

STATE OF ILLINOIS
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HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

102nd Legislative Day

February 22, 2002

Speaker Hartke: "The House shall come to order. Members will please be in their chairs. We'll be led in prayer today by Pastor Allen Campbell of the Marengo United Methodist Church in Marengo. Pastor Campbell is the guest of Representative Jack Franks. Our guests in the gallery may wish to rise and join us for the Pledge and the invocation. Pastor Campbell."

Pastor Campbell: "Would you bow with me? We thank You, Almighty God, for the rich heritage of this blessed nation and the great State of Illinois, for the evidences of Your favor in the past that has made and preserved us as a great nation and state. We thank You for the many courageous men and women who have forged the history that we hold dear. May we never esteem lightly what they obtained at a great price. Grateful for rights and privileges, may we be ever conscious of our duties and responsibilities. On this day, we thank You for the inspiration that breathes in the memory of Abraham Lincoln and the past presidents of these United States of America. And we pray that something of the spirit that was theirs may be ours today. Like them, may we be more concerned that we are on Your side, than that You are on ours. In our hearts may there be, as there was in Lincoln's heart, malice towards none and charity for all that we may together with Your blessing and help bind up the nation's wounds and do all which may achieve and cherish a just and lasting peace among ourselves and with all nations. Bless these, Your servants, the chosen of the people of Illinois and direct them from the battles of nonessentials from the weary Sessions which saps strength, fray nerves, shortens lives, and adds nothing to their usefulness to You and this great State of Illinois. Assist them to commit themselves to the important and to recognize

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the trivial when they see it. Give them the courage to say no to everything that makes it difficult to say 'yes' to You. For this we pray, in the name of and for the sake of Christ. Amen."

Speaker Hartke: "We shall be led in the Pledge today by Representative Marquardt."

Marquardt - 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 Bost to report on the Republican side."

Bost: "Yes, thank you, Mr. Speaker. We're very happy to report that all the Republicans are present today and we'd like to welcome Representative Berns back, out of the hospital."

Speaker Hartke: "Welcome back, Representative Berns. Representative Currie, a report on the Democrat side."

Currie: "Thank you, Speaker. Please let the record reflect that Representative Reitz is excused today."

Speaker Hartke: "Mr. Clerk, take the record. 114 Members answering the Roll and the House is ready to do business. The Chair recognizes Representative Burke."

Burke: "Thank you, Mr. Speaker. I beg the indulgence of the Chair on a point of personal privilege. I would like to for a moment to acknowledge some very dear friends of mine and colleagues from our great state. The municipal clerks from all over our state are here with us in Springfield this afternoon at an important seminar over at the Hilton and I would for a moment like to acknowledge those fine public servants that are up in our gallery on the Republican side. Firstly, Mary Haynes, from the great City of Peoria, City Clerk of Peoria, Mary. Elizabeth Strobel,

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who is the City Clerk of Marion, Illinois, is with us. Susie Corbitt, City Clerk of Polo, Illinois. Robert Burden, the city clerk of Loves Park, Illinois. Joyce Forbes, from the Village of Riverdale, the Village Clerk, the Village of Riverdale. And Janet Vaught, the City Clerk of the great City of Carbondale. And also accompanying them is Michelle Ly, who is the regional manager of Laser Fish International. Ladies and gentlemen, welcome to our chamber this afternoon. We're delighted to have you. And I know Representative Bost had a word of welcome, as well."

Speaker Hartke: "Representative Bost."

Bost: "Danny's going to get Bost down before long, too. We just want to welcome you from the Republican side of the aisle. We're happy to have you here today."

Speaker Hartke: "The Chair recognizes Representative Brady. Representative Brady."

Brady: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to also on a point of personal privilege acknowledge and welcome to the chamber the Heartland Community College Trio group and their instructor, Faye Freeman-Smith, from Normal, Illinois. Would you Ladies and Gentlemen rise in the gallery so we can give you a nice round of applause and welcome to the General Assembly. Thank you, Mr. Speaker."

Speaker Hartke: "Mr. Clerk, what is the status of House Bill 4234?"

Clerk Bolin: "House Bill 4234 is on the Order of House Bills-Third Reading."

Speaker Hartke: "Move that Bill back to Second Reading for the purposes of an Amendment, at the request of the Sponsor. House Bill 4235."

Clerk Bolin: "House Bill 4235 is on the Order of House

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Bills-Third Reading."

Speaker Hartke: "Move that Bill back to the Order of Second Reading for the purposes of an Amendment, at the request of the Sponsor. House Bill 3637."

Clerk Bolin: "House Bill 3637 is on the Order of House Bills-Third Reading."

Speaker Hartke: "Move that Bill back to the Order of Second Reading for the purpose of an Amendment, at the request of the Sponsor. Mr. Clerk, what is the status of House Bill 3729? Representative Osterman."

Clerk Bolin: "House Bill 3729, the Bill's been read a second time, previously. And was held on the Order of Second Reading, pending the filing of notes. Those note requests have been withdrawn. No Motions filed."

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

Clerk Bolin: "House Bill 3729, a Bill for an Act concerning schools. Third Reading of this House Bill."

Speaker Hartke: "Representative Osterman."

Osterman: "Thank you, Mr. Speaker, Members of the House. House Bill 3729 amends the School Code to allow that school districts throughout the state in lieu of using tax anticipation warrants will have the ability to issue notes, bonds, or establish lines of credit to borrow funds on a short-term basis to run the operations of the school while they wait for tax revenues to come from the county treasurer. As with tax anticipation warrants, the school board would have to identify through resolution, the need, the amount, the interest to be paid on any loans. As with tax anticipation warrants, they could only borrow up to 85% of the previous taxes levied. The goal of this legislation is to give flexibility to school districts to borrow money and hopefully, at a lower interest rate and save money for

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the school districts as they need funds, while they're waiting for the money to come from the county treasurer. Be happy to answer any questions. Thank you."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Hoeft."

