

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

114th Legislative Day

March 30, 2000

Speaker Hartke: "Prayer today by Father David Brecht of the St. Jude Catholic Church in New Lenox. Father Brecht is the guest of Representative Kosel. Our guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance. Father Brecht."

Father Brecht: "Let us pray. God our Father, we acknowledge and honor You as creator of heaven and earth. All things come from You and exist through You and in You and apart from You nothing has being. You made men and women the crown and glory of creation, according to Your own image and likeness, formed through Your workmanship. We have been gifted by You with the task of completing Your work with You. You have given us dominion over our world and the challenge to transform our world according to Your will and with Your help. I pray for these men and women gathered here and I pray with these men and women gathered here. They have been specially chosen to serve all Your people in this State of Illinois. They have been singled out as leaders of Your people, delegated to discern Your will, Your plan and to shape the civil affairs of this commonwealth so as to facilitate the progress and development of all Your children, helping them to become and to accomplish everything You call us to be and to do. Grant these Legislators humility and docility to labor under Your guidance. Give them insight and courage to carry on Your work and not their own. Make them true public servants, preferring the common good to the good of any individual. Help them find their greatest sense of fulfillment and prestige in knowing with confidence that they have served You well by spending themselves for Your people. All praise and glory be Yours, Father, forever and ever. Amen."

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Speaker Hartke: "We shall be led in the pledge today by Representative Pankau."

Pankau - 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 Currie a report from the Republican... or the Democrat side."

Currie: "Thank you, Speaker. I'm happy to report that there are no excused absences among House Democrats today."

Speaker Hartke: "Representative Poe on the Republican side."

Poe: "Mr. Speaker, let the record show today that Representative Black and Representative Brady are excused."

Speaker Hartke: "Mr. Clerk, take the record. One hundred and fifteen Members answering the Roll Call and a quorum is present and we're ready to do business. Mr. Clerk, Committee Reports."

Clerk Rossi: "Committee Reports. Representative Mike Smith, Chairperson from the Committee on Agriculture and Conservation, to which the following measure was referred, action taken March 30th, 2000, reported the same back with the following recommendation: 'be adopted' Floor Amendment #1 to Senate Bill 1733. Representative Feigenholtz, Chairperson from the Committee on Human Services, to which the following measure was referred, action taken on March 30th, 2000, reported the same back with the following recommendation: 'be adopted' Floor Amendment #1 to Senate Bill 1660. Representative Giles, Chairperson from the Committee on Local Government, to which the following measures were referred, action taken on March 30th, 2000, reported the same back with the following recommendation: 'do pass Short Debate' Senate Bill 1582; recommend 'be

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adopted' Floor Amendment #2 to Senate Bill 1425. Representative Schoenberg, Chairperson from the Committee on Appropriations-General Services, to which the following measure was referred, action taken on March 30th, 2000, reported the same back with the following recommendation: 'do pass Short Debate' Senate Bill 1828 and Senate Bill 1829. Representative Hoffman, Chairperson from the Committee on Transportation Motor Vehicles, to which the following measure was referred, action taken on March 30th, 2000, reported the same back with the following recommendation: 'do pass Short Debate' Senate Bill 1248."

Speaker Hartke: "The Chair recognizes the Lady from Cook, Representative Jones. For what reason do you seek recognition?"

Jones, S.: "For a special privilege. I have a very unique person that's sitting next to me and he's my seatmate. And today is his... Saturday is his birthday and he'll be 50. Representative Harold Murphy."

Speaker Hartke: "The Chair recognizes Representative Jones again."

Jones, S.: "Right, and I'm sorry. There's plenty of cake for everybody up front. Thank you."

Speaker Hartke: "Thank you. On Second Reading, on page 2 of the Calendar, appears Senate Bill 1273, Representative Scully. Representative Scully, would you like to move that to Third? Mr Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1273, a Bill for an Act amending the Harassing and Obscene Communications Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 7 of the Calendar, appears Senate Bill 1329, Representative Silva."

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Representative Silva, would you like to move that Bill to Third Reading? Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1329, a Bill for an Act concerning higher education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 7 of the Calendar, appears Senate Bill 1404, Representative Burke. Representative Burke, would you like to... Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1404, a Bill for an Act concerning the regulation of Audiologists. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 7 of the Calendar, appears Senate Bill 1382, Representative Schoenberg. Out of the record. On page 8 of the Calendar, appears Senate Bill 1444, Representative Howard. Out of the record. On page 8 of the Calendar, appears Senate Bill 1477, Representative Fowler. Out of the record. Representative Johnson in the chamber? Tim Johnson. Tim Johnson. On page 5 of the Calendar, appears Senate Bill 742, Representative Johnson. Mr. Clerk, read the Bill. Tom Johnson."

Clerk Rossi: "Senate Bill 742, a Bill for an Act concerning spinal cord injuries. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 9 of the Calendar, on Second Reading, appears Senate Bill 1851, Representative Hannig. Representative Hannig. Out of the record. On page 10 of the Calendar, on Second Reading, appears Senate

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Bill 1871, Representative Kenner. Out of the record. On page 10 of the Calendar, on Second Reading, appears Senate Bill 1874, Representative Acevedo. Representative Acevedo. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1874, a Bill for an Act concerning the exercise of police powers by state employees. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On Third Reading appears Senate Bill 1241, Representative Capparelli. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1241, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Capparelli."

Capparelli: "Thank you, Mr. Speaker. Senate Bill 1241 is the same as House Bill 2870. It's for the firefighters' memorial. The money that we had acquired through the plates that we sold was for the construction. Now they want to use that money to maintain the firefighters' memorial, to hold annual memorial commemorations and to provide scholarships for children. I know of no opposition. I ask for a favorable roll call."

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

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

Speaker Hartke: "He indicates he will."

Parke: "Representative, do you know how much money we're talking here?"

Capparelli: "No, I do not."

Parke: "Now this is for the memorial that's already been built and is up or outside?"

Capparelli: "That's right."

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Parke: "Right?"

Capparelli: "Right."

Parke: "And you say there's no opposition that you're aware of to this?"

Capparelli: "Not that I know of. We passed the same Bill last month."

Parke: "Okay, and nobody testified in committee?"

Capparelli: "No."

Parke: "Thank you."

Speaker Hartke: "Further discussion? Seeing that nobody is seeking recognition, the question is, 'Shall the House pass Senate Bill 1241?' 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 Senate Bill 1241, there are 115 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 3 of the Calendar, on Third Reading, appears Senate Bill 1288, Representative Reitz. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1288, a Bill for an Act concerning liquefied petroleum gas. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. Senate Bill 1288 is similar to a Bill we passed out that Repre... that the current person in the Chair had last year... we passed out unanimously. Deals with petroleum tanks in trying to... more of a safety issue as much as anything else, to make sure that other people are not filling someone else's petroleum tanks. And be happy to answer any questions."

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

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

Speaker Hartke: "He indicates he will."

Parke: "Yeah, Representative, in committee no one testified against this, did they?"

Reitz: "That's correct."

Parke: "And... and this is a, actually a safety program, right, to make sure that no one..."

Reitz: "Yes, it is. Just trying to make sure that people are not filling tanks that they're not familiar with."

Parke: "Has there been an increase in violations that has predicated the reason why we have this Bill?"

Reitz: "Not so much violations, but it's really just a question... something that the propane industry has been seeking cause they think it will... will help and assist their members in just making sure that their members are safe."

Parke: "Okay, thank you very much."

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

Reitz: "Thank you. Just appreciate your support."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 1288?' 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 Senate Bill 1288, there were 115 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 3 of the Calendar, appears Senate Bill 810, Representative Pankau. Mr. Clerk, read the Bill."

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Clerk Bolin: "Senate Bill 810, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Pankau."

Pankau: "Thank you, Mr. Speaker and Members of the General Assembly. This Bill amends the Illinois Income Tax Act and creates two credits for corporate taxpayers. The first credit in an amount equal to 30% of the start-up costs for a child care facility for children of employees, and that part sunsets in five years. The second credit in an amount equal to five percent of the annual operating expenses for a child care facility to the children of the employees. The credits can either be taken by a single corporate taxpayer or by a partnership of several corporations that jointly provide child care for their employees. The amount of the credit may not exceed the liability for that tax year and the whole Act sunsets in five years. I ask for your favorable approval."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Lady from Grundy, Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in very strong support of this measure because it gives employers an opportunity to do something very beneficial to their working families, and it also gives them an opportunity to blend together. If they don't have enough employees, they don't think it's worthwhile that they can do it on their own, that they can contact other employers in the area and work together and pool their resources and makes them all eligible for this credit, and gives an opportunity for people to feel that their children are in a safe environment throughout the work day and to give them some feeling of comfort that

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reduces the number of lost days of work and increases their income overall. And I think it's a very worthwhile program and I certainly urge my colleagues on this side of the aisle to cast an 'aye' vote."

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

Parke: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative Pankau, what's the effective date on this? Well, let me... let me..."

Pankau: "I think it's July of this year."

Parke: "All right. Is it retroactive? Zurich America, in cooperation with Roosevelt University has established a program just like this two years ago. Is there a retroactive?"

