support."

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

Holbrook: "Thank you. To the Bill."

Speaker Hartke: "To the Bill."

Holbrook: "This Bill is exactly what everyone in my district doesn't want. If you like TIFs and you think they expand economic development, it shuts them down. If you don't like TIFs, it takes money and gives it to day-care centers. I don't know of one municipal mayor that has contacted me yet from my area, in favor of this legislation. And I stand in opposition to it. Thank you."

Speaker Hartke: "Representative Skinner."

Skinner: "I'd like to know if a new subdivision can be given a TIF district, if it's built on raw farmland?"

Speaker Hartke: "Representative Leitch."

Leitch: "Thank you for asking that question, that, too, is one... This is about 120 page, Bill. I am very pleased to tell you that one of the abuses has related to undeveloped

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farmland. Under this Bill, that farmland would have to already be plotted and annexed before it could be included in a new TIF. That was not the case before and it has been a subject of great concern throughout the state."

Skinner: "But if... if a farm has been plotted and subdivided and annexed, then could the undeveloped lots be put in a TIF district?"

Leitch: "Well, if under the present system now, they could and they could in the future, because there would be... if they were included in the redevelopment plan, yes."

Skinner: "Well, I think this TIF reform has a long way to go before it is real reform. I cannot believe that when somebody is buying a house in a subdivision in my county that the roads can have been financed through a TIF district and they don't even own the roads. They don't even own the sewers. They have to pay them off over time. Perhaps, development has 'progressed'. Put that word in quote marks. So far, that when you buy a house, what... my parents bought a house... what was included when my parents bought a house or what even you and I bought a house, we thought we had sewer, we thought we had water, and we thought we had streets and street lights. Now they're put in a TIF district and you pay for them over a 22-year period. That is not, in my opinion, what a TIF district is all about. And I... I am saddened to hear that under this Bill that will continue to be the case. Or am I incorrect?"

Leitch: "I... I believe you're incorrect in this. This property, with the tightened definitions that are in this property, with relate... that relate to the farmland that you are describing, those definitions are considerably tightened in this district... in this Bill and are far more prohibitive.

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The... These developments are very carefully defined that they shall not occur, but for the necessity of a TIF, as defined in these... in this Bill. And so, if you were concerned about the concerns that you have just expressed, you should be very much in favor of this Bill, because what is wide open now is the status quo."

Skinner: "Well, the Bill may be getting a little better. But you haven't lived until you represent an area where the first person moving in to a new subdivision that's in a TIF district, gets a \$4,000 bill for the streets. And that's what can happen. Thank you."

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

Pankau: "Will the Sponsor yield for a few questions?"

Speaker Hartke: "She will yield. He will yield."

Pankau: "Representative Leitch, does this affect any TIF districts currently in place?"

Leitch: "No."

Pankau: "Would it affect any TIF districts or any areas coming off of a TIF district?"

Leitch: "No."

Pankau: "And does this give any more latitude to school districts to have a greater say in establishing a TIF district?"

Leitch: "Yes, yes it does. This Bill is important because it strengthens the power of the joint review board. And if the joint review board on which a school district would be a member, decides that they are opposed and if the board takes that position, then it requires the super majority of the municipal authority to adopt the TIF. The other thing that's very important to schools in here is, that there are formulas so that in areas where there are residential components to a TIF, there are provisions to

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share revenues with the school districts, which have never been in this before. They can... school districts can get up to 25% of the increment, in... in middle class and upper areas, covering 700 school districts. And up to 40% in low on... low income school district areas, the remaining 240 school districts throughout the state. So, I think, that is one of the most important reasons to pass this reform. Because for many years people in your area and others of the state have been very concerned as schools were not being compensated when students were being added through a TIF."

Pankau: "And, especially, since the original TIF legislation was put in place before the tax caps. The school districts have felt a pinch in that they have not been able to access that additional revenue until after the TIS... after the tax... TIF district is over with. And that can be a long time, up to 15 years, isn't it? Maybe 20 years."