Hoeft: "Thank you, Mr. Chairman. In support of the Sponsor, the Sponsor had this for the Chicago Public Schools only. It's a good enough idea particularly in light of the fact we are going to be facing some real severe financial problems to widen this to all the school districts in this state. So he was gracious enough to do that. I would strongly urge you to support your school districts, give them some flexibility in the time of trouble and allow this Bill to be put through. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Parke."

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

Speaker Hartke: "The Sponsor yields."

Parke: "Thank you. Representative, in any way does this circumvent the tax cap?"

Osterman: "No, it does not."

Parke: "What happens if for some reason the tax levy doesn't come in in the amounts that was projected? You can borrow up to 85%. What happens if there's a real downturn in the local economy and doesn't provide the revenue that they borrowed?"

Osterman: "I would assume that they would pay what they could... pay up to 85% of all the money that they could when the taxes came in and the additional taxes that they would get six months later would go to pay off any balance or interest."

Parke: "What do we accomplish by doing this? I don't... Why

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don't we just leave it the way it is? I mean, is this a new way of approaching funding of school districts? I mean, an awful lot of our school districts are already running deficits. Is this some way to circumvent the deficits that are being run and are we just exacerbating the problem of putting people... the school districts further and further in debt?"

Osterman: "Actually to the contrary, Representative Parke. This in theory could save money for tax... for school districts. Currently, the tax anticipation warrant system can take up to 30 days. This law would still allow school districts to use tax anticipation warrants. This would give them the ability to get a line of credit, though. Right now it takes 30 days to process a tax anticipation warrant. If a line of credit was established with a lender, they could go in on a shorter term, say five days to a week and borrow more accurately what they need to get them through until the taxes come in. If they're borrowing 30 days out, they could end up paying more in interest rates. So, I would argue that this is going to save school districts money. And as you know we need every nickel we can to help fund our education process. So, I would think this is going to save money."

Parke: "And you know that, in fact, that they will have a... Will it always be that they will save money by going to a line of credit rather than going to a tax anticipation warrant?"

Osterman: "I'm not going to suggest that. What I would suggest, though, that the school districts can negotiate with lenders. They could also save money possibly on getting the lower interest rate to repay the loan. So, that would be based on what the school district...each rep... every school district in the state would pay... seek that out

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themselves. So I'm not going to guarantee that, but I would think that the school districts could try to negotiate to get a reduced rate. But that would be contingent on the school districts, you know, being able to negotiate that. I would also say that in theory this would never need to be used because the taxes would be coming in on a regular basis and the school would not have to borrow money. But if there's a crisis we want to give our schools the most flexibility as possible."

Parke: "Do we take away any authority on behalf of the school... the local school board from maybe them making the decision as a board to vote to issue tax anticipation warrants, or if we go to a line of credit, does that take away the authority of that local school board or do they have to vote on that also? 'Cause if they have a line of credit the business manager may be able to go and just do that without the authority or..."

Osterman: "They can use... No. Under current law and under this Bill, the school board would have to vote to a resolution the need for borrowing the money, how much they would have to borrow, and then give the authority to the school board administration to go out and borrow that revenue. So, it would stay as is and the authority would be locally held with the school district board."

Parke: "So, the authority has not changed at all."

Osterman: "Not at all."

Parke: "It still requires a school board in both cases to give approval and a business manager just can't go in and take a lien against the line of cred... not a lien, but take a loan against a line of credit, right?"

Osterman: "No. The school board would have to initiate this."

Parke: "Okay. Now, the previous speaker who rose in support of

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this indicated... it says here that this is Chicago Board of Education. Does this affect Elgin, U46 or elementary district and downstate?"

Osterman: "This Bill started out as an initiative from the Chicago Public Schools. Through working with my colleagues on the Education Committee, was expanded to the entire State of Illinois. So many of them, who I respect, thought this would be a good idea for the entire state and have signed on as cosponsors. so this would affect all the school districts in the state."

Parke: "Is there a... Is this a permanent or do we have any sunset in this to make sure that this is a good idea? This is a permanent change in the law?"

Osterman: "There is no sunset provision. There is none at the present time. No."

Parke: "Okay. Thank you. To the Bill."

Speaker Hartke: "To the Bill."

Parke: "It sounds like it's a... it gives a school district more flexibility. I don't see anything that really bothers me at this point. I just want to make sure that local control, that the school boards are still accountable to the taxpayers of that school district. And the Sponsor's assured us that that control stays where it's at, so therefore I have no problem with the Bill."

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

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

Speaker Hartke: "Sponsor indicates he'll yield."

Black: "Representative, I need you to look at the language in Amendment #2. Amendment #2 adds to the Bill and according to staff means that this... should this become law it will be statewide in its application. Is that your

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understanding?"

Osterman: "Yes it is."

Black: "Because the language is not clear, so it's being told to me that Section 17-17 refers to the statewide application, whereas Section 34 would be limited to only the Chicago School System. So by this Amendment, it is your intent that this ability to borrow on a more timely basis would be statewide rather than limited to the City of Chicago schools."

Osterman: "Correct."

Black: "And it's a... I think Representative Parke covered this but you can't always hear in this chamber. This prevents a district who has for whatever the reason: the books weren't closed in a timely fashion, the assessor didn't get the notices out in a timely fashion, and so the receipts don't come in in a timely fashion. This can speed up the cash flow problems to a school district by as much as 30 to 60 days, by what you're proposing, correct?"

