

STATE OF ILLINOIS  
91ST GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
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69th Legislative Day

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Speaker Madigan: "The House shall come to order. The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Pastor Ron Chase with the Bethany United Methodist Church in Columbia. Pastor Chase is the guest of Representative Dan Reitz. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Pastor Chase: "Would you join with me in prayer. Almighty and sovereign God, our Father, we thank You for the stewardship You have given us to represent the people of this state. I pray Your special blessings this morning as the Representatives of this House convene, that You will grant them wisdom and guidance as they represent their people. We thank You for this privilege and pray that You'll watch over this Session. In Jesus' name, Amen."

Speaker Madigan: "We'll be led in the Pledge of Allegiance by Representative Hartke."

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

Speaker Madigan: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that there are no reports of excused absences among House Democrats."

Speaker Madigan: "Mr. Poe."

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

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

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Clerk Rossi: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules to which the following measures are referred, action taken on November 18th, 1999, reported the same back with the following recommendations: Amendatory Veto Accept Motions approved for consideration on House Bill 526, House Bill 721, House Bill 777, House Bill 1366. To the floor for consideration House Resolution 440, Senate Bill 877. To the Order of Concurrence, House Bill 1628. Introduction of Resolutions. House Resolution 460, offered by Representative Parke; House Resolution 466, offered by Representative Andrea Moore; House Resolution 467, offered by Representative Bill Mitchell; House Resolution 474, offered by Representative Bill Mitchell; House Joint Resolution 32, offered by Representative Garrett; House Joint Resolution 33, offered by Representative Poe; House Joint Resolution 34, offered by Representative Cross; House Resolution 476, offered by Representative Tenhouse; and Senate Joint Resolution #45, offered by Representative Slone, are assigned to the Rules Committee."

Speaker Madigan: "Mr. Moffitt, did you wish to call House Bill 2920?"

Moffitt: "Yes, Mr. Speaker."

Speaker Madigan: "On page 2 of the Calendar, on the Order of House Bills-Third Reading, there appears House Bill 2920, Mr. Moffitt. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2920, a Bill for an Act amending the Illinois Public Aid Code. Third Reading of this House Bill."

Speaker Madigan: "Mr. Moffitt."

Moffitt: "Thank you, Mr. Speaker. House Bill 2920 is addressing the issue of the late child support payments, of what else

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can be done. I certainly want to commend the Governor for taking action to try to put money in the hands, and did put money in the hands of recipients, those that applied for emergency funds. And that was certainly showing concern in trying to get money in the hands. This would... this legislation would pay interest to recipients who receive their child support payments late. As it reads, it would be 2% per month. Actually, every 30 days they would receive interest. This would be anyone who has been late in getting their payments, certainly has had to deal with frustration. They've had added costs, phone calls, late charges. Probably interest paid on loans in some cases. Loss of early pay discounts. Just a lot of inconvenience. So, it is their money. The money's put in an account and earning interest and I believe that the recipients of the child support should be entitled to the interest. So this is an attempt to further help them. One more step in that process. I'd be happy to entertain any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Joe Lyons."

Lyons, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of Representative Moffitt's Bill, House Bill 2920. Of all the things we did discuss in committee last week, this is the one Bill of substance that we did put out of committee. And I would encourage all Democrats to join in Representative Moffitt's initiative here. Thank you."

Speaker Madigan: "Mr. Hartke."

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

Speaker Madigan: "Sponsor yields."

Hartke: "Representative Moffitt, I agree totally with what you're

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trying to do. I just need a little clarification. Is this 2% per month, is that an annual interest rate or is it going to be 24% a year or...."

Moffitt: "It would be... It's 2% and we meant per month. And we described that as every 30 days. So it's 2% per month, which would really be..."

Hartke: "Twenty-four percent a year."

Moffitt: "...24 APR."

Hartke: "Okay, now you're talking."

Moffitt: "Right."

Hartke: "How many million dollars are we behind right now in the child support payments? Do you have any idea?"

Moffitt: "Representative, we have heard different figures. We've heard that emergency payments are 6 to 7 million. That's not everyone. We're still getting calls in our office, people that have not received any checks and have not received emergency payments. It varies with individuals whether or not they were in a situation that they needed to apply for emergency. But we can hear different estimates. To be current, I believe they have to process, I believe it's 200 thousand checks a month, is what they figure when they're up and running. And... and then it's going to be 500 million annually. But as far as what they're behind now, only thing I can give you is the emergency check figure that we've been provided."

Hartke: "Right. Does any.... Who's going to calculate this? Is it going to be the SDU Unit?"

Moffitt: "I think they would be the only ones that would be in a position to do this. I think it would.... You know, I was a county treasurer before I came down here. And when payments were made late we had... program automatically calculated that interest. So they're the only ones that

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would be in a position to know that. The intent of this is not in any way to create a problem or anything that would cause further delays. That's not our intent."

Hartke: "Well, I'm going to support this piece of legislation. But I.... Are you a betting man? My bet is that the SDU will also foul this up and will not get it correct if it should become law. But I support this measure to send a message that we are not very happy with what's going on and we expect them to fix it as soon as possible. Thank you very much."

Moffitt: "Right, I agree. Thank you, Representative."

Speaker Madigan: "Mr. Tom Johnson."

Johnson, Tom: "Yes, will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Johnson, Tom: "Representative Moffitt, I guess I just have a couple of questions. You're saying that 2%...it's a 2% penalty on any payment made two days late or what?"

Moffitt: "It's in print processing. And if they take more than, and the federal legislation says that these are to be processed within two business days. And we're saying if they don't comply with the federal standards to process them within two business days, that then interest should also be paid to that recipient."

Johnson, Tom: "Okay. Now what kind of checks and balances do we have in terms of knowing whether or not we have processed something in two days? A check comes into an office, a check gets matched and it goes out. Do you know if our computers, which obviously aren't very good the way they are going to be able to even tell who is entitled or are we just going to encumber this process with more problems in terms of now trying to establish which payment is late, which payment isn't and so on."

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Moffitt: "Representative, an excellent question. And our intent is not to encumber, our intent is to help people that need it the most. I can tell you that as a county treasurer we could certainly keep track of when a payment came in and how soon it was processed and whether or not it was on time. I certainly would hope that the SDU could do the same thing. I've been there when we... when we could do that. There's no reason they can't do it also. There's something wrong if they can't."

Johnson, Tom: "Well, I understand that. I understand that, Don, but obviously we haven't been able to match anything here. We had a backlog, I think, initially, of some 80 thousand checks. The backlog is coming down, as I understand it's about 10 thousand now, of trying to match up. Now the next question I have, is, where does this money come from to pay this interest?"

Moffitt: "Again, we're saying that...."

Johnson, Tom: "Where's the budgeted amounts and where's that coming from?"

Moffitt: "This would be operating costs from Department of Public Aid and the SDU. They... It's my understanding they're earning interest on the account where these funds are deposited. We're talking millions of dollars being deposited. And as they're being held waiting processing, then they're earning interest. If they're not earning interest then that is a serious problem in and of itself. But it's my understanding...."

Johnson, Tom: "Okay. Right now you don't know if there's any interest."

Moffitt: "We've been told that they're earning interest and there would be float on this money."

Johnson, Tom: "Okay. In essence, aren't you really saying,

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though, that this is taxpayer's dollars. In other words, it's our dollars that we are now going to pay because of our mistake by implementing this plan prematurely and certainly not anticipating all of the problems that have occurred?"

Moffitt: "No, I'm not saying that, Representative. I'm saying that interest earned on these funds, while they're held, is interest earned on the kid's money, on the Mom's money. And I think they're entitled to interest when they're getting their payment late... That's whose money I think that it is."

Johnson, Tom: "Well, if you're...."

Moffitt: "And it also sends one more message to the SDU that we really want you to get this taken care of."