Pankau: "No."

Parke: "Can they come back and get the credits?"

Pankau: "No. It is not retroactive in any way, it only looks forward. And it establishes... it helps give that extra boost when you're first establishing that day care center in a facility and then that's where the 30% of the operating cost credit comes in. Thereafter, every year, it's only a five percent credit, which is the same as manufacturers have right now. So you're looking at corporations to join together and basically get the same benefits that manufacturing has now, but no looking back."

Parke: "So they..."

Pankau: "Sorry."

Parke: "Yeah, so am I. Thank you."

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

Pankau: "I urge an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate

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Bill 810?' 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 Senate Bill 810, there were 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 3, on the Calendar, appears Senate Bill 1291, Representative Garrett. Susan Garrett. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1291, a Bill for an Act to amend the Department of Transportation Law of the Civil Administrative Code of Illinois. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Garrett."

Garrett: "Thank you, Mr. Speaker. Senate Bill 1291 amends the Department of Transportation Law of the Civil Administration (sic-Administrative) Code of Illinois. Provides that in counties with a population of not less than 500,000 and not more than 800,000, the Department of Transportation may grant a lease of land or property to a governmental unit for a period of not longer than 25 years. Now it's for a period of five years."

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

Cross: "Thank you, Mr. Speaker. Parliamentary inquiry of the Chair and then I have some questions. Will this... does this preempt home rule and will the Sponsor yield? I don't know if you have an answer for that. I know it's..."

Speaker Hartke: "I don't right now, but I'll check on it before we vote."

Cross: "I know with special legislation sometimes it hard to

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determine whether or not it preempts home rule, but if you could let us know."

Speaker Hartke: "I will. Yes, and the Sponsor will yield."

Cross: "Will the Sponsor yield? Representative, this appears on its face, as I read the Bill, to be a rather unique change in the law. If I'm reading it... if my understanding is correct, we now allow leases only for a period of five years. Is that correct?"

Garrett: "That is correct."

Cross: "Why would you want to... and you know... what would be the rationale, Representative, for just to eliminate it to five years?"

Garrett: "Well, Representative, currently you're right, it is for a period of five years. But for communities such as Waukegan, which this is really going to benefit, it will attract developers to come in and obtain a lease without having to worry about renegotiating their lease every five years. Additionally, this Body passed a measure that allows for the toll way to increase their period of leases up to 25 years. So it's totally consistent with how the toll way is doing their business, too, for these similar kinds of provisions."

Cross: "Wouldn't you... wouldn't you charac... wouldn't you characterize this as special legislation, Representative?"

Garrett: "I'm sorry, I didn't hear you, Representative."

Cross: "Wouldn't you characterize this as special legislation, specifically for your area?"

Garrett: "I would say that, you know, it will benefit counties of not less than 500,000 up to 800,000 in population, and it will clearly benefit communities in counties of that size."

Cross: "How many counties fit into that category, Representative, since... other than Lake?"

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Garrett: "As far as I know, Representative, two."

Cross: "Really? Which other one besides Lake?"

Garrett: "DuPage and Lake County."

Cross: "Has anyone from DuPage County come to you asking you to do this Bill?"

Garrett: "Well, Representative, as you remember I did introduce this Bill last spring. And I think it was you, but it may have been one of your colleagues that suggested this was a very good piece of legislation because it will benefit..."

Cross: "I don't think that was me, Representative."

Garrett: "Pardon me?"

Cross: "I don't recall..."

Garrett: "Well, somebody said that they felt it was a good piece of legislation because for developers to renegotiate leases every five years, it becomes... it becomes a very difficult and tedious process."

Cross: "All right. Apparently, under this Bill you've discussed the idea or alluded to the fact that a developer wants to come in and improve some property in Waukegan. Is that correct?"

Garrett: "I don't know that, but I know that Waukegan... I've been working with officials, elected officials, to redevelop downtown Waukegan and they believe that in order to attract developers, there's no specific developer, they need to make sure that they are able to make it as enticing as possible and to renegotiate these leases every five years. As I said, it's very tedious."

Cross: "So there have been absolutely no developers or there are currently no developers whatsoever that are currently pursuing a project in the City of Waukegan? Absolutely none?"

Garrett: "I... you know, I think there are some developers that

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are looking at Waukegan. I can't tell you if any of them are going to be starting any major projects in the next couple of months. I don't know of any developers personally."

Cross: "What are the projects that you are talking about that are being pursued? Can you go into some detail about the projects?"

Garrett: "There's a highway that runs through downtown Waukegan call the Amstutz Highway, and in order to put in condominiums or any kind of commercial buildings you would have to actually go over the Amstutz Highway which is under the jurisdiction of IDOT. So this would be one way in which any kind of developer again could come in and be able to develop that property and not worry about renegotiating their leases every five years with IDOT. And IDOT, by the way, Representative, is neutral on this as far as I understand."

Cross: "Pardon me, I couldn't hear you."

Garrett: "Pardon me?"

Cross: "What about IDOT?"

Garrett: "I think IDOT is neutral on this."

Cross: "Have you talked to anyone from the district office of IDOT, whether or not they're neutral on this?"

Garrett: "They are neutral. I talked to them. This is the second time I've introduced this Bill, Representative. They are neutral, unless things have changed in the last 15 minutes."

Cross: "So there are no developers, there's no specific project, but you've introduced this Bill two different times?"

Garrett: "They're... Waukegan is involved, Representative, in a very well planned downtown redevelopment project. Waukegan is the county seat. Waukegan has been working for years to

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make sure that it is a viable community in which people will come and spend money and develop. And this is just one of the ways in which we are encouraging people to come to Waukegan."

Cross: "You've limited this... not limited you've... in your legislation you've expanded it to go beyond IDOT. Is there a reason for that, Representative?"

Garrett: "I didn't hear you, Representative."

Cross: "It appears in your legislation that this applies to other governmental unities... units other than IDOT. Is there a reason for that, cause you mentioned only this road issue?"

Garrett: "I mentioned what?"

Cross: "You said there was a problem with the road and... with IDOT."

Garrett: "Amstutz."

Cross: "Why would you expand this Bill to include more than just IDOT? You've said all governmental units, if I read your Bill correctly."

Garrett: "Well, you know, all that we're dealing with right now is IDOT. This is really an IDOT issue."

Cross: "Well..."

Garrett: "I think the other governmental units would be the governmental bodies that negotiate with IDOT, such as the City of Waukegan. Maybe the Port District of Waukegan."

Cross: "Well, then why would you include township government?"

Garrett: "Um..."

Cross: "I assume you've read the Bill."

Garrett: "It may be some of this would include the township government. There's no hidden agenda here at all. I think that they want to make sure that every governmental body who has a say in this has an opportunity to come to the table."

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Cross: "Representative, thank you. And I just again, with respect to as I said the concern about the special legislation, does this preempt home rule, Mr. Speaker?"

Speaker Hartke: "Mr. Cross, we have prepared an answer for you and we're prepared to do that now. The Parliamentarian will give his response."

Parliamentarian Uhe: "Representative Cross, on behalf of the Speaker and in response to your inquiry, Senate Bill 1291 does not contain any language denying or limiting any power or function of home rule units and, therefore, pursuant to House Rule 70 this Bill does not preempt home rule."

Cross: "Thank you."

Speaker Hartke: "Ladies and Gentlemen, we are on Third Reading and it's getting very difficult to hear in here, so let's tone it down just a little bit, please. The Chair recognizes the Gentleman from Cook, Representative Durkin."

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

Speaker Hartke: "The Sponsor yields."

Durkin: "Representative, why'd you pick the 25 years as opposed to any other time? What is the magic... what's magical about 25 years?"

Garrett: "Originally we tried with 50 years and we passed that piece of legislation out of the House and it... I think that piece of legislation fell a couple of votes short in the Senate. And in order to get it passed through the Senate, through negotiations, I think Adeline Geo-Karis has carried this. It has passed unanimously. The 25 years was agreed upon, but also the toll way, as you remember, we passed legislation that allows for their leases to be extended up to 25 years for the toll way oases. So it is consistent with other forms of leases."

Durkin: "Well, I'm not quite sure if that's the answer I was

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looking for, but are you saying that if IDOT enters into a lease with this local government that they are now stuck for this lease for 20... up to 25 years and there's no ability on behalf of IDOT to renegotiate the contract. Correct?"

Garrett: "Well, I would guess that when somebody signs a lease for 25 years that they are... they have signed onto an agreement. But IDOT, by the way, is neutral to this particular piece of legislation."

Durkin: "That's not what I asked."

Garrett: "It's not... I'm sorry. I've been told it's not a mandatory 25 years, so apparently there is some flexibility."

Durkin: "Well, previously Representative Cross asked a question. You said that you do this because they don't want to renegotiate every five years because you think it's tedious. Now the implication which I get out of that is that there is no ability for IDOT or anybody to renegotiate the contract. If we are going to have leases which are going to extend up to 25 years, there are conditions which may change within that time period which may show that either that IDOT or the local government is not getting the best out of the deal, and they feel that under the conditions that there needs to be some type of change. I don't see anything in here which allows them to go back and to renegotiate the lease. Yes or no?"