Osterman: "That's correct, yes. If a school district is waiting for revenue from the treasurer's office and they have to buy hot lunches, pay teachers, run the school district, they could use this to borrow to get them through until the taxes came in."

Black: "And as far as I can see and your intent, the language is very clear that any borrowing that they do must be repaid immediately... Well, within 60 days of receipt of their property tax payment. Correct?"

Osterman: "I believe Amendment #1 was added after some issues were raised about the length of repaying, but under current law it would be repaid immediately but also we put in the 60 day window to address some concerns about paying in a timely fashion."

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Black: "The only concern I have and I think you can address it. Obviously, when you go out for anticipation warrants or borrowing you don't know at that time how many objections may have been filed on the taxes levied. There would not be a case... I can't think of any that has happened, but on huge tax objections you may borrow 85% of anticipated revenue and then when the checks are sent out you may not get 85% of anticipated revenue. How would that situation be addressed in the borrowing?"

Osterman: "I would suggest this, that many of the school districts in Chicago, at least, and I'm assuming it's similar elsewhere, get two payments from the county treasurer. They would in theory only be borrowing say one month or smaller percentage of that not all 85%. I think that they would probably be foolish in doing so and cost their school district a great amount in interest payments. So, I would think they'd only be borrowing a small amount to bridge over until the taxes came in. So, I would be very surprised if someone did borrow up to 85%, but would assume that they would pay it in full when the taxes came or in the second... bill came in."

Black: "Thank you very much, Representative. I appreciate your forthright answers and the work that you've done on this Bill in the last year."

Osterman: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Mitchell from Whiteside."

Mitchell, J.: "Thank you, Mr. Speaker. To the Bill."

Speaker Hartke: "To the Bill."

Mitchell, J.: "Representative Osterman brought this Bill in good faith to committee and was completely open to Amendment #1 which strengthened the Bill and allowed us to put a sunset

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or a repayment period that is fair. The Bill looked good. He was concerned that maybe it should be a pilot program. But in looking at this Bill, basically, all it does is, it gives a good business manager the ability to shop for lower interest rates, for better returns on money, so that the district actually does save money. With something that good, I suggested to him that we make this a pilot for the entire State of Illinois. We can always come back and change it if it doesn't work the way we expect it to. But if this works the way anticipated, especially large districts downstate that have a competent business manager this Bill will probably save districts money if they need to use it. For smaller districts that don't have the business manager or that person in place, they can still use tax anticipation warrants. Doesn't change what is, but it certainly opens up a whole avenue for borrowing for school districts and using taxpayers' money wisely. I certainly think this is an excellent Bill. Representative Osterman, you've done a good job with it. Appreciate you being open to suggestion, being patient, getting the Amendments filed, and making a Bill so that the entire House can get behind it. Speaker, I recommend this Bill for everyone. Thank you."

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

Osterman: "I would just like to ask for everyone's support of this legislation. The goal would be that if our school districts need to borrow money they can try to get rates that would save them resources. So, hopefully, this will save money across the board. We could put that money to educating our children. Thank you."

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

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Bill 3729?' 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 this question, there were 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does pass House Bill 3729. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 12 of the Calendar appears House Bill 4947. Representative Turner. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4947, a Bill for an Act concerning corporations. Third Reading of this House Bill."

Speaker Hartke: "Representative Turner."

Turner, A.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. House Bill 4947, which is sponsored by myself and Representative Tenhouse, amends the Illinois Not for Profit Act. And basically what it does is it permits the use of electronic means of voting and conducting business by a not-for-profit organization. It brings the statute in line with what we've done for the for-profit corporations here in the state. And basically it allows for, as I say, electronic means, that could be the fax machine, e-mail, all the other current means of communications in line with today's technology, that they would be able to use that in terms of conducting business. And I move for the adoption of House Bill 4947."

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

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

Speaker Hartke: "The Sponsor yields."

Parke: "Representative, if we pass this, how legal does this make this? Does this law tell the legal... the courts that this

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now is an acceptable way of doing business with non for profits? Does it open up any legal ramifications through the courts?"

Turner, A.: "It is my understanding it would not open up any additional legal ramifications. I assume that this would have to be adopted by the board of the non-for-profit organization that they will use e-mail or electronic means as a means of voting, so the board of directors for that organization would have to adopt this as an acceptable means. We, last year, did this for for-profit businesses where they currently can use faxes and e-mails. And so, basically, we're just bringing the non-for-profit organizations in line with our for-profit organizations here in the state."

Parke: "What kind of security are you putting in, because if you're going to fax to a vote, let's say it's a community group and there's an important issue before the community group and you tell them, well fax your vote to us and all of a sudden a bunch of people's fax that are not really the people what security do you have?"

Turner, A.: "Well, it's the same securities that the for-profit businesses use today. I mean, there's a certain amount of risk involved, but I think, on most faxes you can do one of two things: one, you can get a receipt letting you know that a transmission has, in fact, been sent, as well as on faxes you can receive where the particular vote or correspondence was mailed or faxed from. So, the same means of proof that's available for for-profit businesses would be available here. And realizing that there are still some things that need to be addressed in terms of... in particular, as you talk about e-mail and going out into the wide (sic-world) wide web that there can be some

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problems. But I assume that the organization itself would be prepared to address these concerns."

Parke: "Okay. Well, I hope so, because a lot of the corporations go to encrypting the correspondence and have fail-safes built in place so that they cannot be corrupted. And that's one of the concerns, because the non for profits many times are struggling just to take on the charge of the non for profit. They don't have extra money to provide for security on these systems."

Turner, A.: "Right."

Parke: "So I'm just expressing a concern that it probably does bring us into the... non for profits into the 21st century as it applies to the Internet, but it... or the electronics means, but it does open up some concerns. So, I hope people realize that. Thank you."