Leitch: "Twenty-three."

Pankau: "So, when you're under a tax cap and in a TIF district, that just adds to the burden. Is this still a picture being painted, as it goes over to the Senate, or are... are you saying this is it, this is the Bill?"

Leitch: "Believe me, I hope this is the Bill. I can't tell you how much I hope this is the Bill."

Pankau: "Thank you."

Speaker Hartke: "Further discussion? Seeing nobody is seeking recognition, Representative Leitch to close."

Leitch: "It's a good Bill. I'd ask for your support."

Speaker Hartke: "The question is, 'Shall House Bill 305 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,

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take the record. On House Bill 305, there are 75 Members voting 'yes', 23 Members voting 'no', and 4 Members voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. On page 31 of the Calendar appears House Bill 1729. Representative Woolard. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1729, a Bill for an Act to amend the Public Community College Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Woolard."

Woolard: "Thank you Ladies and Gentlemen. I think that everyone recognizes that Wyvetter Younge, yesterday Representative Younge had a Bill that was declared... was not germane and we had to find a vehicle which would accommodate this. This is a piece of legislation which is important to the treasurers of downstate community colleges and will effectively accommodate her Amendment when this gets to the Senate. So we're planning to move it to the Senate, to not only take care of community college treasurers, but also to take care of the needs that she has. Thank you."

Speaker Hartke: "Representative Mitchell, do you stand in opposition of this Bill?"

Mitchell: "Thank you, Mr. Speaker. I rise to just let you know that I would have voted on House Bill 305. I would have voted in the 'affirmative', had I voted."

Speaker Hartke: "The Journal will so reflect. Does anyone stand in opposition? Seeing no one is... Representative Black. Representative Black."

Black: "Well, finally, when the sound board finally gets around to it here. Will the Sponsor yield? Hello. Hello. Hello."

Woolard: "Cer... Certainly, would be delighted to yield, Sir."



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Black: "Hello in the Chair. Hello. Hello, Mr. Speaker. Mr. Speaker, will the Sponsor yield?"

Speaker Hartke: "Yes, Sir. The Sponsor will yield."

Black: "All right. Good lord, it looks like the brain trust up there. Representative Woolard, did I hear you say this Bill's gonna to be stripped in the Senate and used for another issue?"

Woolard: "No, positively not. The Bill is going to remain with the treasurers bond issue without... "

Black: "Okay, all right."

Woolard: "... without question, this is an important issue and it will stay."

Black: "Okay, thank you. All right, thank you. Mr. Speaker."

Speaker Hartke: "Yes."

Black: "Inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "We could ask for a verification on almost any Bill from now on, but we'll reserve that right. It's a little thin. The only reason I'm waiting, Mr. Speaker, somebody said there was gonna be an orange license plate Bill called. And I just... you know, that's a really important Bill to me. Has it... we gonna get to that?"

Speaker Hartke: "You'll have to wait and see."

Black: "Okay. Thank you."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the Gentleman asks for the passage of House Bill 1729. 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 1729, there are 103 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill having received a

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Constitutional Majority is hereby declared passed. On page 18 of the Calendar appears House Bill 1695. Representative Novak. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1695 has been read a second time, previously. No co... Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This legislation... "

Speaker Hartke: "Third Reading."

Novak: "This legislation is another initiative of the County Treasurers Association."

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

Novak: "Yes."

Clerk Rossi: "House Bill 1695, a Bill for an Act amending the property tax code. Third Reading of this House Bill."

Speaker Hartke: "Representative Novak."