Garrett: "Well, I'm not an attorney but the way I understand, is once that lease has expired they can renegotiate."

Durkin: "What I'm saying is that you're going to have some of these leases, which may go up to 25 years, in five or six years into the lease there is some type of change which neither... which one party is concerned about regarding the

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property. It could be on after some type of testing. There could be contamination in the area in which all of a sudden one of the parties wants to get out of the agreement. Are you saying that they are not able to go back in during that period during the lease to renegotiate the terms? That is what you're saying, correct?"

Garrett: "Well, what... You know, again this is like..."

Durkin: "You don't need to be a lawyer to figure that out."

Garrett: "No. Well, the way I understand it is if both parties are amiable to some sort of change, they could definitely do that. But the way a lease is written, yes, once a lease is agreed upon, I would imagine that both parties would stick to that agreement."

Durkin: "Well, what if one party is not amiable? If there is a disagreement?"

Garrett: "Well, then they wouldn't sign the lease in the first place. The lease would be agreed upon by both parties. That would be the governmental unit and the Illinois Department of Transportation."

Durkin: "All right. So IDOT likes... they want to, in ten years, your area up there in Lake County..."

Garrett: "I can't hear you."

Durkin: "...all of a sudden they realize that, you know, we don't think that this is a good lease for us. It's bad for our community. And IDOT says, no, we're not going to change the terms of this. Now you're saying that your community is now stuck with this up until whatever... it could be up to 25 years."

Garrett: "Well, a lease is a lease, and I think when two parties agree to it they stick by their agreements. If there are changes along the way, as you know, I'm sure that they would renegotiate some of those changes."

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Durkin: "Well, if it was a perfect world that would be the situation, but you know as well as I do that conditions occur on a daily basis in every year, which substantially changed the rights of various parties. I'm going to move on to another area. Could you explain to me why you have language in there which refers to vertical rights, subterranean air rights. What exactly are you trying to do with that?"

Garrett: "That is the way the legislation is written. But the way I understand it is that the... it would work more for air rights, I think, because what we're talking about is this one particular highway called the Amstutz Highway. And in order to build above that you need to go into the air rights provision of this particular kind of agreement."

Durkin: "What are the limitations of the air rights in this Bill? What are the height limitations?"

Garrett: "What about the what?"

Durkin: "What..."

Garrett: "I can't hear you."

Durkin: "I said, what are the height limitations that you have in this Bill? You're giving... if you're extending air rights or being leased, is there any type..."

Garrett: "All of that... You know, that really is the legal agreement that would be established between IDOT and, you know, whomever, the City of Waukegan, I guess, or whomever else is interested in it. It's, I think contractual law and I think that those kinds of provisions are in place and that would be negotiated."

Durkin: "Where do air light... where do the air rights end in your... In your little area up there you're trying to have this Bill passed, but where are the air rights going to end?"

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Garrett: "I, again, Representative, I believe that that would be negotiated in the agreement in the lease. That is the whole purpose for having an agreement, that both parties would decide what the best course of action would be."

Durkin: "Well, you know, I think you tried to answer most of the questions."

Garrett: "I don't think that, Representative..."

Durkin: "I do have concerns about... I'm not going to ask anymore questions, I'm just going to finish right now. But I do have concerns about the fact that it's not real clear if one of the parties does have the ability to renegotiate during this period. I think that these are the things, if... There is obviously a concern if we're going to extend leases for that great amount of time. I think there should be some type of language which allows one of the parties to go back in to renegotiate, cause I don't think it's that difficult of a thing to do. And from what I... the answers that I've heard from you, it would seem like both parties are precluded from making any type of Amendment to the agreement. So..."

Garrett: "Well, Representative..."

Durkin: "...I think that you should think about these things and put a little more consideration in the future when you do these types of Bills. Thank you."

Garrett: "Representative, may I respond to that? The same kinds of provisions that apply to the five year lease would also apply to the 25 year lease."

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

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

Speaker Hartke: "She indicates she will yield."

Turner, J.: "Representative, Representative Cross had asked you

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some questions about special legislation as did Representative Durkin, and I pulled the Constitution, it does give me some concern. According to Article IV, Section 13, the General Assembly shall pass no special or local law when a general law is or can be made applicable. You don't dispute that that is what the Constitution says, do you?"

Garrett: "What was the question, Representative?"

Turner, J.: "My question is, you don't dispute that that is what our Constitution does say?"

Garrett: "I would never dispute the Constitution."

Turner, J.: "All right. Well, it looks like, since you're limiting this legislation to only one or two counties in the State of Illinois, that it's in violation of that particular Section. Do you have an opinion on that?"

Garrett: "I would totally disagree with that. I think what we're doing is..."

Turner, J.: "What's your rationale for your disagreement?"

Garrett: "Because I think what we're doing is providing flexibility for leases with IDOT, and I think it's consistent with what we have just passed with the toll way."

Turner, J.: "Well, now wait a minute. Representative Durkin asked you some questions about what the law would actually do if passed. It would actually allow for a 25 year lease, would it not, from the State of Illinois to a local governmental entity?"

Garrett: "Yes, it would."

Turner, J.: "Okay. So if this law were to pass then, IDOT would be able to enter into a lease for 25 years in only two counties in the State of Illinois, but would not be able to do so in the other 100 counties. Is that correct?"

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Garrett: "I... It is correct, but I believe..."

Turner, J.: "Well, if that is correct, then how is it not a violation of the special legislation clause in Article IV of the Illinois State Constitution?"

Garrett: "This also... Again, it applies to DuPage County as well. So I don't know that it's specific to my district or the county in which I represent constituents."

Turner, J.: "Well, the problem here is that it applies apparently to one or two counties, but it doesn't apply to the other 100 counties. The other problem is that it involves a contract, a contract between two units of government, one being the state, one being a local unit of government. And so what you're doing is saying that there is a different contract law that applies to two counties versus the other 100 counties, which appears to be a violation of special legislation. Does that not give you some concern about trying to run this Bill through here this morning?"

Garrett: "I don't think it is a violation of special legislation. I would disagree with that. I think we have pass... we have passed this Bill out of the House. It has passed the Senate. There were no questions asked of the Senate in regard to special legislation."

Turner, J.: "Well, maybe it got past them over there. Well, in any event, Representative Durkin had also asked you some questions about the wisdom of entering into a 25 year lease by the State of Illinois. Presumably, if they enter into a lease for 25 years, the terms will be binding for all of that time period. Would that be correct?"

Garrett: "I would assume so, unless both parties decided to amend the lease agreement."

Turner, J.: "Well, if one party is getting an advantage, for example; perhaps Waukegan is getting an advantage because

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the price is set too low, and after five or six years it is abundantly apparent that it is unfair to the State of Illinois. Waukegan is not going to want to get out of that lease. They're not going to agree to rescind the agreement that's previously reached. What then is the remedy for the people of the State of Illinois?"

Garrett: "The purpose of this legis... Let me just remind you what the purpose of this legislation is. There are no, as far as I know, there are no costs associated with it and any kind of final agreement would be decided upon by both parties. This isn't a rubber stamp piece of legislation, it has to be agreed upon by both parties. And I have to give IDOT a lot of credit because I think that they are very good at negotiating leases, and I think the City of Waukegan would also have a chance to come to the table or for that many... that matter, any other government municipality. So this isn't a one-sided approach and I strongly believe that the taxpayers are not going to be hurt. In fact, it will bring additional revenue into a community such as Waukegan that is in dire need of redevelopment. That is very... that is paramount to this legislation."

Turner, J.: "Well, you say there's no money involved in this. What would be a typical provision in the type of lease that you're addressing in this legislation? What kind of provision is there in the lease other than you get to use the land? There's no compensation of any kind, then?"

Garrett: "Well, the way I would understand this, Representative. Again, I'm not an attorney. It would allow a city such as Waukegan to talk to different developers who were thinking about coming into that particular city and letting them know that if they decided to build, for instance, a

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condominium complex, that they do not have to renegotiate any kind of air rights with the Department of Transportation every five years. And however that agreement would be set up, which would be negotiated on both sides..."

Turner, J.: "Well, I'm not familiar with those kinds of agreements. What I'm asking you, what would be a typical provision? Is there not an exchange of money? Is there not money paid for the use and benefit of the land under the lease?"

Garrett: "I don't think that there is. I'm not sure about the money. I don't think that there is money associated with this."

Turner, J.: "I couldn't hear you. Your answer was, you don't know if there is..."

Garrett: "I don't believe that there are funds..."

Turner, J.: "...money attached to any of these leases then?"

Garrett: "I don't... I don't... excuse me. I don't believe that there are funds associated with this."

Turner, J.: "All right. Well, apparently you think this is a good Bill and a good idea or you wouldn't be presenting it today. Correct?"

Garrett: "I... I believe very strongly in this for the redevelopment of Waukegan, which is the county seat in Lake County."

Turner, J.: "Sure. If it's a good idea, why would you limit it then to two counties? Why would the state be entering into leases in only two counties, where it can be extended for 25 years versus the other 100 counties in the State of Illinois? If this is a good idea, why not make it statewide?"