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

Turner, A.: "Thank you, Mr. Speaker. Again, this simply brings non-for-profit organizations in line with what for-profit organizations can do today in regards to electronic voting and electronic means of doing businesses. This is a product that was presented to us by the Association Forum of Chicagoland and the Illinois Secretary of State's Office and I move for the adoption of House Bill 4947."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 4947?' 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. Novak, would you care to vote on this issue? Mr. Clerk, take the record. On House Bill 4947, there were 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does pass House Bill 4947. This

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Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3714. Representative Hannig. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3714, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. Back in the 80's and early 90's the idea of privatizing state and federal and local government services was all the rage and we here in Illinois looked at that proposal as well. And frankly, there were areas of the state where the Governor was able to make a case that some privatization would be worthwhile for the state to participate in. There were other areas where we determined that it did not make any sense for the State of Illinois to go to privatizations. As a result of the effort between the Legislature and Governor Edgar, we were able to pass legislation which provided that state prisons in the State of Illinois would not be privatized. Some states around the country, particularly Southern states had tried that experiment and for the most part we felt that it was not a success. So, we passed this legislation, actually back in the early 90's I believe and now, we have a situation which has arisen in which our current Governor believes that an exception that was written into that law, an exception that provided that personnel in nonsecurity positions could be privatized, that he believes that that applies to the food services of our state prisons. Now, my view is that when we talked about the nonsecurity positions we were talking about teachers who came into the prison systems for classes. We might be talking about a doctor who would come in to treat someone with an emergency, perhaps a nurse

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under some circumstances. Those were the kind of issues that we had in mind. This Bill clarifies what we did in the early 90's and says that it's the intention of this Legislature that the law should clearly exclude the people who work in the food services in our prisons from an area that can be privatized. So, we passed a Resolution to that effect in this House, I believe, a few weeks ago. This would clarify and strengthen the underlying law which that is based on. And I would ask for the Members of this chamber to join me in sending this Bill to the Senate. And I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentlemen from Marion, Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House."

Speaker Hartke: "Excuse me, that's Clinton."

Granberg: "I rise in support of this Bill, as well. As Representative Hannig said, there is serious policy issue behind this legislation and the current State Law. We have these people who put their lives on the line every day of the year for us that we may be secure in our homes. These people do that with great jeopardy. They risk their lives and what happens to their families if something happens to them? They're in that position where they need security. I think we owe them the loyalty of making sure they're secure in their positions. This legislation will do that. These are dedicated hardworking employees. They need us to afford them some protection to secure the stability of their families and their future. I would ask all of you to give us an 'aye' vote. The people will appreciate it. The people in our communities who are being protected by these state employees because they're putting their lives on the

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line for us and our families and I think we need to do something to give'em that reassurance that we'll be there for them."

Speaker Hartke: "Further discussion? Chair recognizes Representative Parke."

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

Speaker Hartke: "Sponsor will yield."

Parke: "Representative, aren't we talking about food services?"

Hannig: "Representative, we're talking about people who in many cases are correctional... having correctional guards who are providing the food and overseeing the operations of the kitchen in our state prisons."

Parke: "Yeah, but the operation is only related to food services. It's not to provide security. It's to provide the food. Am I right?"

Hannig: "Well, Representative, the kitchen is generally the one place where you'll often find... or the dining room is the one place where you'll often find where all the prisoners in various areas of the prison will be together for a meal. And maybe not all of them are there at any given time, but clearly it's an area where you have a great deal of the inmates together. And in some cases it's a situation where it's very important that the security of those people serving the meals be considered as well. So, my point is that we need to have professional people who for the most part have been trained as guards and who know how to react in emergency. They're supervising and in many cases serving the meals."

Parke: "Representative, let me review this again. It says in my summary of this legislation that this applies to food services only. Now, isn't it the responsibility of the prison itself and the guards to provide the security?"

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Aren't we talking two different things here?"

Hannig: "Well, Representative, we see the people who provide the food services as a part of the overall effort to provide security in the prison and that indeed..."

Parke: "You may see it as part. I keep asking you the same question. Does this Bill affect security? No."

Hannig: "Yes."

Parke: "It only provides that... How does it do that? It only... It says here food service. The people that bring the food in provide the food."

Hannig: "Representative, it also includes the people who oversee the making of the food."

Parke: "Yes."

Hannig: "Who oversee the people who are in the line, and the people... these are people who are correctional guards."

Parke: "People who are in line with what?"

Hannig: "To get their food, Representative."

Parke: "But isn't that the guard's responsibility to make sure who's in line? I mean, is the food service person going to tell a prison guard that I want these people in line?"

Hannig: "Representative, the prison considers the people who you might consider to be a guard to be a food service employee. In many cases, these are people who have been guards who have moved up into the system and now work in the kitchen. So, we're suggesting that they actually function in a dual role. And it's very important in my mind that those people who are in the kitchen have the ability and have the understanding of security. So, it really gets down to a question of, do you think of the people who are in the kitchen and overseeing the security are part of security or not?"

Parke: "Well, I guess there's a gray line there, because I think

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we all voted for the Resolution to say that we don't want the prisons privatized. But food service sounds to me like sometimes a free market system might be able to do a better job than a state-controlled food service. And I would like to ask you why the Department of Central Management Services and the Department of Corrections oppose this legislation?"

Hannig: "Well, Representative, the administration, the Governor's Office has made a determination that they feel that they want to go in this direction which I think is contrary to the existing law, but they obviously do not. So, agencies under the Governor have also taken that consistent position. I would be shocked if the Department of Central Management Services said they were in favor of a Bill that the Governor is opposed to. I mean, what do we expect."