Novak: "Thank you, Mr. Rossi. Thank you, Mr. Speaker. This legislation is permissive. It allows the county board to approve the authority for a county collector which is a county treasurer, to charge a fee. Now please listen to me carefully now, I know everybody gets paranoid when they hear about the word fee, but charge a word fee up to \$5.00 for any duplicate tax Bill provided to any person other than the property owner. So essentially, this applies to mortgage... mortgage firms, banks, that come to county treasurers' offices and want hundreds and sometimes thousands of duplicate tax Bills, due to some mistake on their part and wanting them for their records. So it takes a lot of time, a lot of manpower and resources that the county has to provide. So, in this respect, we think they

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should be entitled to a fee, pursuant to approval by the county board. This does not affect individual property owners, whether you own an apartment building or a business or an individual residence. Each county treasurer is allowed to impose a fee down there, some of them give them away for nothing, some of them might charge a dollar. So, this only applies to the mortgage brokerage firms and the financial institutions. Thank you."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall House Bill 1695 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? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 1695, there are 60 Members voting 'yes', 40 Members voting 'no', and 1 Member voting 'present'. And this Bill having received the Constitutional Majority is hereby declared passed. Mr. Clerk, read the Adjournment Resolution. Agreed Resolutions."

Clerk Rossi: "Agreed Resolutions. House Resolution 154, offered by Representative Steve Davis; House Resolution 155, offered by Representative Hoffman; House Resolution 157, offered by Representative Richard Myers; House Resolution 159, offered by Representative Poe; House Resolution 161, offered by Representative Morrow; House Joint Resolution 16, offered by Representative Novak; House Resolution 162, offered by Representative Schoenberg; House Resolution 163, offered by Representative Hoffman; House Resolution 165, offered by Representative Reitz; House Resolution 166, offered by Representative Granberg; House Resolution 167, offered by Representative Feigenholtz; House Resolution

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169, offered by Representative Steve Davis; House Resolution 170, offered by Representative Schoenberg; House Resolution 171, offered by Representative Ryder; House Resolution 172, offered by Representative Harris."

Speaker Hartke: "Representative Black now moves for the adoption of the Agreed Resolutions. All in favor signify by saying 'aye'; opposed 'no'. In opinion of Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Representative Black, for what reason do you seek recognition?"

Black: "Is Representative Franks in the Chamber? Representative Franks. I stayed here all day to help him with that Bill and he isn't here. That's an outrage."

Speaker Hartke: "Adjournment Resolution."

Clerk Rossi: "Senate Joint Resolution #31, offered by Representative Currie, RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Friday, March 26, 1999, the Senate stands adjourned until Wednesday, April 14, 1999, at 12:00 noon; and the House of Representatives stands adjourned until Wednesday, April 14, 1999, at 1:00 p. m."

Speaker Hartke: "Representative Fritchey now moves for the adoption of the Adjournment Resolution. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Adjournment Resolution is adopted. Representative Granberg now moves that the House stand adjourned. All those in favor say 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Senate... the House does stand adjourned until April 14, 1999, at the hour of 1:00 p. m., allowing perfunctory time for the Clerk. The House now stands adjourned."

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Clerk Bolin: "Introduction - First Reading of Senate Bills. Senate Bill 1, offered by Representative Scott, a Bill for an Act to amend the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act. Senate Bill 29, offered by Representative Hamos, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 35, offered by Representative Biggins, a Bill for an Act to amend the Property Tax Code. Senate Bill 73, offered by Representative Wirsing, a Bill for an Act concerning meat and poultry inspection. Senate Bill 74, offered by Representative Wirsing, a Bill for an Act in relation to the Department of Agriculture. Senate Bill 75, offered by Representative Wirsing, A Bill for an Act to amend the Livestock Management Facilities Act. Senate Bill 76, offered by Representative Lawfer, a Bill for an Act to amend the Fish and Aquatic Life Code. Senate Bill 77, offered by Representative Lawfer, a Bill for an Act to amend the Wildlife Code. Senate Bill 78, offered by Representative Lawfer, a Bill for an Act concerning agriculture. Senate Bill 132, offered by Representative Moore, A., a Bill for an Act to amend the Automobile Renting Occupation and Use Tax Act. Senate Bill 171, offered by Representative Reitz, a Bill for an Act in relation to public safety, amending named Acts. Senate Bill 175, offered by Representative Crotty, a Bill for an Act to amend the School Code. Senate Bill 185, offered by Representative Wait, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 206, offered by Representative Eileen Lyons, a Bill for an Act to amend the Illinois Municipal Code. Senate Bill 223, offered by Representative McGuire, a Bill for an Act to amend the Unified Code of Corrections. Senate Bill 272, offered by