Garrett: "I... at this point in time there, as far as I know,

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Representative, there are no other counties that have these kinds of issues. But I would suggest if other counties are interested in this and we get this legislation passed, we can amend it and include as many counties as you think should be included. It is... it's common sense legislation, Representative. It happens to work, I think, in counties that are growing at a very rapid rate, and I think that is why Lake County and DuPage County have been singled out because of their population growth and development."

Turner, J.: "Well, I certainly can't refute that. I'm not sure you responded to my question. My question was, if this is a good idea, why it would not apply all over the state as compared to only two counties? But in any event, IDOT, you say, is neutral on this?"

Garrett: "Yes."

Turner, J.: "Now if we take you up on your suggestion and apply it statewide over all 102 counties, is IDOT still going to be neutral? They're going to want a law where they can enter into an agreement over a 25 year period, all over the State of Illinois, and they'll still be neutral if it applies everywhere as compared to the two counties mentioned in your Bill?"

Garrett: "Again, I haven't talked to IDOT about this. I think if you are interested in introducing this or amending the legislation, we should talk to IDOT and see where they stand. I haven't had those discussions with IDOT. I happen to agree with you, I think it's a good idea though."

Turner, J.: "Representative Durkin had asked you where came up with the number 25 and I didn't hear your response. Where did that originate? Was it..."

Garrett: "We started out last spring with 50 and we passed that

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legislation out of the House but it didn't pass by a few votes in the Senate. And then the way I understand it, Senator Geo-Karis carried this in the Senate and she negotiated with her colleagues and IDOT and I think they found that 25 years was a very reasonable amount of time. It also is consistent with new leases that the toll way oases are going to be offering to potential developers, a 25 year lease."

Turner, J.: "I thought you indicated to Representative Cross, pursuant to an inquiry that he had posed to you, that there is no known developer. This isn't done for any particular reason, it's just a general piece of legislation you think needs to be passed. You're not retracting that, are ya?"

Garrett: "I think that's the way it is. I mean, as far as I know. When I introduced this last year the same kinds of questions were asked of me and because I work closely with the City of Waukegan. The purpose for providing this kind of legislation is to encourage developers to come in and work with the City of Waukegan on development. You know, I don't know of any particular developer that's working with IDOT or the City of Waukegan on this right now. I mean, it may be, but I don't know. I don't know of any. It's part of... Representative, this is part of a major, major redevelopment package and program that has been worked on for the last decade and it's a pivotal piece of legislation that is critical to the City of Waukegan, which is critical to Lake County."

Turner, J.: "Critical because you need to be able to enter into a lease for 25 years..."

Garrett: "I'm sorry..."

Turner, J.: "...versus five years, where you would renegotiate terms after five years?"

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Garrett: "I'm sorry, could you just repeat. I didn't hear it, somebody was talking to me."

Turner, J.: "Okay. Why is it so critical? You can enter into five year leases which can be renegotiated on a fair basis at the conclusion of each lease term. So I'm not sure I understand why you're indicating it is so critical that you simply... that we would change the law so there can be a 25 year lease versus just renegotiating at the end of each five year period."

Garrett: "Well, I don't like to speak on behalf of the City of Waukegan. I think they have done an incredible amount of research and have worked with consultants, and the feeling is, is that developers would not be inclined to invest a lot of money in development in Waukegan if they felt they had to renegotiate their lease every five years. This has been... really, they spent many, many years researching this and working with different consultants, and this is, as I said, the piece of legislation that will really benefit the development of Waukegan."

Turner, J.: "Thank you."

Speaker Hartke: "Mr. Turner, are you finished with your discussion?"

Garrett: "Do we have..."

Speaker Hartke: "Thank you. Representative Garrett to close."

Garrett: "I would... Yes. I appreciate the debate on this issue. I just want to remind my colleagues that we did pass this Bill out of the House last year with a clear majority of votes. This has passed the Senate, unanimously passed the House committee and it is a pivotal piece of legislation. I ask you for an 'aye' vote and I thank you for taking the time to listen to the debate."

Speaker Hartke: "The question is, 'Shall the House pass Senate

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Bill 1291?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... There's still one person not voting. Mr. Clerk, take the record. On Senate Bill 1291, there are 74 Members voting 'yes', 40 people voting 'no', and 1 person voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 4 of the Calendar, on Third Reading, appears Senate Bill 1589, Representative Wirsing. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1589, a Bill for an Act amending the Board of Higher Education Act. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker. The Senate Bill 1589, simply all it is doing is removing the sunset... sunset date on the gender equity in intercollegiate athletic provision of the Board of Higher Education Act. And it changed the time elements with regard to reporting on that provision. This is something that, because of the sunset, it was time to do that and making the change in the reporting period when there was an opportunity to change that. As experience has taught, this would be the better route to go. And that simply changes it from every two years to every three years. That's the crux of the legislation and would answer any questions."

Speaker Hartke: "Is there any discussion? Nobody wants to say anything. The question is... Since no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1589?' All those in favor signify by voting 'yes';

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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 Senate Bill 1589, there are 115 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 Senate Bill 1682, Representative McCarthy. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1682, a Bill for an Act concerning sales and use taxes. Third Reading of this Senate Bill."

Speaker Hartke: "Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1682 creates the streamlined sales tax system for the 21st century. It authorizes the Department of Revenue to discuss what other states, the development of a multistate voluntary streamlined system of sales and use tax collection and administration of that. It also authorizes the Department of Revenue to develop a pilot program of sales and use tax collection with other states. It establishes a legislative oversight committee on sales taxes and it requires the Department of Revenue to submit a report on the status of multistate discussions to the Governor and the General Assembly by March 1st of the year 2000. The Bill was unopposed in committee. I believe it was unopposed or else maybe 1 'no' vote in the Senate. And we have many, many proponents of the legislation which I'd be happy to read if someone wants to question them. I move for the passage of it and would respond to any questions."

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

Skinner: "Yes, I wonder if the Representative would tell us whether this might lead to a tax on Internet sales?"

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McCarthy: "The... there is a possibility for that. The possibilities that we're looking to make sure that our brick and mortar businesses are in the same playing field with those that are developing E-commerce. The main thing this is going to do, though, is to look at that issue to see if it is not only workable, but something that we should do as well. So, it could actually end up reducing the sales tax on regular brick and mortar businesses... if we find out that E-commerce businesses, it's just not functional to do that. But because sales tax revenue is so important to our state, I think that the Senate Sponsor thought it was something we should definitely look at and see if it's something that we can do, maybe we should it."

Skinner: "Ah, yes, the Senate Sponsor is the primary advocate of taxing the Internet, isn't he?"

McCarthy: "I think..."

Skinner: "Senator Rauschenberger."

McCarthy: "I think the Senate Sponsor is the primary advocate of a fair and level playing field between all the businesses of our state, whether they're E-commerce businesses or brick and mortar businesses."

Skinner: "Well, folks, I guess we've got a decision to make here. This is just the first decision, it's not the final decision. And the decision is, are all those box stores in the shopping center near you, are... Let me put it in the converse. Are any of those box stores owned by anybody that lives in your district? Are they all... or are they all owned or virtually all owned by corporations sited in other states? If you want an Internet tax, if you want a tax on Internet sales, you certainly should go along with the tax 'eaters' that are sponsoring this Bill. I, however, will vote 'no'."

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

Ryder: "Thank you, Mr. Speaker. I wish to address the Bill and stand in support of the Bill. References to Senator Rauschenberger are absolutely correct, not only has he cochaired an NCSL committee on this very important subject, he has also been part of creating model legislation, which we are being presented today, that is supported by NCSL, the Council of State Governments and several other national organizations to bring fairness to sales tax. Sales tax in Illinois is one of our prime sources of revenue and the folks that work in those brick and mortar stores, whether they're owned by someone in Illinois or someone out of the State of Illinois, are the residents of the State of Illinois. We simply want fairness and this legislation will allow us to do it. I am surprised that some folks would even stand in opposition to a streamline of the sales tax system that would allow us to be less oppressive in the tax, the sales tax of the State of Illinois, whether on an Internet sale or a sale in your local stores, shopping centers or malls. I stand in strong support of the... of this piece of legislation."

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

Schoenberg: "Thank you, Mr. Speaker. In all due respect to the previous speaker's impassioned plea, I think for those of us who wish to carefully examine how we impose taxes on one of the hottest and most rapidly growing portions of our state economy is something that bears serious discussion and serious questioning. I have a question for the Sponsor. Will the Gentleman yield?"

Speaker Hartke: "Further discussion?"

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McCarthy: "He has a question."

Speaker Hartke: "Oh, okay. Excuse me."

McCarthy: "I yield."

Schoenberg: "Mr. McCarthy, does this... does this legislation operate on the assumption that we should impose sales taxes on goods which are purchased over the Internet?"

McCarthy: "I think this legislation is based on the assumption that we should try to have a level playing field. But the main impetus behind this legislation is that we need to look at it to see if this is functional. If it's not functional, then we better discuss other ways of funding state sources and local municipal sources because the tax revenue that's going to be lost to the state and to our local municipalities is something that could be very grave."