Parke: "Well, I don't know why you're afraid to let the marketplace compete with what government can do. You know, if you don't want the guards privatized that's fine. I'll go along with that because I think there's certain protections that guards have that maybe the free market system doesn't have as well. But I think there's nothing wrong with privatizing food service or other services in our state. And if they can't compete, they can't provide the security and the service, then they ought not to be hired. But if they can make a bid and it's proved to the people that hire them that they are capable of competing and saving the taxpayers of this state money then, in fact, we oughta allow privatization so I oppose this legislation."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Mitchell, Jerry Mitchell."

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

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Speaker Hartke: "Sponsor will yield."

Mitchell, J.: "Representative Hannig, a question has come up on security. Isn't it a fact that those folks that work in dietary, in the commissary, prepare the food, also are there to make sure that that area of the prison is secure?"

Hannig: "Yes, that's correct, Representative."

Mitchell, J.: "And haven't we been assured that when we privatize this and food is brought in in individual containers that those people will have any kind of preparedness to make sure that the prison itself is secure?"

Hannig: "Well, Representative, unless it's the intention of the agency to post guards there or correctional guards there and in which case I don't know where they would save any money, I don't really see how they would do that."

Mitchell, J.: "So that would simply add to the cost?"

Hannig: "Well, if you're going to pay someone off the street some amount of money to come in and serve the food and also have a correctional guard there to ensure that there's no trouble, I'm not sure where you save the money. Right now, we have people who can do both."

Mitchell, J.: "Thank you, Representative. Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Mitchell, J.: "I have a prison in my area, I'm sure Mr. Hannig does, as well. If you've been there and observed and I've been there and observed during mealtime, during the preparation of the food prisoners help in the commissary, they earn that privilege but they are still felons. The security of a prison belongs in the hands of those that work to keep it secure, not just the prison guards but all of the employees working together. Once you have that situation you have a family that talks together, thinks

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together, and makes sure that that workplace is secure. You don't split it up and expect to have a secure prison. You won't have. I'm very concerned about the security, very concerned about the fact that we're going to split up that family and privatize something that's not really going to save money. Certainly not going to save money until the following year and we may not even need it then. I think this is a good Bill. I think we should keep the family intact. I think we should keep the commissary, the dietary, and the prison guards all together. I urge an 'aye' vote. Thank you."

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

Jones, J.: "Thank you, Mr. Speaker. I rise in strong support of this Bill. You know, I think Representative Hannig has explained it admirably, really. And Representative Mitchell, his comments go right along with the comments that I would like to make. Everybody in that prison system, I don't care if it's the secretary in the office, whoever, is responsible for security in that prison. We don't want people in our prison systems that do not have that responsibility. Now, you take a kitchen or a mess hall or whatever you want to call it, where there's utensils being used we want to make sure that the people working in that prison system watch out for the safety of the other personnel that's in that prison. I don't know how anyone can vote against this Bill. You know, we in... all over this state, we have had communities come forward and give all kinds of incentives to the State of Illinois to locate these prisons in our communities because we wanted the jobs. And now we want to turn those jobs away? Ladies and Gentlemen, an 'aye' vote is the only vote on

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this Bill. I urge you a strong 'aye' vote."

Speaker Hartke: "Further discussion? Chair recognizes the Gentleman from Carbondale, Mr. Bost. Jackson County."

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

Speaker Hartke: "Sponsor will yield."

Bost: "Representative, and understand that I am in strong support of your Bill, but what I do want to know, when we look at the time line that's been proposed by Corrections for privatizing these and I know they've let out bids and everything. We move this over to the Senate and the Senate moves it next week we hope they will. It gets to the Governor's desk. What are we looking at? I know he can decide not to sign the Bill, leave it lay for awhile, or veto the Bill. How can we know that we'll get this done before those contracts are let?"

Hannig: "Well, Representative, first of all we're fortunate that a court has also agreed with, I think, what we will see as the majority of our view on this issue and for the time being they've instructed the executive branch, the Department of Corrections, to not proceed with this. All I can tell you is that we can simply move this Bill here in the House as quickly as we can. I think it's a good sign that we're voting on it here today as opposed to waiting three weeks when we come back. But we need to get the Bill to the Senate as quickly as we can and do what it is that we're elected to do and then work with our Senators to try to get it to the Governor as quickly as we can."

Bost: "Thank you. I just wanted that clarified and I appreciate that very much. This is something that we probably should have been doing several weeks ago. I'm glad to see the Bill is up right now. I do rise in support of the Bill. I agree with everyone that has spoken in support of this

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Bill. Folks, this are peop... these jobs... they're people, they're not just numbers out there. This is people's lives. They're people that have families. They're... When the corrections industries moved into... or Corrections moved into their communities, jobs were provided. Now, the dangers that exist, I believe, in privatizing especially areas where food service is being involved with all the utensils that are there. The security breakdown that can occur by not having people that are trained and understand everything that is involved, not only with food service, but with the handling of prisoners. We're not talking about serving the school cafeteria here, folks, we're talking about serving those people that have had violent crimes against society. I believe that if we send people from private industry into this area without the proper training not only are we endangering the lives of those employees but we are also endangering the lives of other facility workers, our guards. And we're also endangering the lives of other prisoners that might not be involved with the conflicts that might occur that would occur when we do not have trained people keeping track of everything that is going on. I do rise in strong support of this Bill and I encourage an 'aye' vote."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Bill. In fact, I've been in support of this Bill since the day I filed it. And I'm just very happy that... I'm just very happy that Representative Hannig let me stay on the Bill. First of all, let me make one thing very clear. I've great respect for private business. My family's been in business for