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Representative Wait, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practices Act. Senate Bill 310, offered by Representative Hannig, a Bill for an Act in relation to health benefits for retired teachers. Senate Bill 320, offered by Representative Leitch, a Bill for an Act to amend the Illinois Public Aid Code. Senate Bill 324, offered by Representative Wirsing, a Bill for an Act to amend the Higher Education Student Assistance Act. Senate Bill 338, offered by Representative Moore, A., a Bill for an Act concerning refunds of insurance premium taxes. Senate Bill 355, offered by Representative Osmond, a Bill for an Act relating to consumer finances. Senate Bill 356, offered by Representative Meyer, Jim Meyer, a Bill for an Act concerning loans and interest. Senate Bill 357, offered by Representative Jim Meyer, a Bill for an Act concerning financial institutions. Senate Bill 457, offered by Representative Hassert, a Bill for an Act to amend the Illinois Plumbing License Law by changing Section 2 and adding Section 2.5. Senate Bill 503, offered by Representative O'Connor, a Bill for an Act to amend the Unified Code of Corrections. Senate Bill 529, offered by Representative Bellock, a Bill for an Act to amend the Structural Pest Control Act. Senate Bill 574, offered by Representative Durkin, a Bill for an Act in relation to capital litigation. Senate Bill 583, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 584, offered by Representative Hannig, a Bill for an Act regarding appropriations. Senate Bill 585, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 586, offered by Representative Hannig, a Bill for an Act making appropriations to Northern Illinois University. Senate Bill

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588, offered by Representative Hannig, a Bill for an Act making appropriations to the Board of Trustees of Governors State University. Senate Bill 589, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 591, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 593, offered by Representative Hannig, a Bill for an Act making appropriations and reappropriations. Senate Bill 594, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 595, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 596, offered by Representative Hannig, a Bill for an Act making appropriations to the Department of Natural Resources. Senate Bill 597, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 599, offered by Representative Hannig, a Bill for an Act making appropriations and reappropriations. Senate Bill 600, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 601, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 602, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 603, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 604, offered by Representative Hannig, a Bill for an Act making appropriations and reappropriations. Senate Bill 605, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 606, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 607, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 608, offered by

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Representative Hannig, a Bill for an Act making appropriations. Senate Bill 609, offered by Representative Hannig, a Bill for an Act making appropriations and reappropriations. Senate Bill 610, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 611, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 612, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 613, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 614, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 615, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 616, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 618, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 619, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 621, offered by Representative Hannig, a Bill for an Act regarding appropriations. Senate Bill 622, offered by Representative Hannig, a Bill for an Act regarding appropriations. Senate Bill 623, offered by Representative Hannig, a Bill for an Act regarding appropriations. Senate Bill 625, offered by Representative Hannig, a Bill for an Act making appropriations to the Court of Claims. Senate Bill 627, offered by Representative Hannig, a Bill for an Act making appropriations for the Office of the State Appellate Defender. Senate Bill 628, offered by Representative Hannig, a Bill for an Act regarding appropriations. Senate Bill 629, offered by Representative Hannig, a Bill for an Act regarding appropriations. Senate Bill 630, offered by