Johnson, Tom: "Well, I understand that, Don. If they haven't gotten that message, I don't know what else you can do to send messages. But the... if I follow your train of logic there in terms of the interest, does your Bill also contain that all the interest that's earned, since it is the clients checks, ought to be pro rata, returned back to these recipients on an ongoing basis, or what's going to happen to this money once we have this processing down within a two day period?"

Moffitt: "Representative, we...."

Johnson, Tom: "If we follow your logic, that money should continue to go to the recipients."

Moffitt: "No. The... we're saying you have to follow the federal guidelines. And if you don't, then the recipient is entitled to interest. If they meet federal guidelines, which is to process it within two business days, then the interest would stay with the unit, stay with the account and would be used to offset operating costs."

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Johnson, Tom: "Okay. I...."

Moffitt: "And no one would be happier than myself and, I think, 117 other Members of this chamber if that unit is running so well that the payments are out and no interest would be going to the recipients. I hope that's what happens."

Johnson, Tom: "Okay. No further questions and I appreciate your responses, I appreciate what you're trying to do. You know, obviously, we would all like to do something. The bottom-line is, you know, these recipients have to be taken care of one way or another and I just hate to see us add another layer of accounting mechanisms when we can't even seem to account for what we have. The bottom-line is to make sure that in the interim people are taken care of and some day maybe we'll get the message that we ought to be privatizing these types of operations and not letting government continue to do what it cannot do very well. So, I appreciate what you're trying to do, but I'm not sure that the end result here is going to be an answer but rather will complicate matters even worse."

Speaker Madigan: "Mr. Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in support of Mr. Moffitt's Bill. He's exactly on the right track here. We have a very serious situation. And during the child support enforcement hearings, when they were looking into this problem, it was reported that the state was taking all this money off the table cause they didn't know who to give it to and the state was keeping the interest on the money. The answer was that we're keeping the interest to help run the program. But, of course, the original program didn't contemplate that we'd keep the interest, and we have hundreds of single parents around the state, thousands of single parents, who are not getting



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their payments, who have late payment charges, who have phones and utilities being turned off because they can't pay the bills. It seems to me inappropriate for the state to keep the interest. Let's pass it on to the people who have been damaged by the state's inability to properly turn the key on this system and make it work the way it's suppose to work. We should bear the responsibility, we, the government of the State of Illinois should bear the responsibility for the failure of this system. And because of that we must do all we can to make it right to the people who have been hurt by this. Accordingly, House Bill 2920 is right on track and I strongly support Mr. Moffitt in this effort."

Speaker Madigan: "Mr. Mitchell."

Mitchell: "Thank you, Mr. Speaker. I, too, rise in support of Representative Moffitt's Bill. Ladies and Gentlemen of the House, we do have a very serious problem. There's approximately one-third of the child support recipients, at this time, that are behind in payments an average of two weeks. I know that the special disbursement unit is trying to do all that they can to catch up. However, we've given them an insurmountable...unsurmountable task. One that I don't believe is going to be straightened out in a long, long time. New York's had this program up and running for over six years and they still have problems with their computer system. Now this was a sanction put onto us, a mandate put on us by the Federal Government. We have complied, and quite frankly the sanctions, if we don't get up and running and get it straightened out, can run upwards to a couple hundred million dollars. Just once I'd like to see the Federal Government come out with an incentive program the way business does and say, 'Look folks, if you can get this

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together, we'll give you a billion dollars.' It'd probably save us all money. However, the ones that are suffering the most are the single moms, single dads and the kids. This is not the state's money. Representative Moffitt realizes that this... this Bill is not an answer, it's a Band-Aid. It's also going to be difficult to implement this Bill, but we simply have to send a message to our bureaucracy saying, 'Get it straightened out and do it quickly, or go back to a program that was working fairly well.' Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Moffitt, to close."

Moffitt: "Thank you very much, Mr. Speaker. I think we're all in agreement that we want to do all we can to make this process work. We are responding to a federal mandate. We don't have a choice on whether or not we respond. The circuit clerks of this state were able to handle this system. We need to make sure that the system that's in place works. You know, Drew Carey has a show on TV called Whose line is it anyway. As you vote on this, the money that's being earned while it's on deposit is interest earned on money that's suppose to go to kids. Whose money is it anyway? I say it belongs to the kids and the moms of this State of Illinois. I urge a 'yes' vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 118 people voting 'yes', 0 voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. On page 10 of the Calendar, on the Order of Resolutions, there appears House Resolution 462, Mr. Joe Lyons. Mr. Lyons."

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Lyons, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Obviously, from where we started this morning and what we do in the last couple weeks and certainly since October the 1st, one the bigger issues in all of our lives has been this whole issue of the Child Support Enforcement State Disbursement Unit in Wheaton. Most of us have taken some level of phone calls. Some worse than others. But all of us have been affected by it in some degree, many of us a lot. We had a special meeting on the 8th of November down here in Springfield. Everybody was brought together. The State Disbursement Unit, Joel Kagann from DuPage County, Ann Patla and Bob Lyons from the Department of Public Aid where we, for about three and a half hours, tried to discuss the problem. We also had clerks from different parts of the county. Aurelia Pucinski from up north in Chicago in Cook County and Karla Bender and some from the Downstate Clerk's Association. One of the recommendations that the Clerk's Association made, Karla Bender in particular, was the language that I put into this House Resolution 462. This also probably captures some of the other legislation that was originally initiated in Tuesday's meeting. Representative Bill Black wanted to actually abolish the SDU. We talked about it for 45 minutes and he was kind enough and... to take it off the table at that time. Representative Tom Dart has a Resolution to do an audit on why this whole catastrophe happened to begin with. And at some point in time that is something that should probably be done also. But the one... of the two things that we did do was Representative Moffitt's Bill that we just passed and also this Resolution. Again, which does capture the essence of what the clerks in downstate counties wanted to have done.

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Basically, what it says, you know, we need to have the Governor and the state and the Department of Public Aid continue to work on this problem, to continue to do the emergency funding where needed, as needed, to continue to get the clerks involved in this process. They were the ones who were doing it right. Now, they're the victims, getting a lot of the heat that we're all getting for the problems that have come with the start up program, to keep them involved in the process and where, and if needed, to get them actually involved back in issuing the checks, which the clerks would be willing to do. And I think Public Aid is already doing that in some cases with some of the clerks in some of the areas where the problem has been severe. And also to work with the Federal Government to take the initiative to let's not have something hanging over our heads that would cost... the ultimate losers in this would be some of the people in Illinois who need federal help the most and the state help the most. We certainly don't want to jeopardize them. So the Resolution captures, in essence, about seven or eight weeks of conversation from this General Assembly, from the House and from the Senate, about some of the problems. We'd like to say keep on this issue. Make this thing work as best we can with what we've got. We do it in Resolution form, and I would ask for your favorable consideration. And I'm honored to have who I have as cochairman on this... comembers on this Resolution."

Speaker Madigan: "The Gentleman moves for the adoption of the Resolution. The Chair recognizes Mr. Tom Johnson."

Johnson, Tom: "Will the Sponsor yield? Joe, I don't have a copy of this Resolution and I don't get it up on the screen. Maybe I don't know how to use my computer. But in terms of

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this Resolution what are we doing here? Are.... What does the language say? Are we condemning anybody for their follow... screwups here or anything?"

Lyons, J.: "No. In essence, Tom, what we're basically saying, we're taking the arguments or the issue of the clerks, in essence. This is about 95% of the language that they presented to us. I did soften a few areas where we're trying not to point fingers, exclusively, at one particular agen... the agency or the clerks organizations or the manufacturers who may not have given the proper information in some cases on the checks that were received at the SDU. It's a Resolution just identifying the problems, asking the.... The real meat of this thing is saying the three things that I pointed out. One, continue the emergency support where needed and as needed. Two, get the clerks back involved where needed and as needed in those counties that are really struggling with this. If they can resolve the problem and get the immediate help to the families in need of help, by all means, do it. It encourages the State of Illinois, the Governor and the Department of Public Aid to work with the Federal Government to not have any threats hanging over us to lose money. That is basically, in essence, the three parts of this... of essence, of the meat of the Resolution, Tom. If you don't have a copy, I'm sure...."