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more than 70 years, my grandfather, my father, my brother, and now my nephew, have run a small family-owned business. And I have great respect for those people, because they are the ones who truly create jobs and certainly pay more than their share of taxes. And we'd be in a sorry shape in this or any state without that small businessman and business woman out there. But this is a different issue. For example, let me ask any of you on the floor, have you seen the requests for proposal for a private food contractor to serve meals in all the prisons in Illinois? Any of you have a copy? I've asked for one. I don't have a copy. Do any of you have the cost comparative data on what the private operation at Joliet costs per meal versus the cost per meal in the prison in Danville? I've asked for that information. I can't get it. If the newspapers are correct and I would assume that they are, only one bidder submitted a bid, one bidder. So what do we have to compare as to what we're going to save. I submit to you you won't save a nickel. You'll have duplicative costs, training costs that will be excessive, a high turnover rate. This is not a college cafeteria that these people are going to go into. It is a highly secure environment and that environment must be kept in that fashion. Most of the meals are prepared by inmates, supervised by Department of Corrections' employees who have safety and security training. Now, if you bring in an untrained food worker and all I've heard from the corporation that bid is, 'We'll train them, we'll train them.' Well, what does that mean? That kind of training could mean, 'Would you like french fries with that, Sir?' That's not what I have in mind. The second and most personal reason I have to support this Bill, I had a private contractor at a prison in Danville,

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Correction Physicians Services, Inc. If anybody can track them down, Correctional Physicians Services, Incorporated. If you can find them, would you let me know what their address is? Because they were our health contractor at the Danville prison. They left in the middle of the night, owing over \$400 thousand to vendors in my hometown. Is that the way you save money? It's not the way I was raised. Has anybody in the Department of Corrections tried to help the hospital in my district recover over \$300 thousand in unpaid bills from their private contractor? No. We're told that's not their responsibility, that they're not liable. Well, if that's an example of saving money and efficiency, don't come to Danville. We can't afford that kind of efficiency. This Bill needs to pass. The secrecy in which this whole privatization of food service and commissary has been brought forth needs to change. Who are they gonna come to to appropriate the money to pay the bills for the single bidder next year? They're going to come to you. And you're gonna vote to pay the bill. Are you going to pay a management fee? How much are you going to pay in comparison with what you pay now? They haven't given us any of that information. And until they do, I will stand in absolute abject opposition to this plan hatched behind closed doors and thrown at us. I read about it in a Friday morning newspaper. I didn't even have the courtesy of being notified as a Legislator with two prisons in my district, not even the courtesy of being contacted and say, 'What do you think about it?' I opened up the paper and it said a fait accompli and we're gonna save a lot of money. And I asked questions. Give me the facts. Give me the figures. I still don't have it. That is not the way to do the public's business. And for those

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people who've called me and given me heck for my support of this Bill, one person this morning said, 'Representative, private business is always, better than government. It's always more efficient. I told that person tell it to K-Mart and tell it to Enron. Vote 'aye'.'

Speaker Hartke: "Further discussion? Chair recognizes Representative Cross."

Cross: "Thanks a lot, Mr. Speaker. I... Will the Sponsor just yield for a couple of questions?"

Speaker Hartke: "Sponsor will yield."

Cross: "Gary, how many people or, Representative Hannig, how many people will this... This a Bill not a Resolution. Is that correct?"

Hannig: "I'm sorry. Could you..."

Cross: "This is a Bill and not a Resolution. Correct?"

Hannig: "This is a Bill. That's correct."

Cross: "Is there any difference, any substantive difference, other than I know one's a Bill and one's a Resolution and the language we debated several weeks ago regarding the Resolution and the issue of privatization in your Bill?"

Hannig: "Representative, I can't say that I know exactly what was in the Resolution that we passed. But this is a Bill that will clarify the Bill, that the law that we enacted back in the 90s that said that we do not believe that we should have privatizations of our prisons, particularly in areas where security is involved. So, this clarifies that to say that it's our understanding of that existing law that that should include the food workers in an area that should not be privatized. That's what this Bill is about, Representative."

Cross: "How many people will this Bill, assuming it passes the House and the Senate... I don't know if the Governor

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intends to sign this or not. How many people will this affect?"

Hannig: "You know, I think it's in the hundreds. I believe at one of the prisons that I visited they told me there was 12 or 15 people that would be directly affected by it. So, I mean, it..."

Cross: "Twelve to fifteen?"

Hannig: "In each prison. So, it's in the hundreds to the thousands. I'm not sure exactly."

Cross: "And what will the costs be if this Bill is implemented?"

Hannig: "Well, Representative, we already have these people working for our prison, so I don't believe that it's going to cost us anything. I mean, we're not talking about hiring any new people."

Cross: "Are you suggesting, Representative, that you don't think there should be any privatization of food services in State Government at all with this

Bill?"

Hannig: "This applies to the Department of Corrections."

Cross: "Are you unhappy with the food services down in the Rathskeller? Aren't they privatized, Gary? Are you suggesting that we oughta be down there working and not have privatization in the Rathskeller?"

Hannig: "Representative, this Bill deals... this Bill deals with the Department of Corrections. I don't believe that those are Department of Correction employees down there."

Cross: "But I didn't know if you were making a comment with this Bill on the food quality down in the Rathskeller or over in the Stratton Building, but I wanted to clear that up."

Hannig: "Thank you."

Cross: "On a serious note, Gary, or Representative, and I'm going to support this Bill and I know what the intent here is."

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But I think, much like the Resolution, that one of the Representatives on your side had, we had some discussion about it. And I think the reality of it and unfortunately we're going to have to address some of these concerns sooner than later is that not only those on your side of the aisle, I think you do budget negotiations, but the Speaker as well, and perhaps people from AFSCME, and I don't want to be critical of anybody from any organization, are going to have to sit out and have serious budget negotiations and make some serious decisions about how we're going to address this budget. And I hope I can have some assurances from your side of the aisle that the Speaker is going to be willing sit down and talk about the budget problems we have in this state."