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Representative Hannig, a Bill for an Act regarding appropriations. Senate Bill 631, offered by Representative Hannig, a Bill for an Act regarding appropriations. Senate Bill 632, offered by Representative Hannig, a Bill for an Act regarding appropriations. Senate Bill 826, offered by Representative Slone, a Bill for an Act to amend the Illinois Municipal Code. Senate Bill 845, offered by Representative John Turner, a Bill for an Act in relation to laser devices. Senate Bill 958, offered by Representative Winters, a Bill for an Act to amend the Conservation District Act. Senate Bill 1009, offered by Representative McKeon, a Bill for an Act to amend the Illinois Governmental Ethics Act. Senate Bill 1036, offered by Representative Pankau, a Bill for an Act concerning the Lieutenant Governor. Senate Bill 1002, offered by Representative Madigan, a Bill for an Act in relation to the General Assembly. Senate Bill 1003, offered by Representative Madigan, a Bill for an Act concerning the Governor. Senate Bill 1007, offered by Representative Madigan, a Bill for an Act in relation to state employment. Senate Bill 1014, offered by Representative Madigan, a Bill for an Act concerning the State Treasurer. Senate Bill 1018, offered by Representative Madigan, a Bill for an Act to amend the Civil Administrative Code. Senate Bill 1019, offered by Representative Madigan, a Bill for an Act to amend the State Comptroller Act. Senate Bill 1104, offered by Representative Hannig, a Bill for an Act to amend the Carnival and Amusement Rides Safety Act. Senate Bill 1132, offered by Representative Jim Meyer, a Bill for an Act to amend the Probate Act of 1975. Senate Bill 1171, offered by Representative Slone, a Bill for an Act to amend the Illinois Municipal Code. Senate Bill 1203, offered by

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Representative Madigan, a Bill for an Act to amend the General Obligation Bond Act. Senate Bill 1204, offered by Representative Madigan, a Bill for an Act to amend the General Obligation Bond Act. Senate Bill 1207, offered by Representative Bellock, a Bill for an Act concerning the John Joseph Kelly Veteran's Home. Senate Bill 46, offered by Representative Coulson, a Bill for an Act to amend the Illinois Income Tax Act. Senate Bill 812, offered by Representative Saviano, a Bill for an Act in relation to public construction contracts. Senate Bill 916, offered by Representative Righter, a Bill for an Act to amend the Eastern Illinois University Law by changing Sections 10-40 and 10-45. Senate Bill 1061, offered by Representative Fowler, a Bill for an Act regarding the delivery of medical services in correctional institutions and facilities. Senate Bill 113, offered by Representative Winkel, a Bill for an Act concerning administrative hearings, amending named Acts. Senate Bill 652, offered by Representative Barbara Currie, a Bill for an Act to amend the School Code. Senate Bill 673, offered by Representative Eileen Lyons, a Bill for an Act in relation to sexual assault nurse examiners. Senate Bill 728, offered by Representative Brosnahan, a Bill for an Act to amend the Sex Offender and Child Murderer Community Notification Law by changing Sections 115 and 120. Senate Bill 729, offered by Representative Franks, a Bill for an Act to amend the Criminal Code of 1961. Senate Bill 734, offered by Representative Persico, a Bill for an Act to amend the General Not-for-Profit Corporation Act of 1986. Senate Bill 736, offered by Representative Hoffman, a Bill for an Act relating to home inspection. Senate Bill 749, offered by Representative Scott, a Bill for an Act to amend the