Johnson, Tom: "Does it tell us, as a Legislature, to maybe cure our own errant ways here? We're the ones who voted to implement this program. You know, we share some responsibility for this. Is the Resolution aimed at us, too? A little self-flagellation here or anything? I mean, we're the ones who did this."

Lyons, J.: "Well, we certainly passed the enabling legislation on

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the recommendations of the players that were involved. I mean, the whole SDU was something that came up through the clerks associations. None of them liked it, Tom. All of them, everybody to a person that I can... all the clerks were against it. But realizing the federal mandate that was coming down on us, they went along with trying to make the best out of a situation that none of them were in favor of and none of them to this day are still happy with. None of them wanted to do it. They felt we were obligated to do it. The clerks associations collectively chose DuPage County, Joel Kagann, who has done a marvelous job in DuPage County with his program. Took on the obligation for the entire 102 counties in Illinois. And I, you know, yes, we all are to blame for this. In this particular Resolution...."

Johnson, Tom: "Well, that's right. And I... you know... I guess you know this second piece of legislation now concerning this, the mess, and you know there's obviously a lot more of it. And I mean we can all stand up and beat our chests and say this is bad and all the rest. In the end, of course, we got to fix it. But, you know, just as this thing has progressed, I have seen people pointing fingers. It's your fault. It's your fault. It's your fault. You know, we're all in this mess together. And, you know, bottom-line this thing's... we could blame the Federal Government. We do that. Politically, we all do whatever we need to survive at this business. But, you know, in terms of the Resolution... once again Moffitt's Bill, of course, just wants to send a message. And I guess the Resolution just wants to send a message. You know, I think messages have been sent and I... and since I haven't seen the Resolution, I'm just concerned that we, as a

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Legislature, aren't now entering into this game of Hey, it's your fault. It's your fault. It's your fault, and so on.' In the meantime we got to just cure the problem because we were the ones who ultimately voted to put this piece in place. So...."

Lyons, J.: "Tom, I... you know, I really don't think the essence of this. I'll be glad to get you a copy of it."

Johnson, Tom: "Okay. I'll take your word for it that it's kind and gentle and just sending a message."

Lyons, J.: "Thanks, Tom."

Speaker Madigan: "Representative Eileen Lyons."

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

Lyons, J.: "Yes. Yes, Eileen, I will."

Lyons, E.: "Okay, thanks. Joe, I know again what you're trying to do. I was in the committee and I expressed then my concern. And I'd like you to clarify for the record the portion of the Resolution that states that the clerks shall resume their duties. Would you please clarify that because I think that would... really put us back into a state of confusion again. And we're sending the message to the clerks that we would like them... the process to go back into their hands again after we've made this decision to go with the State Disbursement Unit because it was a federal mandate. Now that we've made that step, I think what's happening now because of the frustration with this disaster, out of frustration we're being reactionary. We want to do something. And I think the last thing we want to do is send a message that we want to regress and go back to the old system. So would you clarify that last paragraph of the Resolution that states that the clerks shall resume their responsibilities?"

Lyons, J.: "Correct, Representative. Again, let us not forget

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that this is a Resolution, okay? So we are not putting the full impact of statute or mandating another mandate on an already overloaded situation."

Lyons, E.: "Right. And I...."

Lyons, J.: "But to read specifically what you want, Eileen, which we did talk about in committee when we drafted this thing and we did vote on it. We recommended that the policies and procedures be adopted to allow the circuit clerks of the State of Illinois to resume duties of collection and disbursement of child support where needed and to the extent necessary to ensure timely and effective processing and distribution of such payments. So, in effect, this is only giving this back to the Department of Public Aid, where necessary and to the extent needed, for those counties that have to get involved. And I think that if my understanding of what Director Patla and Bob Lyons told us in committee, that the triage system of going back into the counties where there are the problems and working with the... putting an emergency team in the counties that need this, is probably accomplishing this already. So maybe this is not anything new. But the authority to do this, if it was a statute, is still resting in the Illinois Department of Public Aid in the State of Illinois. We are not doing this by statute, we are recommending it by Resolution to try to resolve the problem in the counties that are having the worst problems."

Lyons, E.: "And I appreciate that. That's why I didn't say legislative intent, I just said, you know, just to clarify it. Because before I would vote for this I want to make sure that we're not sending that message and that you're merely saying that your recommendation is that the department work with the county clerks when necessary,



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where the State Disbursement Unit is not working, in order to get this process moving along, that they would work with the clerks office but not to regress back to the old system."

Lyons, J.: "All right, that is the intent, Representative."

Lyons, E.: "Thank you very much."

Speaker Madigan: "Representative Bellock."

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

Speaker Madigan: "Sponsor yields."

Bellock: "I have a serious concern as Representative Lyons, Joe, that clarity is the most important issue here. That pandemonium still exists right now with that system and it's important that clarity be established. That the SDU is the process which is to take place. I can support your Motion that the clerks in the other counties, in emergencies, that need to process checks can go forward with that. But I don't want any misunderstanding that the SDU is still the single disbursement unit of which all counties are suppose to clear their checks through."

Lyons, J.: "If I understand you correct, yes. That is the intent here, not to take anything away from the SDU. It would be their call if they want to decide to get a county more involved in the actual processing of their county's problems. That's still the power of that decision, if and when it were ever to be made, even by this Resolution, which will still be in the hands of the State Disbursement Unit or more directly the Illinois Department of Public Aid who is overseeing this. So we are not giving anything away. We are not suggesting to give anything away unless we choose to get this county back involved at a higher level."

Bellock: "Okay, I'm going to support the Motions but I... the

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Motion... the Resolution, but I have a reservation that I hope this doesn't make anything more unclear because that was the problem with the process to begin with. I think that the instructions were not as clear as they should have been to all the clerks throughout the county. So I'll vote for it, but just under the rule that this is just in emergency situations when cases need to be forwarded on. Thank you."

Lyons, J.: "Representative, I think the fact that we pulled most of the issues of substance off the table at our committee meeting, this is only the one of two things that after an hour and a half of discussion that we came out with. Again, it's merely suggestive. It's merely making a statement of what we'd like to see happen, which I think most of the things here are already happening with the possible exception of having the state step forward and try working with the Federal Government to ease off on any type of sanctions against the State of Illinois."

Bellock: "Okay, thank you."

Speaker Madigan: "Mr. Mitchell."

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

Speaker Madigan: "Sponsor yields."

Mitchell, J.: "Thank you. Joe, I don't see anything in here that changes what is in that regard. I don't have those kind of concerns that some of the other Representatives have. And my understanding and what you're saying is, basically, you're supporting the SDU in their efforts to be able to straighten out the problems that they have in allowing the circuit clerks in those counties that receive checks, now. And, in fact, from the SDU back to the circuit clerks, was a statement that checks prior to '94 decree plus those that are from an employed, self-employed individual that sends

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them straight to the circuit clerk, it's okay to process those. At the same time, employers who have gotten word from the SDU are a little bit confused about, 'Gee, can we send them to the circuit clerks or can we not; and are there, in fact, sanctions if we... if we comply with the latest writ we have which says it's okay to send such and such checks to the circuit clerks.' Now as I see it, your Resolution then at least says there are no sanctions. In fact, it's okay for the circuit clerks to go ahead and operate under these circumstances, working with the SDU, so that we can finally maybe get the problem resolved. Is that the intent of your legislation?"

Lyons, J.: "I think it's a fair assumption, Jerry, from what you just described, yes."