Hannig: "Representative, I think we all recognize that we have serious budget problems here in the State of Illinois. And the Governor made a speech just this week where he laid out his view on how we can address it. I'm sure there are going to be other views on what we need to do before it's all done. But we're certainly going to work with your side of the aisle and the other chamber and the Governor to try to come to a solution."

Cross: "And it's your belief now that the Speaker's willing to have serious negotiations with the Governor and the other Legislative Leaders about... because, Gary, if we don't privatize we're going to have to find... make some cuts somewhere and, you know, I for one would like to know where are we going to make those cuts, if we don't do it in this area?"

Hannig: "Well, Representative, I'm not certain that we're going to save any money by privatizing our prison services. There's really a legitimate debate, I think, as to whether

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or not this saves us any money. And so that's one of the issues, I think, that's really even open for discussion. So, my view is that we have people, men and women, who work in our prison system today. It's a dangerous place to work. And that replacing them with probably minimum wage people is not going to save us any money when you consider that they still will have to hire some security people to watch these kitchens, that they're still going to have to... that you'll probably see an increased incidents of contraband coming into the prisons and the trouble that that's going to cause for us in the terms of people being injured in our prisons or perhaps even killed, so..."

Cross: "Representative, some of those arguments are legitimate and I'm not going to argue those. I guess my point is, we have some tough issues that need to be faced. The Speaker was not willing to make those decisions or face those back last fall. My question again is, will the Speaker be willing to sit down with the Governor and the other Legislative Leaders to face these budget problems that are very significant this spring?"

Hannig: "Representative, I think, you know, we've always been willing to work to solve budget problems as they exist. I mean, we tried to work with the Governor last year on a budget that was very difficult and we'll try to work with him again this year. We know that the only way we can get out of here at the end of May is if there's a consensus amongst all four caucuses and the Governor that this is the best that we can do and that this is the final budget, while it may not be perfect is the best that we can do."

Cross: "All right. Thanks a lot, Representative."

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

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Klingler: "Thank you very much, Mr. Speaker. I am in strong support of this Bill because I believe that there is no proof whatsoever that there's going to be savings to the state. I asked the Legislative Research Unit to do a study for me to see what was the example in prisons or public systems elsewhere in other states and in Illinois, what happens when you privatize food service. First of all right here in Illinois, Joliet had privatized food service. There was no saving and that's the one of the prisons that's being closed. The Chicago Public Schools have privatized food service and that's been an incredible example of how privatization didn't work. And I asked LRU to look at some other states. Massachusetts privatized food service in four of its prisons. In all of those the cost was actually more than in the food service that worked through the traditional means. Other states, such as Massachusetts and Maryland also did not show an improvement in costs or savings in costs. I think that the security risks are very real and the savings are not real. And I think for those reasons we should support this Bill. Thank you."

Speaker Hartke: "Further discussion? Chair recognizes Representative Lang."

Lang: "Thank you, Mr. Speaker. I rise in support of this Bill. Much of what needs to be said has been said by others. Let me just add one or two comments. Ladies and Gentlemen, as Representative Klingler just said, the facts are that prison systems that have tried to privatize their food services haven't accomplished anything. As Representative Mitchell said, institutions that don't recognize that everybody at the facility's responsible for security and safety missed the boat. We have to make sure that we have

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a prison system that works all of it, not just in the administration, not just the guards, but even through the food service. Let me also add that we heard a budget proposal this week that talks about cutting 38 hundred jobs out of State Government. This proposal by the Governor, that we're trying to undue with this Bill, would cut many more jobs out. I don't think we can afford at this time to talk about improving our economy by telling thousands and thousands of state workers that they're out of jobs. Seems to me that Representative Hannig's on the right track here. This is a Bill we should pass."

Speaker Hartke: "Representative Hannig to close."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. Working in a prison is a dangerous job. And unfortunately, even under the best of conditions we see situations arise where guards find themselves in difficult situations where they get beat up, where they're physically harmed and it's a sad situation and it costs the State of Illinois money when people are out on workers' comp claims or worse. This Bill recognizes that the people who work in the kitchens do more than just serve food, that they are an integral part of the security system that we have in our state prisons. And if we do anything to weaken that security in our systems, we simply put all of our employees at risk. And in the end, I'm not certain that when you look at the increased costs of injuries to our people, and the fact that minimum wage people will be bringing in more contraband and causing more trouble in our prisons, I just don't see how we can save money. So, it's my view that the language that already exists in the law covers this, but there does seem to be some dispute in that. So, I'm asking you today to join me in clarifying what we passed some

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years back and with something that Governor Edgar signed which clarified... which says that we want to have security people in our prisons doing these jobs, not only out on the fence but also in the kitchen, as well. So, I would ask for your 'yes' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 3714?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Feigenholtz, would you care to vote on this issue? Mr. Clerk, take the record. On this question, there are 110 Members voting 'yes', 3 Members voting 'no', and 1 Member voting 'present'. And the House does pass House Bill 3714. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4200. Representative Delgado. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4200, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Representative Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the House. House Bill 4200 amends the Code of Corrections to allow victim impact statements during the sentencing phase for crimes involving prostitution. The Bill sets forth the procedures the court must follow and factors the court must consider. This Bill was brought to me by the City of Chicago's CAPS Program and the need to allow citizens that participate in the CAPS meetings and community groups who can at the time after sentencing, or I should say a conviction... at the conviction to be able to participate and let that judge know how that crime or that affiliate to that crime impacted Johnny's inability to play on the sidewalk, Mom's

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inability to go to the drugstore to get a prescription, or just walk to church sometimes. And I would ask for an 'aye' vote on this Bill. This is a very good Bill in terms of getting participation in our courts a process by our residents. And I would ask for an 'aye' vote."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Kendall, Mr. Cross. He's declined. Seeing no one is seeking recognition, the question is, 'Shall the House pass House Bill 4200?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does pass House Bill 4200. And this Bill, received the Constitutional Majority, is hereby declared passed. House Bill 4073, Representative Acevedo. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4073, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4073 allows that a person who manufactures, sells, exhibits for sale, or offers for sale an identification card or badge of a police organization or creditable imitation of an identification card or badge of a police organization knowing that his or her conduct is not authorized by that organization commits a Class IV felony. I'd be happy to entertain any questions."