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Illinois Business Brokers Act of 1995. Senate Bill 759, offered by Representative Schmitz, a Bill for an Act to amend the Juvenile Court Act of 1987. Senate Bill 818, offered by Representative Sommer, a Bill for an Act concerning disabled adults. Senate Bill 823, offered by Representative Feigenholtz, a Bill for an Act in relation to immunizations for school children, amending named Acts. Senate Bill 824, offered by Representative Parke, a Bill for an Act to create the Choice of Physician Act. Senate Bill 839, offered by Representative Krause, a Bill for an Act to amend the Local Governmental and Governmental Employees Tort immunity Act. Senate Bill 844, offered by Representative Stroger, a Bill for an Act to amend the Illinois Municipal Code. Senate Bill 867, offered by Representative Bill Mitchell, a Bill for an Act to amend the Criminal Code of 1961. Senate Bill 878, offered by Representative Biggins, a Bill for an Act concerning taxation. Senate Bill 890, offered by Representative Capparelli, a Bill for an Act to create the Illinois Financial Institutions Year 2000 Safety and Soundness Act. Senate Bill 938, offered by Representative Biggins, a Bill for an Act concerning general primary elections, amending named Acts. Senate Bill 962, offered by Representative Brunsvold, a Bill for an Act in relation to workplace injuries and diseases. Senate Bill 965, offered by Representative Reitz, a Bill for an Act concerning nursing. Senate Bill 349, offered by Representative Garrett, a Bill for an Act regarding telemarketing. Senate Bill 509, offered by Representative Eileen Lyons, a Bill for an Act in relation to criminal law, amending named Acts. Senate Bill 756, offered by Representative Lang, a Bill for an Act concerning schools. Senate Bill 721, offered by

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Representative Feigenholtz, a Bill for an Act concerning managed care dental benefit plans. Senate Bill 881, offered by Representative Fritchey, a Bill for an Act regarding safe and hygienic beds. Senate Bill 968, offered by Representative Novak, a Bill for an Act to amend the Renewable Energy, Energy Efficiency, and Coal Resources Development Law of 1997 by changing Section 6-6. Senate Bill 980, offered by Representative Madigan, a Bill for an Act to amend the State Gift Ban Act. Senate Bill 1017, offered by Representative Brunsvold, a Bill for an Act in relation to gaming. Senate Bill 1020, offered by Representative Dart, a Bill for an Act to amend the Illinois Pension Code. Senate Bill 1025, offered by Representative Novak, a Bill for an Act to amend the Illinois Municipal Code. Senate Bill 1042, offered by Representative Franks, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 1046, offered by Representative Capparelli, a Bill for an Act to amend the Wastewater Land Treatment Site Regulation Act. Senate Bill 1054, offered by Representative McCarthy, a Bill for an Act to amend the School Code. Senate Bill 1065, offered by Representative Tenhouse, a Bill for an Act to amend the Early Intervention Services System Act. Senate Bill 1075, offered by Representative McCarthy, a Bill for an Act to amend the Illinois Income Tax Act. Senate Bill 1087, offered by Representative Slone, a Bill for an Act concerning Illinois' open spaces and natural lands. Senate Bill 1112, offered by Representative John Turner, A Bill for an Act in relation to criminal penalties, amending named Acts. Senate Bill 1131, offered by Representative Holbrook, a Bill for an Act to amend the Counties Code. Senate Bill 1146, offered by Representative Rutherford, a

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Bill for an Act to amend the State Employees Group Insurance Act. Senate Bill 1151, offered by Representative Coulson, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 1172, offered by Representative Cross, a Bill for an Act to amend the Counties Code. Senate Bill 1183, offered by Representative Feigenholtz, a Bill for an Act regarding tobacco. Senate Bill 276, offered by Representative Krause, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 556, offered by Representative Woolard, a Bill for an Act concerning education, amending named Acts. Senate Bill 579, offered by Representative Flowers, a Bill for an Act concerning the delivery of health care services. Senate Bill 11, offered by Representative Hoffman, a Bill for an Act concerning the development of small businesses in Illinois. Senate Bill 1199, offered by Representative Smith, a Bill for an Act to amend the Livestock Management Facilities Act. First Reading of these House (sic-Senate) Bills."

Clerk Rossi: "Introduction of Resolutions - House Resolution 164, offered by Representative Dart; House Resolution 168, offered by Representative Erwin, are assigned to the Rules Committee. There being no further business, the House Perfunctory Session stands adjourned."