Mitchell, J.: "All right. And I certainly think that both sides need a Resolution of this nature, Joe, and I think it's something that we need to say. We're not here to sanction anybody, and the Federal Government's taken care of that for us. But we're not here to sanction, we're here to try to do what we can without getting in the way to solve the problem. So I applaud your Resolution and I certainly will support it. Thank you, Mr. Speaker."

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

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, is it a fair statement to say that, in fact, some circuit clerks are disbursing checks today?"

Lyons, J.: "Yes, Representative."

Black: "So the Resolution isn't... doesn't have any revolutionary language in it. Some circuit clerks have had to get back

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in the disbursement business just so the checks could be given to the custodial parent. Correct?"

Lyons, J.: "Correct. Yes, Sir."

Black: "We don't have a clear idea of whether the Department of Public Aid said that they could do it or they should do. In fact, I think we've heard both ways, haven't we? We've heard that the department said you should not do that. You should send all of them to Wheaton, never to be heard from again in some cases. And the department, I think, has also said, 'Well, in some cases the circuit clerks should send out checks that come to you.'"

Lyons, J.: "Right."

Black: "So even on a simple matter as that we have total confusion. Correct?"

Lyons, J.: "There is confusion, Representative, yes."

Black: "This is one, I think this is a banner day for the state. We've never been ranked very high by the Federal Government in our child support enforcement. We all know that. Especially those of us who wanted to serve on the Support Enforcement Committee. And the problem is, and our colleagues may not be aware of this, when and if and we may get relief from the Federal Government. I believe both chambers have passed a law that may demandate the State Disbursement Unit. We'll see if they can work it out in conference. But when, and I'm going to be optimistic, I'm not going to say if, I'm going to say when we get the disbursement problem taken care of, we still have a full agenda on collecting unpaid child support. We haven't even been able to look at that since October. That problem hasn't gone away, in fact, it continues to grow. So I think your Resolution is a very positive step. It does say to those custodial parents and children, we have a share..."

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the government has a share of the responsibility in this and we're going to acknowledge it and we're going to try and move forward and get it straightened out as best we can. And I hope it is. Because in the absence of any relief, when we come back here the 1st of December we may have to resurrect some very difficult language that not everybody's going to like, but this situation cannot be allowed to fester for another month or two. That is not a debatable topic. That would be so intolerable and so devastating to custodial parents that we can't allow this to continue for another eight or nine weeks. So I thank you for your patience, your leadership on the committee, your sponsorship of the Resolution and I hope when we come back here in early December we'll begin to see some light at the end of this tunnel. I only hope to God it's not a train continuing to run over the rights of custodial parents."

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

Speaker Madigan: "Mr. Lyons, to close."

Lyons, J.: "We heard some excellent testimony on this Resolution. I appreciate everybody's indulgences with this thing. We've all been frustrated with the process. Having firsthand been out to Wheaton and seen the aggravation that they've had to go through with the whole processing system and the struggle to make this program work. We can look back and point a lot of fingers at a lot of different people, but in this chamber let's point them at ourselves. I was one who supported this legislation to create this. It was something we all felt obligated to do at the time, that it was the program that was best recommended and in place to do it. Now we've failed, most importantly, some innocent families, some innocent single parents and some

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innocent children. Let's do everything we can within our power to make a statement to the people of the State of Illinois that we want this thing to work as well as it can, as quickly as it can; therefore, I ask for your favorable consideration and your 'aye' vote on this Resolution."

Speaker Madigan: "The question is, 'Shall the Resolution be adopted?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? One person has not voted. Mr. Clerk, take the record. On this question, there are 118 people voting 'yes', 0 voting 'no'. This Bill having received a.... Excuse me. This Resolution having received a Majority Vote is hereby adopted. Mr. Mike Smith."

Smith: "Thank you, Mr. Speaker. I rise on a point of personal privilege. If I could announce to the Body that one of our Members is reaching a milestone next week on Tuesday. Representative Holbrook will celebrate a very special birthday. I'll let him tell you what that is. But we have cake down in front and I'd like to invite everyone to join me in wishing him a very happy birthday."

Speaker Madigan: "On page 5 of the Calendar, on the Order of Amendatory Veto Motions, there appears House Bill 526, Mr. Fritchey. Is Mr. Fritchey in the chamber? Mr. Fritchey. On the same order there appears House Bill 721, Representative Ronen. Representative Ronen."

Ronen: "Thank you, Speaker. I wish to move that the House accept Amendatory Veto of the Governor. House Bill 721 is the Health Care Surrogate Act which prohibits a surrogate decision-maker from authorizing involuntary treatments or admitting a patient to a mental health facility. An exception is provided for court appointed guardians. The Governor's Amendatory Veto added a paragraph that's

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intended to clarify that the exception provided for court appointed guardians under this Act does not constitute a grant of more authority to court appointed guardians than they currently have under restrictions of Medicaid. So I move that the House accept this Amendatory Veto."

Speaker Madigan: "The Lady moves to accept the Governor's Amendment. There being no discussion the question is, 'Shall the Motion be adopted?' The Motion is, 'Shall the House accept the Governor's specific recommendations for change with respect to the Bill?' All those in favor signify by voting 'aye'; those opposed by voting 'no'. This Motion will require 71 votes. The Clerk shall take the record. On this question, there are 118 people voting 'yes'; 0 voting 'no'. The Motion having received the required Constitutional Majority the House accepts the Governor's specific recommendations for change regarding the Bill. And the Bill is hereby declared passed. Representative Crotty. Crotty. Representative Crotty. Turn on Representative Crotty."

Crotty: "Thank you, Mr. Speaker. I would like to take this opportunity to ask everyone to welcome, stand up, an exchange student that is here today with me from Mexico. And she's interested in law and in government, so she's shadowing me today. She's an exchange student in my town, Oak Forest, but she's from Mexico. So if you would just welcome her. Thanks."

Speaker Madigan: "On the Order of Amendatory Veto Motions there appears House Bill 777, Mr. Winkel. The Gentleman indicates he does not wish to call the Bill. House Bill 1366, Mr. Reitz. Mr. Reitz."

Reitz: "Thank you, Mr. Speaker. House Bill 1366 was passed out of this chamber without any objection. It was trying to

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help a water commission in my area and it apparently adversely affected a water commission in Northeastern Illinois. The Governor's Office said that the changes they have made, have been made in concert with the commission that I was trying to help. So I would move that we accept the Governor's Amendatory Veto language."

Speaker Madigan: "The Gentleman moves to accept the Governor's Amendments. There being no discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to the Bill?' This is final action. Those in favor will vote 'aye'; those opposed will vote 'no'. This Motion requires 71 votes. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 people voting 'yes', 0 voting 'no'. This Motion having received the required Constitutional Majority the House accepts the Governor's specific recommendations for change regarding the Bill. And the Bill is hereby declared passed. Is Mr. Fritchey... come to the chamber and does he wish to call House Bill 526? Mr. Fritchey."

Fritchey: "Thank you, Speaker. House Bill 526 was a Bill to expand the reaches of the eavesdropping statute at the request of the State's Attorneys Office. The Governor's Amendatory Veto exempts out application to this Bill from Department of Correction officers that may need to use certain devices in order to determine whether or not illegal cellular phones have been smuggled into the correctional facilities. It's a very good Amendment that the Governor's Office has made and I strongly urge its support."

Speaker Madigan: "The Gentleman moves to accept the Governor's Amendment. There being no discussion, the question is,



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'Shall the House accept the Governor's specific recommendations for change with respect to the Bill?' This is final action and this Motion will require 71 votes. Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Two people have not voted. Two people have not voted. Have all voted who wish? The Clerk shall take the record. On this question, there are 118 people voting 'yes', 0 voting 'no'. The Motion having received the required Constitutional Majority the House accepts the Governor's specific recommendations for change regarding the Bill. And the Bill is hereby declared passed. On the Order of the Supplemental Calendar #1, Order of Concurrence, there appears House Bill 1628, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This Amendment, adopted in the Senate, would set up a fund so that when the tobacco settlement monies begin being distributed to the states, there will be a place for the funds that come to Illinois. I urge your support for the Concurrence Motion."