Schoenberg: "But Mr. McCarthy, is the question whether we should be... is this legislation... does this Bill ask us whether we should impose sales taxes on Internet purchases or does it assume that we are going to impose taxes on Internet purchases and asks us to figure out how to do that? I think there's a big difference between the two."

McCarthy: "I think you're right, but I also think that under the legislative findings of this Bill, it says that this new multistate tax collection system, that all tax collection should be treated in a completely neutral manner. Meaning that the goal of this is to make no one business have a strong advantage over the other. Now the study may find out that there's just no way to do this. We have not done a great job since the early 1960's with collecting sales tax on catalog sales. There's the estimates that we miss probably 85% of that. So if this study shows that that's not going to be there, then we also have to protect our

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current businesses that have been very good to the state as well as being very good to their local municipalities, and that's what this will study... look at. I agree with you that there is a leaning in the legislative findings toward seeing if we could tax that, but there's also a strong leaning in there for us to study the issue and see whether this is something that we can make functional in the near future."

Schoenberg: "But is it realistic to expect... is it realistic to at all expect that any of this study is going to result in a reduction or elimination in sales taxes for traditional brick and mortar businesses? I think... Is that even going to be something that's going to be discussed?"

McCarthy: "I think that's a realistic assumption and I think that the Senate Sponsor, as well as myself, would be someone who would support that. If we find out that some of our businesses are at a competitive disadvantage, we would do what we can in order to reduce that disadvantage."

Schoenberg: "I have one final question, then to the Bill. Mr. McCarthy, what is the status of the federal... what's the federal situation currently on the imposition of taxes, on sales taxes or any taxes, for Internet purchases?"

McCarthy: "I'm trying to look at my notes now. They passed a moratorium in '98, and I believe it was for three years."

Schoenberg: "And are you aware of the fact that a number of leaders on both sides, Speaker to be, Gebhardt, as well as a number of prominent Republicans have indicated that they wish... this past week, that they wish to extend that moratorium? How would that be impacted by this legislation?"

McCarthy: "Well, I'm well aware that a lot of the Republican Leaders have spoken out to extend the moratorium. I'm kind

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of happy to hear that Speaker Gebhardt or proposed Speaker Gebhardt is... also would be in favor of that. But I don't think that will affect it and, in fact, the moratorium was written with specific language to not inhibit any state from taking action on this issue."

Schoenberg: "Thank you. Thank you, Mr. Speaker. To the Bill."

Speaker Hartke: "To the Bill."

Schoenberg: "I think the Members of the Body who are concerned, anybody who's concerned about what our taxation policies are, whether or not we should be imposing taxes on a 'white hot' part of our state's economy is something that we should... This is an issue that we should all be very... paying very close attention to. The consulting firm of Ernst and Young did a study that showed that less than one-tenth of one percent of the state and local sales taxes nationally were lost as a result of the explosion of electronic commerce on the Internet. I'm going to vote against this legislation because there is a thumb on the scale as to whether or not... as to how we should decide whether or not we should impose sales taxes on this expanding portion of the economy, especially at a time when our state and the Governor are getting ready to make a nearly two billion dollar commitment and investment in high technology and information technology and biotechnology, where the City of Chicago, the state's largest jurisdiction is also investing tens of millions of dollars to make Illinois the premier information technology and high-tech state in the country at a time when we're making all this investment and trying to grow out this sector of the economy, to me, it seems to be at cross purposes to pass a Bill that says we now have to figure out how to tax it. If anything, the time is right for us to leave this alone, to

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let this sector of the economy mature, to examine the constitutional issues as to whether the Federal Government can tell us how to impose sales taxes. The practical, logistical enforcement issues of whether the State of Illinois can uniformly enforce a single tax structure for Internet purchases when they've been able to do so for virtually every other form of traditional economic activity. All these questions dictate that we should sit tight and we should hold off on any measure and because this Bill is skewed towards imposing new taxes on Internet purchases in a growing sector of our economy where we are investing hundreds of millions if not billions of dollars. I would urge the Members to vote 'no' for Senate Bill 1682 at this time. Thank you."

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

Parke: "Thank you, Mr. Speaker. I rise with similar concerns of my colleague on the other side of the aisle. I will, though, vote for this because I think we continue to need to study this very important issue. But it certainly is slanted that there are a lot of special interests that would like to have this taxed, the Internet taxed, and I hope that's not the direction that this task force is going to go by virtue of this legislation. I think what it is, is that I'd like to see us study the alternatives and all of the ancillary by-products of the Internet to make sure that we do not put a damper on the growth of the Internet. I can understand that our retail merchants and municipal governments see this as a lowering of the sales tax revenue that they get in to run their governments, and I appreciate that. But I'm very concerned that we do not damper the growth of the high-tech industry. In my area, in my

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legislative district, I have some major high-tech industries. I hope that they're consulted and that they're brought in so that we get a balanced look at whether or not this is the right thing to do, and underlying, when my colleague on the other side of the aisle said, I'm very concerned about the erosion of states rights. Every time I turn around we continue to give away our rights to the Federal Government. When the talk in the Federal Government is that they're going to try and send more responsibility to the states then, I think, they're not doing that. What they're doing is they're continuing to say, well, we're going to let the Federal Government take control of this. The Sponsor, I think, is moving in the right direction in the terms of discussing the issue, has set the task force. But if you're involved in it, Sir, I hope that you try and bring a balance to make sure that we're going to get what's best for all the people of Illinois, for the taxing bodies in Illinois, and that we don't look at just the short term initiatives. So I think this is an issue that every Member of this Body should pay attention to, that you'll look at this and try to understand the ramifications of this. And both ways, because this is going to make an important decision on the direction of the Internet for the future of our country and for the world. This is a very serious idea, but we cannot put our head in the sand. I think we're going to have to research it, we're going to have to look at all the alternatives. But please try to bring a balance to make sure that the ultimate public policy we come up with is good for all people. Thank you."

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

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Currie: "Thank you, Speaker and Members of the House. I rise in support of Senate Bill 1682. There is nothing limiting the study group from deciding that it is good social policy to continue to leave untaxed the profits of the fat cat E-commerce folks. Nothing at all would preclude that operation or that option. But I do think that generally speaking the tax collectors shouldn't care whether you're buying your widgets at the corner store, through a catalog or over the Internet. And I think we have a responsibility to assess the implications for commerce and for local and state government of a situation in which we will be increasingly unable to meet our responsibilities and to pay our bills. I hope the study group will come to rational, reasonable conclusions, but I don't think anybody need fear at this point that voting for this Bill is to vote to tax Internet sales. That might be the best outcome, but there's nothing in this Bill that says that it will be. So vote 'yes'. Let's make sure we all know the facts, we all know the consequences of whatever decision this or a later General Assembly will come to in respect to the collection of sales taxes for items that are bought at any place, whether the Web or somewhere else."

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

McCarthy: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think some of the concerns that were listed, especially by Representative Parke, were well founded and I'm sure they will be continued in the group. I just think that one sentence out of a letter to the editor, written by the Senate Sponsor, says, 'We need to reform and simplify our tax system and our goal must be to lower the overall tax burden.' I think that's an important concept to

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remember. We're going at this saying that we need to do the study. We shouldn't have our head in the sand, as some people said before, while catalog sales... I mentioned earlier, we've had a hard time keeping track of the sales tax that should have been collected on them. The catalog sales have never had the exponential growth that the E-commerce has had in the last couple years. And if it did continue at that rate, it would be a serious affect on our sales tax revenue throughout the state. This is a study to look at it. The Municipal League course through the cities of our state, would depend a lot on the tax revenue of sales tax, have said it's their most important legislative agenda... item of the agenda this year. So I think it's a good step to get our head out of the sand. As far as the Tenth Amendment right for states, I think that that was well spoken there, that we need to tell the Federal Government they shouldn't be standing on our toes. It's our right as far as the states, as whether we have sales tax or not and that will not be forgotten by this conven... this committee, so I thank you for that addition as well. But I think it's time that we look at this. This is something that says we're looking to the future, we're not going to wait around and say, oh, we should have done something about this after the horses are already out of the barn. I think Senator Rauschenberger has a great plan here, a great study, and we need to pass this and get it over to the Governor and get this study going, so I would move for passage of the Bill."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 1682?' 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? This is

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final passage. Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 1682, there were 80 Members voting 'yes', 33 Members voting 'no', and 3 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from Sangamon, Representative Poe. For what reason do you seek recognition, again?"

Poe: "Yeah, Mr. Speaker, I rise on a point of personal privilege."

Speaker Hartke: "State your point."

Poe: "I think this year I'm one of the luckiest State Representatives in the State of Illinois. This is the third time in a week I've had the honor of honoring some state champion teams. Today I have the Riverton volleyball team. Girls, why don't you stand up. This is the junior high team. They won the state championship as the seventh-graders. They won the state championship as eighth-graders. They have a 65 and 1 record in their two years, and I'd like to introduce the coaches. Carol Sims. Assistant Coach, Kelly Alexander. We want to congratulate those girls and we plan on seeing them here many years in the future."