Speaker Madigan: "The Lady moves for the... moves to concur in the Senate Amendment. The Lady moves to concur in the Senate Amendment. And the Chair recognizes Mr. Black."

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

Speaker Madigan: "The Sponsor yields."

Black: "Representative, you gave a brief explanation. I apologize, I was down at the well. Does it set up a totally separate account? Only dollars from the tobacco settlement will go into this account?"

Currie: "That's right. And the point is to segregate the tobacco

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settlement dollars from other revenues that come in the ordinary course of the day into the Illinois State Treasury."

Black: "I assume that somewhere in the Bill is either the language or the intent, of the Amendment, excuse me, that such monies could not then be appropriated without action by both chambers of the General Assembly?"

Currie: "That's act... that's correct."

Black: "Okay. I think this is a pretty good idea because I've heard more ideas on how to spend the money in the last 24 hours and spending, I think, more money than we'll probably ever see. In fact, we haven't... we have not received any disbursement from this tobacco settlement yet, have we?"

Currie: "You are correct. We have not."

Black: "I tried to tell somebody that yesterday. He wanted us to spend about \$10 billion. And I said, I'm not sure we have all the legal fees yet. You know, we might end up with a \$1.97. Kind of like the asbestos settlement. So I think this idea is probably a sound idea. Let's see how much money we actually receive; let it draw interest and then the appropriations process will hopefully be invoked so that we'll spend it wisely. I commend you for bringing this Amendment and I commend the Senate for doing so. And I know Treasurer Topinka has been involved in it. I think this is the sensible, responsible thing to do and I stand in strong support of your Motion."

Speaker Madigan: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. That's 'Feigenholtz'."

Speaker Madigan: "Okay, Sara."

Feigenholtz: "I would just like to address an issue that the previous speaker, the esteemed Representative Black from Danville, had. Last week the final state that brought the

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country to 80%, we reached state-specific finality, which means that the money is coming to the State of Illinois before the projected June 2000, which is the deadline on settlements. So it is very, very important that we support this measure so that there is a vehicle set up in the State of Illinois when this money does arrive, which will be very soon. So I stand in strong support of this Bill. It shows a commitment to keep this money separate from General Revenue and I encourage an 'aye' vote."

Speaker Madigan: "The question is, 'Shall the...' The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1628?' This Motion will require 71 votes. Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Two people have not voted. The Clerk shall take the record. On this question, there are 118 people voting 'yes', 0 voting 'no'. The House does concur in Senate Amendment #1 to House Bill 1628. And this Bill is hereby declared passed. Is Mr. Mautino in the chamber? Mr. Mautino. Mr. Mautino on House Resolution 440. It's on the Supplemental Calendar. Mr. Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a House Resolution that is commemorating the 60th anniversary of Pearl Harbor. And I'd just appreciate an 'aye' vote."

Speaker Madigan: "The Gentleman moves for the adoption of the Resolution. The Chair recognizes Mr. Black."

Black: "Thank you very much, Mr. Speaker. Inquiry of the Chair."

Speaker Madigan: "State your inquiry."

Black: "Yes, is the Resolution on the system, and/or has it been printed and distributed?"

Speaker Madigan: "Mr. Clerk. Would you respond to the

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Gentleman?"

Clerk Bolin: "House Resolution 440 is on the laptop computers at this time."

Black: "Yes, thank you. I just was able to call it up. Would the Sponsor yield, Mr. Speaker?"

Speaker Madigan: "Sponsor yields."

Black: "Representative, in the language of the Resolution on, believe it's line 19, urging the United States Senate and House of Representatives to enact legislation requiring all governmental posts to fly the flag at half staff. I'm not familiar with the definition of a governmental post. Are you meaning... the state governmental buildings or military posts? I don't understand the use of the word 'post'."

Mautino: "Governmental.... I was intended, and this came as a Resolution from... requested by the veterans organizations and from the LaSalle County Board as to federal... state and federal buildings."

Black: "All right. So.... I... it makes.... I don't know that you need to change that definition, but I think it might.... I assume that you meant all federal buildings and/or state buildings, but...."

Mautino: "Yes, that's the intent."

Black: "Okay. But since the word 'post' is in there, I think there may, at some point, lead to some confusion as to whether you mean American Legion Posts or the United States Post Office or the United States Court House or what have you. I just think there might be some confusion. I certainly have absolutely no quarrel with the intent of your Resolution. But having learned like on the SDU, if things aren't spelled out just very, very clearly, it's amazing what can happen."

Mautino: "Well, I thank you for bringing that to my attention."

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Black: "Whatever. Okay."

Mautino: "I know you're a very observant man and that is..."

Black: "Okay. Thank you."

Mautino: "...our intention in the Resolution. Thank you."

Speaker Madigan: "The question is, 'Shall the Resolution be adopted?' Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it. The Resolution is adopted. On page 4 of the Calendar, on the Order of Total Veto Motions, there appears House Bill 492, Mr. John Turner. Mr. John Turner."

Turner, J.: "Mr. Speaker, can we hold this Bill for the time being, please?"

Speaker Madigan: "For how long, Mr. Turner?"

Turner, J.: "About a half hour."

Speaker Madigan: "The Chair plans to call the Total Veto Motions, and I believe that will conclude our business."

Turner, J.: "How about until we come back in two weeks, then?"

Speaker Madigan: "I believe that there was a constitutional problem on that. Mr. Black, can you advise us, Sir? Could you rise out of your chair and advise us?"

Black: "My advice, Mr. Speaker, and thank you for seeking it. So few people do anymore. My advice to Representative Turner would be to hold this until January 2nd of the year 2000."

Speaker Madigan: "Mr. Turner, why don't you think about it for a little while and I'll go down the list. So we'll take 492 out of the record. We'll come right back to you."

Turner, J.: "Thank you."

Speaker Madigan: "House Bill 733 by Mr. Woolard. Mr. Woolard."

Woolard: "Thank you, Mr. Speaker. I'd like to override the total veto of the Governor on 733. I think there's some confusion on the issue. What this is about was the rural area that I live in. The hospitals didn't have the ability

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to successfully provide the tertiary care for the citizens of that area. We put together a vehicle that would accommodate that. I think that the Governor's understanding was that there was an overlap of areas of responsibility with the Facilities Planning Board, and he totally vetoed. We would like to override that and believe that it's important for the region and the health care of the citizens of Southern Illinois."

Speaker Madigan: "The Gentleman moves to override the Governor. And on that question those in favor will vote 'aye'; and those opposed will vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourself. Have all voted who wish? One person has not voted. The Clerk shall take the record. On this question, there are 99 'ayes', 19 'noes'. This Motion having received the required Three-Fifths Majority the Motion to override prevails. And the Bill is declared passed notwithstanding the veto of the Governor. House Bill 1723, Mr. Steve Davis. Mr. Davis."

Davis, S.: "Yes, thank you, Speaker, Ladies and Gentlemen of the House. I would move to override the Governor's Total Veto on House Bill 1723. And what House Bill 1723 does is actually explained in specific terms and clarify the current law under the Public Labor Relations Act dealing with public employees' bargaining. Currently, under Illinois law, if there are 35 employees that are in a public entity they are allowed to have a vote and form a bargaining unit. However, and the spirit of the original law, when it was passed, was to allow some of the smaller units of local government employees to form a union. However, it did not clarify in the current law what happens when the number of employees falls below the threshold of

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35 during the course of possibly layoffs or attrition, what have you. And unfortunately what has happened in Madison County, we had a situation where several years ago public employees voted to form a union. There was a change in the administration. The number of employees went from 35 to 33 and the mayor and the current board decided to arbitrarily decertify the union and refused to... recognize the union as a bargaining unit. And all that House Bill 1723 does is require units of local government that have bargaining units and who have legally formed bargaining units, to keep that bargaining unit and not have... give the mayor, the board the public authority, the power to willy-nilly disband the unions. And I would be happy to answer any questions upon the Bill."

Speaker Madigan: "The Gentleman moves to override the veto of the Governor. The Chair recognizes Mr. Durkin."

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

Speaker Madigan: "Sponsor yields."

Durkin: "Representative, approximately how many communities would this affect?"

Davis, S.: "Representative Durkin, I would not know. There are many.... Any community that has 35 or more employees, I would say it would affect."

Durkin: "Okay. Is the way the Bill drafted, is it... talk about a public employer or is it a municipal...municipality, or is it just strictly a public employer."

Davis, S.: "Public... any public employer."

Durkin: "Okay. So that seems to be a little bit broader than just what we think. It could be just a local branch of government, correct?"

Davis, S.: "It could be, yes."

Durkin: "All right."

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Davis, S.: "Under current law, also, I may add."

Durkin: "The a... seems like the municipalities are still strongly opposing this. Can you maybe articulate their reasons for me?"

Davis, S.: "I understand that the Municipal League is opposed to it. And the only reasoning that I could give you is what is in the Governor's Veto Message. And the Governor has said, that by removing the current exemption, House Bill 1723 would impose a financial burden on smaller local governments and would deny local officials the flexibility needed to reduce staff when necessary. However, Representative, I would like to add that we... I don't think it is good policy to have... allow anybody to disband, decertify a union without the vote of the employees in that bargaining unit. And, unfortunately, that is what is happen... has happened in our county and it could happen all over the State of Illinois. That was never the intent of the original legislation in the first place when we allowed units of local government, public bodies, to allow anybody with 35 employees or more to form a bargaining unit."

Durkin: "Could this possibly... let me just throw this out there... but could this be something which could be collectively bargained, perhaps? Say that even though they do go below the threshold, it's something which they can preempt the Illinois statute without having to go into this type of legislation."

Davis, S.: "It would be impossible for them to collective bargain whenever the unit of local government has decertified the union. There is no bargaining unit to collectively bargain with."

Durkin: "Well, you're saying they're decertify.... Well, I'm



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saying they're decertifying, but if they can go to the next labor negotiations and they can say that well, if it doesn't.... Can they argue that if it doesn't go under the threshold level, it's something that they can agree that it's not going to decertify the union. Is that... realistic theory?"

Davis, S.: "How.... But, unfortunately, Jim, unfortunately what has happened is they have taken the collective bargaining rights out of the Act by exempting these units of government. That's what has happened. So I know what you're saying. You're saying, two years before they plan to decertify a union, collectively bargain for it, well, two years before that ever happened they may have had 40 employees."

Durkin: "Okay. All right, thank you very much."

Davis, S.: "So, you understand?"

Speaker Madigan: "Mr. Steve Davis has moved that the Governor's Veto be overridden. And on that question those in favor signify by voting 'yes'; and those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Five people... four people, three people, two people have not voted. One person has not voted. The Clerk shall take the record. On this question, there are 71 'ayes' and 47 'noes'. This Motion having received the required Three-Fifths Majority, the Motion to override prevails. And the Bill is hereby declared passed notwithstanding the Governor's Veto. Mr. Stroger. Is Mr. Stroger in the chamber? Did you wish to call your Motion on House Bill 1959? The Gentleman indicates he does not wish to call the Motion. Mr. John Turner on House Bill 492. Mr. Turner."

Turner, J.: "Thank you, Mr. Speaker, and thank you for allowing

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me a few minutes to speak with my Senator. If I could have just a second. I ask the Members to join me in my Motion to override the veto. The Bill simply adds monument companies and veteran groups to the list of those who may be reimbursed up to \$100 for the cost of transporting and erecting a headstone for a deceased veteran. Thank you, Mr. Speaker."

Speaker Madigan: "The Gentleman moves to override the Governor. Mr. Black."

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

Speaker Madigan: "The Sponsor yields."

Black: "I appreciate the Gentleman taking my advice under consideration for all of 90 seconds. Representative, this Bill puts some of us in a very delicate position. You're going to vote to reimburse funeral homes or a monument company for delivering a headstone for a veteran's burial, but then somebody's going to pay to transport that headstone to the cemetery. Correct?"

Turner, J.: "Yes, up to \$100."

Black: "And who would... pay?"

Turner, J.: "Yeah, the department, the state."

Black: "I thought current law said that the reimbursement goes to the widow or widower of the veteran. You're changing that?"

Turner, J.: "Yes. But it's for their convenience that I'm changing that. The money can either go to the widow or the money could go to the person who puts up the monument. In either event, it's just a way of making it easier for the individual or company who puts up the monument to be reimbursed from the state."

Black: "Have the... spouses of veterans asked that this be done

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for a matter of convenience?"

Turner, J.: "I can only tell you that a constituent who is in the monument business had come to me and asked me to sponsor this. That individual indicated to me that, yes, many family members, for their convenience, had asked him if it would... if we could change the law to make it easier for them so that the reimbursement could go straight to the monument placement organization or company. But no one has actually contacted me, Representative."

Black: "Well, that's what I'm afraid of. Is the Department of Veterans' Affairs in favor of this legislation? Neutral or in opposition?"

Turner, J.: "They're opposed. And the way I understand from why that they're opposed, is they believe it's going to cost them an additional \$300,000. But I can't, for the life of me, figure out how it could cost anymore money in as much as the obligation is there to pay for putting up the headstone. And the only question is whether they're... the payment can be made direct or through the widows. So their opposition is there. No question about it. I can't really explain to you why they're opposed, however."

Black: "Okay. And I appreciate your honesty in the answer. Mr. Speaker, to the Bill. Ladies and Gentlemen, I would advise you to watch this Bill very carefully. I think the Sponsor's well-intentioned, but there's been a communication breakdown somewhere on what this Bill does. The Department of Veterans' Affairs stands in opposition to this Bill. Now, they have to have a reason for that and I don't purport to know what the actual reason is. But when you... when you put yourself, as a legislative Body, between a... the spouse of a veteran of the United States Armed Forces and a monument company as to who will be

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reimbursed for the cost of that veteran's headstone, the transportation of said stone at a very difficult time in that person's life, how it's handled will reflect on you and your district office. If that monument company comes to the widow or widower of a United States military veteran and says, 'You owe me \$100 because I transported this headstone to the cemetery.' And that widow or widower is not aware of that and says, 'Well, why? I don't understand. That's not the way it's been. I know I went to my uncle's funeral and there was no such charge.' And if that monument company or that funeral director tells that constituent of yours, 'Well, that's just the way it is. We changed the law.' The state says, 'you will reimburse me for the cost of your veteran's, your beloved's headstone that I had to transport here.' This is one of those innocuous Bills. I thoroughly like and respect the Sponsor. And I don't get any kick out of voting against his Bill, but I'm telling you somewhere there's been a communication breakdown. And one thing I learned here a long time ago, without the service of our military veterans we wouldn't be privileged to sit in this Body and debate some of the things we do. Our form of government would probably be much different if it were not for the veterans who have served this country for over 200 years. And when you put yourself between the widow or widower of a military veteran and someone who transported a headstone and the Department of Veterans' Affairs is opposed to the Bill, then there's something not right with this measure. It either needs additional study. It either needs an additional indication of who is responsible for the transportation costs of that headstone. I don't even know if this is so open-ended that the funeral director may say,

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'You owe me more than what you're going to get for the headstone. You owe me \$200, and if you don't pay me I'm not going to put the headstone on the grave.' If you want to get involved in those arguments, you go right ahead. I'm not about to intervene in the last measure of dignity we give a military veteran of this country, and that's to put a headstone on his or her grave. There's something about this Bill that just doesn't compute to come out to be 100% and perhaps that's why the Governor vetoed the Bill, I don't know. But I think in this case, to err on the side of caution is the thing you should do. And I would vote 'no' on the Gentleman's Motion and sustain the Governor's Veto until we can get more information, specific and detailed information, that we are not putting the veteran's family at some financial risk over who transports the headstone. That's the last thing a veteran's family needs to worry about during that individual's funeral service. I think to uphold the Governor's Veto of this Bill until we're exactly certain how this Bill works and what the mechanics are, a 'no' vote would be called for."