Speaker Hartke: "On page 4 of the Calendar, on Third Reading, appears Senate Bill 1613, Representative Hassert. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1613, a Bill for an Act concerning the care of Alzheimer's disease patients. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Hassert."

Hassert: "Thank you, Mr. Speaker, Members of the General Assembly. 1613 authorizes the creation of one Alzheimer's disease management care center as an alternative health

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care delivery model. This model will be located in Will County. I'll be happy to answer any questions. Thank you."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1613?' 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 Senate Bill 1613, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 3 of the Calendar, on Third Reading, appears Senate Bill 1323, Representative Bradley. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1323, a Bill for an Act to amend the Illinois Dental Practice Act. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Bradley."

Bradley: "Senate Bill 1323 amends the Illinois Dental Practice Act in three significant respects. First, it includes among the duties of a dental hygienist the administration of local anesthetics; second, it defines an impaired dental hygienist; and finally, it allows the Department of Professional Regulations to compel a dentist or dental hygienist to submit to mental or physical examination. The Bill also outlines a variety of due process hurdles that the DPR must scale before it may suspend, revoke or discipline the licensed person. There's been no opposition to this Bill."

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

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

Speaker Hartke: "He indicates he will."

Cross: "Representative, I'm not sure I... I want to make sure I understand something. Your Bill will allow, if passed and signed by the Governor, allow dental hygienists to administer local anesthesia?"

Bradley: "That's correct."

Cross: "And currently they do not, obviously?"

Bradley: "Currently do not. And that would have happened under the supervision of a dentist."

Cross: "Will this... will your Bill require the supervision of the dentist or not?"

Bradley: "Yes, it will. Supervision."

Cross: "Well, does it define what supervision of the dentist is?"

Bradley: "Normal procedures that have been in practice in the industry."

Cross: "Will the dentist have to be in the off... in the immediate room where the patient is? Will the dentist just have to be somewhere at the... on the vicinity of the... at the vicinity of the dental office?"

Bradley: "It's defined pretty much being in the building, in that office suite."

Cross: "Do you know, I mean if you know, are there other states that allow dental hygienists to administer local anesthesia?"

Bradley: "Twenty-six other states."

Cross: "So, in addition to that... Well, let me ask you this. What kind of training, if you know, do dental hygienists have to take in order to have this... the ability to do this?"

Bradley: "DPR is going to, by rule, define that and they have full confidence that there will be no risk at all to the

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patient's health."

Cross: "Are... Do you know if, I mean... And I'm not trying to... I don't know that I'm necessarily against your Bill, Representative, I'm just kind of curious. Do you know if in dental hygienists' school that training for this is allowed or provided? Do we know?"

Bradley: "Not at the present, but it will be upon rules of DPR."

Cross: "So at least all of the future dental hygienists will have sufficient training to administer local anesthesia?"

Bradley: "That's correct."

Cross: "What about all the existing dental hygienists? What kind of... They don't... Is there going to be some... Does your Bill outline that they are required to take certain training?"

Bradley: "There is going to be required training, again, outlined by DPR."

Cross: "When does this become law? That's all right, Representative, I don't have any other questions. Thank you."

Bradley: "Sorry, Representative."

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

Bradley: "Appreciate your support."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 1323?' 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 Senate Bill 1323, there are 114 Members voting 'yes', 1 person voting 'no' and 1 person voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 4 of the Calendar, appears Senate

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Bill 1627, Representative Moore. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1627, a Bill for an Act concerning local government debt. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Moore."

Moore, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1627 amends the Local Government Debt Reform Act to make the following changes: Number one, the Bill permits a local government to post notices of backdoor referenda on the local government's Web page. It also permits the establishment of escrow accounts to receive state grants or other revenues or taxes. The Bill provides a uniform form of proposition to authorize the issuance of bonds, pursuant either to a referendum or backdoor referendum. It also provides language that a school district can add to its bond proposition when the school district has been approved for school construction grants. It also clarifies procedures for certain leases or installment purchases requiring filing with the local government's financial officer. It clarifies coverage requirements for alternate bonds issued as a variable rate debt. And finally, the Bill also provides for refinancing of a bond issue for a library district in Plainfield. And I would be happy to answer any questions. This passed through the..."

Speaker Hartke: "Representative Moore."

Moore, A.: "Yes."

Speaker Hartke: "Could you hold a second and come to the podium?"

Moore, A.: "Yes."

Speaker Hartke: "Okay. Would you please come to the podium."

Moore, A.: "I'm sorry, I could..."

Speaker Hartke: "Would you please come to the podium."

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Representative Moore."

Moore, A.: "Thank you, Mr. Speaker. I'd like to take this Bill out of the record for the moment. Thank you."

Speaker Hartke: "Mr. Clerk, take this Bill out of the record. On page 3, on Third Reading, appears Senate Bill 1332, Representative Bugielski. Out of the record. On page 3, on Third Reading, appears Senate Bill 1353, Representative Giglio. Representative Giglio. Out of the record. The Chair recognizes the Lady from Lake, Representative Gash. For what reason do you seek recognition?"

Gash: "Thank you, Mr. Speaker. I would like the record to reflect that on Senate Bill 1291 I intended to vote 'yes'."

Speaker Hartke: "The Journal will so reflect your wishes. On page 4 of the Calendar, appears Senate Bill 1648, Representative Hassert. Representative Hassert. Out of the record. On page 4 of the Calendar, on Third Reading, appears Senate Bill 1862, Representative Wirsing. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1862, a Bill for an Act to amend the State Treasurer Act. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker. Senate Bill 1862 is the initiative of the State Treasurer in developing the College Savings Program. And what this Bill does simply is goes back to that and mirrors the College of Illinois Program, and which means allowing exemptions relative to the state income tax on some of the funds in the program. That's basically what it does and it's kind of a cleanup approach to this Bill that the Treasurer's initiative was there for us a year ago. Would answer any questions and ask for support."

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

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seeking recognition, the question is, 'Shall the House pass Senate Bill 1862?' 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 Senate Bill 1862, there were 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 3 of the Calendar, on Third Reading, appears Senate Bill 1442, Representative Turner. Mr. Art Turner. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1442, a Bill for an Act to amend the Clerks of Courts Act. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Turner."

Turner, A.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. This is a similar Bill to the House Bill that we passed out of here a few weeks ago. What it does is it allows for people who get parking tickets in the City of Chicago the ability to appeal those tickets. And what we've done in this legislation is we reduced the cost of appeal from \$225 down to its cost of \$25. This is a 'good government' Bill. It flew out of the House before and I'd like to get the same roll call on Senate Bill 1442."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1442?' 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 Senate Bill 1442, there were 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On

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page 4 of the Calendar, appears House... Senate Bill 1648, Representative Hassert. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1648, a Bill for an Act in relation to environmental protection. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Hassert."

Hassert: "Thank you, Mr. Speaker, Members of the General Assembly. 1648 simply amends the Motor Fuel Tax Law by extending the period for depositing \$25 million per year into the Vehicle Inspection Fund for the... for the enhanced Vehicle Inspection and Maintenance Program from January 1st, 2001 to June 30th, 2006. I'll be happy to answer any legislation... answer any questions on this legislation."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the Senate... House pass Senate Bill 1648?' 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 Senate Bill 1648, there are 113 Members voting 'yes', 2 people voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 4 of the Calendar, on Third Reading, appears Senate Bill 1555, Representative Lopez. Out of the record. On page 4 of the Calendar, on Third Reading, appears Senate Bill 1651, Representative Morrow. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1651, a Bill for an Act in relation to the finances of the Capital Development Board. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Morrow."

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Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1651 amends the State Finance Act to delay the repeal date of the Capital Development Board Revolving Fund till June 30th, 2004. Under current law the Capital Development Board Revolving Fund is due to repeal on June 30th of this year. Be glad to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1651?' 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? There's still two people not voting. Have all voted who wish? Mr. Hannig, Mr. Fowler. Mr. Clerk, take the record. On Senate Bill 1651, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 4 of the Calendar, on Third Reading, appears Senate Bill 1638, Representative Brosnahan. Mr. Clerk. Out of the record. Out of the record. On page 4 of the Calendar, on Third Reading, appears Senate Bill 1674, Representative Mautino. Out of the record. On page 4 of the Calendar, on Third Reading, appears Senate Bill 1690, Representative Feigenholtz. Out of the record. On page 4 of the Calendar, appears Senate Bill 1695, Representative Schoenberg. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1695, a Bill for an Act to amend the Illinois Controlled Substances Act. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of

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the House. Senate Bill 1695 deletes the language which exempts the manufacturer of methamphetamines from the criminal penalties for chemical breakdown of an illicit controlled substance. The penalty for the chemical breakdown of an illicit controlled substance is a Class IV felony. Under the current law, the manufacturer of methamphetamines is exempted from criminal penalties for the chemical breakdown of an illicit controlled substance. The proponents of this are the Illinois Pharmacists Association, the State Police, the Illinois Fertilizer and Chemical Association. I know of no opposition, and I urge your support. I am happy to answer any questions at this time."