Speaker Madigan: "Mr. Stephens."

Stephens: "Well, thank you, Mr. Speaker. A lot of us supported this Bill the first time through. I just wanted to stand and explain that I think most of us that voted for it and supported it, I'm not speaking for anyone else, but the talk was that we were doing it for the veterans. I think that that is not the issue. The issue is, if you're for the monument companies then you want to vote in support of the override. But I have to stand, respectfully, to tell the Sponsor that on behalf of the veterans, I'm not sure that this is the right thing to do to pass this \$100 requirement into law. And so on behalf of the Department

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of Veterans' Affairs, who opposes it, and I believe the average veteran on the street would stand in opposition of his Motion to override, I think the Governor makes good sense and I... this doesn't in any way impede anyone from setting a monument or a memorial by voting 'no'. So I would urge a 'no' vote."

Speaker Madigan: "Mr. Meyer."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Governor's Veto. I would remind this Body that approximately two years ago, I believe it was, that we passed a law to this existing point and this seeks to overturn what we just passed a couple of years ago. I think that it would be flip-flopping back and forth in the effort to make sure that the family is treated with dignity and that the gravestone is properly placed. I believe this is just a measure that will help the monument companies and not really treat the families fairly. I would encourage the support of the Governor's Veto on this."

Speaker Madigan: "Mr. Bost."

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

Speaker Madigan: "Sponsor.... I believe the Sponsor is Mr. Turner. Sponsor yields."

Bost: "From what we're hearing in the debate on this issue now, maybe I've missed something in the Bill the first time and I don't believe I did."

Turner, J.: "No, I don't think you did."

Bost: "What this does is, it simply says that right now, well prior to the change that occurred, we could if the widow or widower of a veteran is handling, they let one person that is handling all of their affairs as far as the funeral arrangements, the person handling those affairs can bill

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the state for the placing of that monument. Is that correct?"

Turner, J.: "Yes, that's all it does, Representative."

Bost: "And all this does is codifies that?"

Turner, J.: "That's correct, Representative."

Bost: "And if... if this does not occur, what happens is the family then, after... during the time of grief, have to make another arrangement and that arrangement is to pay for this monument on their own or through a reimbursement from the state?"

Turner, J.: "That's correct. It's for the families."

Bost: "So this removes bureaucracy and allows the... family to only deal with one person. Correct?"

Turner, J.: "Yes, Representative. It takes the bureaucracy out of this procedure for making the payment and it's to ease the pain for the family. Make it easier for them in a time of need and trouble."

Bost: "Thank you. Mr. Speaker, to the Bill. This Bill, whenever I've joined in sponsorship, is something that constituents of mine came to me with. It was in joint with the monument groups because they went to these people and talked to them and explained the process. I, myself, am a veteran. I would not do anything against veterans. I see this as an opportunity to make sure that at a time of grieving the person that is doing that grieving and the family members that are having to handle all the financial things that occur after the loss of a loved one, do not have to incur more problems. And I support the Gentleman's Motion. Thank you."

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

Turner, J.: "Thank you, Mr. Speaker. Well, in due deference and respect to my colleagues on this side of the aisle that

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spoke against this Bill, I disagree with them. I would point out that the Bill passed when it came through the House the first time, 116 to 0. And the reason it passed 116 to 0, cause there's nothing controversial about this Bill. Now I haven't really had the arguments of my colleagues turned upon me. I'm usually, at least on this side of the aisle, I guess, on the same side as they are. But I have to say that some of the arguments advanced are nothing but a bunch of baloney, which is a euphemism for another word that starts with 'b' that we use on the farm. Because this Bill does not harm veterans in any way. Now no person in their right mind in this Body is going to sponsor a piece of legislation that purposely harms a veteran, as Mr. Bost indicated a minute ago. And the reason he joined me as a cosponsor is this Bill is intended to get through the bureaucratic mess that sometimes occurs when a headstone is put upon the grave of a deceased veteran. It's intended to ease the burden on the family of the deceased veteran. That's exactly what the Bill does and that is the reason it passed through here unanimously the first time. Now if you have taken the time to read the Amendatory Veto, you will see in that Amendatory Veto that there is some reference to the fact that it's going to cost the state \$300,000. And I'm telling you that simply does not make any sense whatsoever. All you have to do is think about it logically. How could it possibly cost the state any more money? They're simply paying the person who erects the monument rather than paying the widow. That's all the difference that there is in it. I mean, there is no difference monetarily, whatsoever. Don't be confused about that. Now that is the reason for the Amendatory Veto as at least I read the message. Now.... I said Amendatory



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Veto. It was a Total Veto. In any event, I suppose if you've listened to the arguments and you buy into the... what has been advanced here this morning, that this in some way hinders veterans or hinders their families, or in some way strikes a blow against them, then you should vote against my Motion. I can only tell you that as a Member of this Body, I would not make that representation to you if... the representations I'm making, if they were not correct. My assertion to you and my pledge to you is that this particular Bill is intended to help veterans. It's intended to help the veteran's families. I think it does so. I can't believe that there could be any question that it does anything other than that and I would urge you to join me in overriding the veto, just as you joined me before when we passed this Bill through unanimously. Thank you for your consideration."

Speaker Madigan: "The Gentleman moves to override the Governor's Veto. The question is, 'Shall the Bill pass, the veto of the Governor notwithstanding?' The Motion requires 71 votes. This is final action. Those in favor vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Three people, two people have not voted. One person has not voted. One person has not voted. Representative Mulligan, did you wish to vote? Clerk shall take the record. On this question, there are 58 'ayes' and 55 'noes'. The Motion fails. Representative Wojcik."

Wojcik: "Thank you, Mr. Speaker. I rise for personal privilege. I'd like to recognize, up in the gallery, the Dooley Grade School from Schaumburg. He's here with a class. And welcome to Springfield."

Speaker Madigan: "On page 2 of the Calendar, on the Order of

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Senate Bills- Third Reading, there appears Senate Bill 1144, Mr. Biggins. Read the Bill."

Clerk Rossi: "Senate Bill 1144, a Bill for an Act amending the Property Tax Code. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Biggins."

Biggins: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1144 further amends the Property Tax Code to extend the time, the deadlines for changing property tax bills that are... contain errors. And the reason necessary for the Bill is that in the spring we passed a measure that did not include allowing these changes to be made through the calendar year 1999 and 2000. This Bill corrects that and will enable those taxpayers, primarily homeowners who have a tax bill, a property tax bill that's in error, to have that measure replaced and the mistake will be corrected, the tax bill will be right and that's the way it should be. This facilitates that entire process. I'll be glad to answer any questions anybody may have."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill having received the Constitutional Majority is hereby declared passed. What's... Resolution."

Clerk Rossi: "House Resolution 378, offered by Representative Granberg; House Resolution 379, offered by Representative Lou Jones; House Resolution 380, offered by Representative Stephens; House Resolution 381, offered by Speaker Madigan;

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House Resolution 382, offered by Representative Morrow;  
House Resolution 383, offered by Representative Morrow;  
House Resolution 384, offered by Representative Parke;  
House Resolution 385, offered by Representative Granberg;  
House Resolution 386, offered by Representative Granberg;  
House Resolution 387, offered by Representative Julie  
Curry; House Resolution 388, offered by Representative  
Black; House Resolution 389, offered by Representative  
Granberg; House Resolution 390, offered by Representative  
Howard; House Resolution 391, offered by Representative  
Richard Myers; House Resolution 392, offered by  
Representative Giglio; House Resolution 393, offered by  
Representative Granberg; House Resolution 394, offered by  
Representative Morrow; House Resolution 396, offered by  
Representative Stephens; House Resolution 397, offered by  
Representative Capparelli; House Resolution 399, offered by  
Representative Granberg; House Resolution 400, offered by  
Representative Granberg; House Resolution 401, offered by  
Representative Black; House Resolution 403, offered by  
Representative Righter; House Resolution 404, offered by  
Representative Durkin; House Resolution 405, offered by  
Representative Art Turner; House Resolution 406, offered by  
Representative Gash; House Resolution 407, offered by  
Representative Granberg; House Resolution 408, offered by  
Representative Granberg; House Resolution 409, offered by  
Representative Shirley Jones; House Resolution 410, offered  
by Representative Lou Jones; House Resolution 411, offered  
by Representative Lou Jones; House Resolution 412, offered  
by Speaker Madigan; House Resolution 413, offered by  
Representative Lou Jones; House Resolution 414, offered by  
Representative Delgado; House Resolution 415, offered by  
Representative Capparelli; House Resolution 416, offered by

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Representative Capparelli; House Resolution 417, offered by Representative Giglio; House Resolution 418, offered by Representative Morrow; House Resolution 419, offered by Representative Morrow; House Resolution 420, offered by Representative Novak; House Resolution 421, offered by Representative Mautino; House Resolution 422, offered by Representative Mautino; House Resolution 423, offered by Representative Mautino; House Resolution 424, offered by Representative Granberg; House Resolution 426, offered by Representative Bill Mitchell; House Resolution 427, offered by Representative Bill Mitchell; House Resolution 428, offered by Representative Bill Mitchell; House Resolution 429, offered by Representative Granberg; House Resolution 430, offered by Representative Gash; House Resolution 431, offered by Representative McCarthy; House Resolution 432, offered by Representative Stephens; House Resolution 433, offered by Representative Silva; House Resolution 434, offered by Representative McGuire; House Resolution 435, offered by Representative Daniels; House Resolution 436, offered by Representative Monique Davis; House Resolution 437, offered by Representative Hamos; House Resolution 438, offered by Representative O'Brien; House Resolution 439, offered by Representative Mautino; House Resolution 441, offered by Representative Bill Mitchell; House Resolution 442, offered by Representative Bill Mitchell; House Resolution 443, offered by Representative Bill Mitchell; House Resolution 445, offered by Representative Erwin; House Resolution 447, offered by Representative Erwin; House Resolution 449, offered by Representative Black; House Resolution 450, offered by Representative Black; House Resolution 451, offered by Representative Black; House Resolution 452, offered by Representative Shirley

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Jones; House Resolution 454, offered by Representative Julie Curry; House Resolution 455, offered by Representative Julie Curry; House Resolution 457, offered by Representative Granberg; House Resolution 458, offered by Representative Morrow; House Resolution 459, offered by Representative Schoenberg; House Resolution 461, offered by Representative Dale Righter; House Resolution 463, offered by Representative Murphy; House Resolution 464, offered by Representative Scully; House Resolution 465, offered by Representative Brady; House Resolution 468, offered by Representative Hannig; House Resolution 469, offered by Representative Morrow; House Resolution 470, offered by Representative Scully; House Resolution 471, offered by Representative Scully; House Resolution 472, offered by Representative McKeon; House Resolution 473, offered by Representative Novak; House Resolution 475, offered by Representative Bellock; and House Resolution 477, offered by Representative Hannig."

Speaker Madigan: "Representative Currie moves for the adoption of the Agreed Resolutions. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Mr. Black. Black. Your light was on."

Black: "I'm sorry, Mr. Speaker. It must have been on by accident. I think the young lady who's new on staff, she's Representative Wojcik's new legislative aide. She doesn't know about the buttons on the floor yet, but Representative Wojcik is orienting her and just as soon as we get her oriented, I'll make certain that she is reprimanded for surreptitiously turning on my speak light. And I can assure you it will not happen again, Mr. Speaker."

Speaker Madigan: "Mr. Clerk, Adjournment Resolution."

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Clerk Rossi: "House Joint Resolution #35, offered by Representative Currie. Be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the House of Representatives adjourns on Thursday, November 18, 1999, it stands adjourned until Monday, November 29, 1999, in Perfunctory Session, and when it adjourns on that day, it stands adjourned until Tuesday, November 30, 1999, at one o'clock p.m.; and when the Senate adjourns on Thursday, November 18, 1999 it stands adjourned until Tuesday, November 30, 1999 at twelve o'clock noon."

Speaker Madigan: "The Clerk has read the Adjournment Resolution. Representative Currie moves for the adoption of the Resolution. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Adjournment Resolution is adopted. The Chair is prepared to adjourn. Representative Currie moves that the House does stand adjourned until Tuesday, November 30, 1999 at twelve o'clock noon, providing for perfunctory time for the Clerk. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until Tuesday, November 30, 1999 at 12 o'clock noon, providing perfunctory time for the Clerk."

Clerk Rossi: "Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill 2953, offered by Representative Lang, a Bill for an Act to amend the School Construction Law. House Bill 2954, offered by Representative Lang, a Bill for an Act to amend the School Code. House Bill 2955, offered by Representative Leitch, a Bill for an Act to amend the Illinois Municipal Code. House Bill 2956, offered by Representative Leitch, a Bill for an Act in relation to

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municipal government. House Bill 2957, offered by Representative Tenhouse, a Bill for an Act to amend the Legislative Information System Act. House Bill 2958, offered by Representative Garrett, a Bill for an Act concerning vehicle brake usage. House Bill 2959, offered by Representative Bugielski, a Bill for an Act to amend the Election Code. First Reading of these House Bills. House Rules Committee will meet immediately in the Speaker's Conference Room. House Perfunctory Session will come to order. Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules to which the following measures were referred, action taken on November 18, 1999, reported the same back with the following recommendations: 'to the floor for consideration' Senate Joint Resolution #45; Floor Amendments 1, 2, 3, 4, and 5 to House Bill 709; and to the Order of Concurrence House Bill 1137. Introduction and First Reading of House Bills. House Bill 2960, offered by Representative Hoffman, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 2961, offered by Representative Mike Smith, a Bill for an Act to amend the School Code. First Reading of these House Bills. House Perfunctory Session will come to order. Introduction and First Reading of Senate Bills. Senate Bill 239, offered by Representative Saviano, a Bill for an Act amending the Real Estate License Act. First Reading of this Senate Bill. Messages from the Senate. A message from the Senate by Mr. Harry: 'Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has passed a Bill of the following title, the Governor's specific recommendations for change to the contrary notwithstanding, and the passage of which I am instructed to ask the concurrence of the

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House, to wit; Senate Bill 423, a Bill for an Act to amend the Public Utilities Act. I am further directed to transmit to the House of Representatives the following copy of the Governor's specific recommendations for change to the Senate... passed by the Senate November 16, 1999 by a Three-Fifths vote.' A message from the Senate by Mr. Jim Harry: 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed a Bill of the following title, the veto of the Governor to the contrary notwithstanding and the passage of which I am instructed to ask the concurrence of the House, to wit; Senate Bills 751, 794, 812 and 1141. I am further directed to transmit to the House of Representatives the following copy of the Governor's Veto Message to the Senate, passed by the Senate November 16, 1999 by a Three-Fifths vote.' A message from the Senate by Mr. Jim Harry. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has accepted the Governor's specific recommendations for change, which are attached, to a Bill of the following title, the acceptance of which I am instructed to concur... to the concurrence of the House, to wit; Senate Bills 94, 451, 464, 653, 801, 818, 845, 847, 1068, 1085, 1136, and 1155. I am further directed to transmit to the House of Representatives the following copy of the Governor's specific recommendations for change to the Senate, action taken by the Senate November 17, 1999.' Being no further business, the House Perfunctory Session stands adjourned."