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

Skinner: "Yes, Mr. Speaker. Whenever the Sponsor mumbles like Zeke Giorgi, I'm always tempted to ask, what is this Bill really about? Could you speak loud enough for all of us to hear?"

Speaker Hartke: "Is that a question?"

Skinner: "Yes."

Speaker Hartke: "Representative Schoenberg."

Schoenberg: "I'm sorry, could you repeat the question?"

Skinner: "I said, whenever you mumble like Zeke Giorgi, I'm always tempted to get up and ask you what your Bill is really about. You're perfectly capable of enunciating loud enough and clearly enough for all of us to hear you when you want to, but obviously, in this... on this Bill, you didn't want us to hear what you were saying. What are you trying to sneak past us, Representative?"

Schoenberg: "My lunch, Mr. Skinner. I was in the middle of eating my lunch when my Bill got called, and because I

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didn't want to miss the opportunity to present my Bill, since I missed those opportunities in the past, I'm in the middle of eating my lunch, and I pull out the file in between eating my lunch and now I'm reading the file as I'm eating my lunch, and now I'm answering your questions, as I'm eating my lunch, and I'm sorry if I'm not enunciating or articulating myself well enough. For your benefit, and for your benefit only, Mr. Skinner, let me repeat what this Bill does."

Skinner: "Everyone else understands what the Bill does? Right?"

Schoenberg: "Right."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition... were you finished, Mr. Skinner?"

Skinner: "Has he taken the Bill out of the record to go to lunch or what?"

Speaker Hartke: "That's a question, Mr. Schoenberg."

Schoenberg: "Mr. Skinner, I won't make any further comments on who's out to lunch and for how long."

Skinner: "What is the content of this drug induced Bill?"

Schoenberg: "All right. I assume that's a question. Mr. Speaker, you're eating your lunch too, as well, I see. At the present time, there is an exemption from the criminal penalties for the chemical breakdown of an illicitly controlled substance for the manufacture of methamphetamines, which is commonly known as crank. There's presently an exemption in the law and what this does is close that exemption so that they would... the manufacturer of methamphetamines would indeed be subject to the criminal penalties for chemical breakdown of an illicit controlled substance. That is a Class IV felony which is subject to one to three years and a \$25 thousand fine. I'm not trying to get anything past anybody, Mr. Skinner."

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Skinner: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is... oh, Representative Schoenberg, would you like to close?"

Schoenberg: "Please vote for my Bill, thank you."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 1695?' 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? Mr. Clerk, take the record. On Senate Bill 1695, there are 116 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, on Third Reading, appears... for what reason does Mr. Cross seek recognition?"

Cross: "Thank you, Mr. Speaker. By agreement, I believe, well I know by agreement on both sides of the aisle, at least I believe that, that we move to waive the posting requirements for the next Telecommunications Committee hearing, which is set for April 4th in Room 114 at 4:00, or after Session, whichever is later. The purpose of the meeting will be that the Illinois Commerce Commission will provide an explanation of key telecommunication terms and describe the telecommunications infrastructure. I don't know of any opposition to the Motion and I might appreciate an 'aye' vote."

Speaker Hartke: "You are requesting leave, and leave is granted."

Cross: "Thank you."

Speaker Hartke: "On page 3 of the Calendar, appears Senate Bill... 4 of the Calendar, appears Senate Bill 1629, Representative Wait. Mr. Wait, out of the record. On page 4 of the Calendar, appears Senate Bill 1861, Representative

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Klingler. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1861, a Bill for an Act concerned with driving while under the influence of alcohol or other drugs. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Klingler."

Klingler: "All right. Thank you very much, Mr. Speaker. This Bill is an administration Bill of both the Department of Public Health and the Illinois State Police. And I believe there is no opposition to this Bill. This Bill would consolidate two programs into the Illinois State Police, the substance abuse and testing program and the breath alcohol training program. The Illinois State Police and the Department of Public Health believe that this would be a more efficient way to have these functions and standards and testing done by one agency and I would ask for an 'aye' vote."

Speaker Hartke: "Any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1861?' 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 Senate Bill 1861, there are 116 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, on Third Reading, appears Senate Bill 1883, Representative Smith, Mike Smith. Out of the record. Recognize the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I rise on a point of personal privilege. To remind my colleagues that today, March 30th

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of the year 2000, is the 67th annual celebration of Doctors Day. According to a recent publication of the DuPage County Medical Society, the first observance of Doctors Day was held on March 30, 1933, to honor Dr. Crawford Long, who on March 30, 1842, administered the first ether anesthetic for surgery. Since then, the celebration has grown and expanded to recognize physicians in all medical specialties for their dedication and achievement. I think it is very interesting that we have had this commemoration each year on March 30th for 67 years and this was the first year that I had heard about it. So, I thought I would share it with all of you so none of you are ever taken by surprise when you are told that today is Doctors Day. Thank you, Mr. Speaker."

Speaker Hartke: "Thank you. On page 10 of the Calendar, on Second Reading, appears Senate Bill 1875, Representative Zickus. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1875, a Bill for an Act to amend the Telephone Solicitations Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 9 of the Calendar, appears Senate Bill 1655, Representative Kosel. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1655, a Bill for an Act concerning orders of protection. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Kosel, has been approved for consideration."

Speaker Hartke: "Representative Kosel on Amendment... Floor Amendment."

Kosel: "I would move for the adoption of a technical Amendment to

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this Bill that removes two words from the Bill that were inadvertently not removed in the first Amendment."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to Senate Bill 1655?' 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. Speaker Madigan in the Chair."

Speaker Madigan: "Ladies and Gentlemen, the intent of the Chair is to adjourn in time for the dedication of Governor Edgar's portrait on the second floor of the building. And so, we have two or three items to do and then we'll adjourn. Mr. Clerk on the Adjournment Resolution."

Clerk Rossi: "House Joint Resolution #57, offered by Representative Currie, be it resolved by the House of Representatives of the 91st General Assembly of the State of Illinois the Senate concurring herein; that when the House of Representatives adjourns on Thursday, March 30, 2000, it stands adjourned until Tuesday, April 4, 2000, at 1:00 p.m., and when the Senate adjourns on Friday, March 31, 2000, it stands adjourned until Tuesday, April 4, 2000, at 12:00 noon."

Speaker Madigan: "You've all heard the Adjournment Resolution. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it, the Resolution is adopted. The Chair recognizes Mr. Osmond."

Osmond: "Mr. Speaker, I rise in a point of personal privilege. I would like to introduce the Superintendent of the Antioch Community High School, Mr. Dennis Hockney. And Superintendent Hockney was selected as the Superintendent

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of the Year from the Illinois Association of Student Assistant Professionals, which is a group of alcohol and drug counselors through high schools throughout the State of Illinois. And I would ask my colleagues to give him a round of applause for his outstanding efforts in that area for Antioch Community High School."

Speaker Madigan: "Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Next week, next Wednesday night, April 5th, will be the Senate/House softball game. Some of the Members will be coming around to sell tickets, that money goes for some charities here in Springfield. The House team has been practicing for two nights now, we intend to have another practice next Tuesday night, so bring your sporting attire. We will be practicing at the Sacred Heart field on Washington and Osmond Street. So, next Tuesday practice, next Wednesday night will be the game at Lincoln Park. The place it has been for the last few years. So, Senate/House softball game next Wednesday night. Thank you."

Speaker Madigan: "The Chair will adjourn upon the adoption of a Death Resolution for a former Member. So, if staff would retire to the rear of the chamber, the Members would please rise. We shall adjourn upon the adoption of a Death Resolution for a former Member. Mr. Clerk, read Resolution 702."

Clerk Rossi: "House Resolution 702."

HOUSE RESOLUTION 702

WHEREAS, The members of the Illinois House of Representatives wish to extend their sincere sympathy to the family and friends of Kenneth R. Boyle, who recently passed away; and

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WHEREAS, Kenneth Boyle was born in Springfield, Illinois, the son of Clarence and Mary Yacup Boyle; in 1980 he married Jeanne Liston; and

WHEREAS, Mr. Boyle was a graduate of Virden High School, the University of Illinois, Phi Beta Kappa, and the University of Illinois School of Law; he served in the United States Army, where he earned the rank of Sergeant; and

WHEREAS, Kenneth Boyle served in the Illinois House of Representatives for three terms, from 1970 to 1976; from 1976 to 1980 he served as the State's Attorney for Macoupin County; he retired as Director of the Office of the State's Attorneys Appellate Prosecutor in 1992; and

WHEREAS, Kenneth Boyle was appointed to the State Board of Elections by Governor Jim Edgar in 1995; in July of 1999 he was elected the Chairman of the State Board of Elections; and

WHEREAS, Kenneth Boyle served as a member of the University of Illinois Board of Trustees from 1988 to 1994; he was the first former State Representative to serve on the Board of Trustees; he was the first person from the Board of Trustees to serve on the University of Illinois athletic board, and he helped restructure the athletic department; and

WHEREAS, Kenneth Boyle was proud to be involved with the University of Illinois; he helped in the completion of the Police Training Institute Building, and oversaw the program's curriculum; he regularly attended sporting events in which the Fighting Illini participated; and

WHEREAS, His son, Kenneth, Jr. is currently a member of the Fighting Illini football team; he was ranked the No. 4 high school receiver in Illinois history, and was a key player in the 1998

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Chatham-Glenwood State championship football team; and

WHEREAS, While attending the University of Illinois Law School, Kenneth Boyle took a semester off to oversee Students For Kennedy, during the presidential campaign of Senator John Kennedy; Kenneth Boyle was instrumental in having Senator Kennedy coming to the University to present a speech; and

WHEREAS, Kenneth Boyle was a partner with the law firm of Boyle and McClain; he served as a member of the Illinois Criminal Justice Information Authority and the State Universities Civil Service System; he was a registered lobbyist and member of the National Rifle Association; he was a member of the Elks Club, the Knights of Columbus, AARP, the Democratic Party, and ARC and was the president of the Glenwood Park Homeowners Association; and

WHEREAS, Kenneth Boyle enjoyed hunting and fishing in his spare time; and

WHEREAS, Kenneth R. Boyle is survived by his wife, Jeanne; his sons, Kenneth Boyle and Brad (Karen) Frost; his daughters, Leryn Boyle, Megan Boyle, Michele (David) Dunn, and Julie (Arvid) Hammers; his three grandchildren; his mother, Mary Boyle; and his sister, Mary Diane Boyle; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn, along with all that knew and loved him, the death of Kenneth R. Boyle of Chatham, Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Kenneth R. Boyle.

Speaker Madigan: "Representative Klingler."

Klingler: "Thank you, Mr. Speaker. I had the privilege of working for Ken Boyle for seven years at the State's

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Attorneys Appellate Prosecutor. I was his law partner for four years, I've been his friend for 16. He's one of the most remarkable persons I've ever known. Kenny lived life to the fullest, he was known for his love of the University of Illinois and Chatham Glenwood High School, football, especially U of I, and Chatham Glenwood, hunting and fishing, politics, he loved to talk politics, and of course, his wife and children. In the past few years, I noticed he did not attend as many community and political events as he used to mainly because he was always going to some sporting event or community activity for Kenny Jr., Megan, or Leryn. The magnitude of Kenny's impact on others was never more apparent to me than at his visitation. The visitation was scheduled from 2 p.m. until 8 p.m., and I remember when I read that I thought my gosh, that is way too long for the family, but at 1:30 there was already a huge line, and it didn't get over until quarter of 11 at night. The funeral home estimated that more than 3000 people came. And I sat there and I watched many people come from all walks of life, politicians, there were some, but, you know, mostly it was people from the community, the football teams, village leaders, sportsmen, people that he had worked with. I remember I saw a young lawyer in the line at the visitation that I had worked with at the Appellate Prosecutor, and I knew he had moved to Oak Park from Springfield, and I said 'Well, golly, you're down here, you must be spending the night because it's such a long way.' And he said 'Oh no, I'm just driving right back.' And I said, 'You're driving down just for the visitation to stand in line for two or three hours.' And he said, 'I wouldn't do anything less for Kenny Boyle.' He was well known for having friends across the political

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spectrum, he was a dyed-in-the-wool Democrat, but yet he loved to show off pictures in his office of hunting or fishing with Governor Jim Thompson, with other prominent Republicans, he thought that was great. You know, some people have said you know, we're... we were certainly an improbable duo as friends, you know, Kenny was a dyed-in-the-wool Democrat, he was an Irishman, he was a Catholic, and here I was an English German background, a mainline Protestant, and a Republican. But, you know, I think, Kenny's secret with all of his friends was he never asked them to change their politics, he never asked them to change their religion. I think we could all learn a lot. I just... I'm glad that I was one of his 3,000 friends."

Speaker Madigan: "Mr. Hannig."

Hannig: "Thank you, Mr. Speaker and Members of the House. I was one of many who were shocked to hear of the passing of our good friend, Mr. Boyle. And indeed as Representative Klingler said, people stood in line for several hours just for the opportunity to pay their last respects to a gentleman that we all loved so much. Many others who could not attend sent cards and flowers and notes of condolences. And indeed, he's a man that was very well liked and loved and someone who is going to be very much missed in life. Kenny was the kind of person that could converse with the President, he could have dinner with the Governor, but he never lost his down to earth quality. He could also be just as comfortable conversing with a coal miner, a farmer, a senior citizen, just a general citizen that we all run into in life. Kenny was the kind of person that never met a person that he didn't like, he could talk to you for a few moments and you felt like he was your friend. And in fact, you were his friend and he was your friend. He had

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that rare gift to make friends so easily. I think in many ways that he didn't really have a great distinction in his own mind between people who were his family and people who were his friends. He kind of treated us all who were his friends, he treated us all like we were family. And indeed, he had many, many friends, and as Representative Klingler said, over 3,000 who stood in line just to pay those respects. So, Kenny was a staunch Democrat he supported our causes on this side of the aisle, but indeed some of his best friends were loyal Republicans. And I think in many ways he enjoyed that give and take that sometimes can go on between the parties. He was clearly a bright light helping many people find their way in life, he was a devoted husband, and certainly he loved his family very much. He was proud of his children and grandchildren, and I know he will be looking down from where he is today and watching them, and I know they are all very proud of Kenny. In my own personal life, Kenny helped me win this seat, a seat that he once held. In the days before we had Leadership committees that would help us with strategy and with money raising, Kenny Boyle was the gentleman that engineered much of what I needed to win my race in 1978. He's someone that we will all miss, he was my friend and I certainly miss him."

Speaker Madigan: "Mr. Daniels."

Daniels: "If everyone that knew Kenny Boyle could speak today, they would speak the words that Representative Klingler stated and Representative Hannig so articulately relayed, the gentleman and the person that Kenny Boyle was. I had the pleasure of joining this Assembly in 1975, the start was a little rocky to say the least. When Kenny Boyle came across the aisle and immediately became my friend, helped

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me through the process, helped me to learn and helped me to understand that there are times that you can cross party lines, look at each other and become friends on both sides of the aisle. Kenny exemplified everything good about this process. He was a knowledgeable person, he was a caring person, he was a compassionate person. Representative Hannig speaks of him and his relationship and I can only echo those feelings. Representative Klingler states about how important she was to him. Maybe a Democrat in some philosophy, but a Republican in his heart as well, because he was a man's man, a great person and at times, yes he could be a partisan and fight for his beliefs, but we all admired that in him. Some of you may not know, he was one of the outstanding experts in appropriations here in the General Assembly and knew the state budget as well as anybody knew the state budget. And we remember when Speaker Redmond would call upon him to help explain the budget, he knew it inside out and backwards. And then you'd go to him for a little help, the answer was always 'Yes, what can I do to help you?' And when he talked about sports how he loved it, and a smile came across his face, and his children and his son playing sports, he told me about his son, he said, 'This guy is gonna be one of the greatest football players we've ever seen.' I don't doubt it, because Kenny Boyle was truly one of the greatest Members of this Assembly that we've seen. We also know him to be a family man, a husband, a gregarious guy, the kind of guy that I think that when you talk about... like moments like this, you remember moments of happiness that you experienced with him. And then you remember moments of professionalism, whether it was in the law, on the election board, or his great love, the University of Illinois. He

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was a trustee, you know, for the University of Illinois, and boy how he loved to talk about that University and how good it was. So, those of us that knew him, and even those of you that don't, he's laid so much ground work for us in the Assembly for the goodness of man and for the things that people can do to make this place a better place to serve. I was enriched by Kenny Boyle's friendship, by his knowledge and his expertise. And I will always thank him for that and be grateful for those experiences. All of us in this Assembly have lost a friend but is somebody that we can try to emulate as a person that holds in our highest esteem the best of the best. God bless you, Kenny."

Speaker Madigan: "Mr. Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As Representative Daniels said, when Kenny Boyle was here in the Assembly, he was Chairman of the Appropriations Committee. I had the opportunity to be one of his staff people back then. And you were right, he knew the budget, much like Mr. Hannig knows the budget today. And even back then when you knew Kenny, you knew that he had what type of person he was because he showed us tremendous respect. You watched the people he dealt with, they all had a tremendous respect for Kenny and he for them. You could not help but walk away being impressed by him and just being his friend as Gary said. He is an outstanding, outstanding public servant. Although back then... Lee, you probably wouldn't remember me, I actually had hair and it was brown, so it's changed a little bit. But in those days everyone worked together and Kenny's leadership was a tremendous asset to this Body. He had unqualified commitment to the people of his district, he worked very hard on their behalf, he was a tremendous

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family man. Commitment to his friends was unparalleled, he is an attribute to this House, to this Legislature, to this Government. I wish... I think we'd all be better served if we emulated him in the example he set. And if we could leave this chamber as Kenny did with having as much impact, I think that would be a tremendous tribute to all of us."

Speaker Madigan: "You've all heard the Resolution, those in favor of the adoption of the Resolution will say 'aye'; those opposed will say 'no'. The Resolution is adopted. And the House shall stand adjourned until Tuesday, April 4, at 1 p.m."