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

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

Speaker Hartke: "Sponsor will yield."

Parke: "Representative, I understand what you're trying to do.
Are you increasing the penalties on this?"

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

Parke: "Are you increasing the penalties on this?"

Acevedo: "Yes."

Parke: "And what are they going from, to?"

Acevedo: "Excuse me, one second."

Parke: "Sure. That's okay. Take your time. Well, let's go
back. Representative, you're going to increase the
penalties to a Class IV felony?"

Acevedo: "To a Class IV felony."

Parke: "And do we know what that is? I mean, what is that? How
much prison time is that or how much the fine is that?"

Acevedo: "I'm sorry, Representative. It is a Class IV felony but
what we're trying to add on for people who... right now,
it's for manufacture. Right now we're trying to hit people
who sell, exhibit for sale, or offers for sale."

Parke: "Okay. Now, is it only for the people who manufacture and
sell? What about the people... Is the crime equal for each
of those levels, manufacturing, selling..."

Acevedo: "Yes."

Parke: "...distributing. Is the fine the same for all those?"

Acevedo: "Yes."

Parke: "Okay. Are you going... What about somebody that uses it?
Let's say that somebody goes in and uses... says that they
are Secret Service and they have a badge and they use it.
Does the penalty apply to that person equally or is it just
for the manufacture, distribution, and sale?"

Acevedo: "I believe this Bill deals with the manufacturing. It
does not deal with the person who is false impersonation."

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Parke: "Who's used it... Who's using it. So, it's just the actual distribution of it."

Acevedo: "Well, one case scenario where this past month in Salt Lake City, where special badges were offered to the Secret Service and other police enforcement agencies, before they were even handed out to these law enforcement agencies, they were... over 400 were sold over the Internet. Also, in Chicago, a couple of years ago where a person was able to buy a badge over the Internet and he was convicted of raping, I believe, it was five women, using this false badge."

Parke: "Okay. Let me ask you, how does somebody in Utah distributing and selling, how does Illinois law apply to that person? Does it have to be to the person who buys it in Illinois? How does Illinois law apply to a Utah perpetrator of a crime?"

Acevedo: "If a person would buy that over the Internet and the sale is done in Illinois, then he will be convicted of that crime."

Parke: "So, we would then bring him to Illinois and face the charges here that they've broken a law."

Acevedo: "Well, actually, that person who is buying would be convicted of that crime."

Parke: "So, the person that's buying is... will be prosecuted under your law?"

Acevedo: "I'm sorry, Representative, you're right it is the seller, not the buyer."

Parke: "All right. So, it's the seller. Again, our laws can apply to somebody in Germany. So, what if they don't know that this is our law?"

Acevedo: "If they are currently doing business in this state, they will be convicted of the crime."

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Parke: "Okay. Well, I mean, I understand the intent and I like the concept of what you're trying to do. I'm just not sure that... I don't understand the jurisdiction that we have to another area. If it's the seller and they sell in Illinois, I can understand that, but if they're in Utah, I don't know how our law would apply to somebody selling on the Internet in Utah. But I hope it does. Maybe we could talk about it later. I support your Bill, but I'm just not comfortable with how it's worded, I guess. Thank you."

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

Black: "Thank you very much, Mr. Speaker. I rise in strong support of the Bill. For those of you that have followed this issue, and I apologize I was out of the chamber and I don't want to be redundant. But for those of you who have followed this issue the number of badges and identification cards that you can purchase over the Internet, which I believe is as Representative Parke pointed out, very difficult to regulate and very difficult to prosecute because of its unique nature and rather new technology, doesn't mean we shouldn't try. When you can get on the Internet and buy a special security badge issued to the Utah State Police for the Olympics before they're even handed out to the Utah State Police, there's something wrong with this system. I don't think this Bill is in perfect form. I don't think it's in its final form. I think it needs to be tightened up a little bit in the Senate and I know the Sponsor will work hard to see that it is. But to sit back and say that this is a victimless crime and we're just interfering with the normal day-to-day commerce. For those of you pulled over by someone using false identification or a false badge, I doubt that you

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would say it would be a victimless crime. And it may be a small step in the direction and the Federal Government may decide we can't even take that step, I don't know. But to sit back and ignore something that is going on with greater frequency would be wrong. So, I commend the speaker on his efforts. I think we have a long way to go to stop this illicit trafficking in identification cards and badges which certainly could be used to put any of us at risk or our families at risk when these badges and identification cards are in the wrong hands. So, sometimes you start out by taking small steps. Sometimes the courts will tell us to go back and start over, but that's the process and I commend the Sponsor for bringing it to us."

Speaker Hartke: "Representative Acevedo to close."

Acevedo: "Thank you, Mr. Speaker. I think Representative Black is absolutely right. Representative, there might need... some work needs to be done on the Bill and we'd be more than happy to work with the Sponsors on the other side of the aisle, in the Senate to help work this thing out and keep this legislation moving along. I ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 4073?' 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 this question, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 3673?"

Clerk Bolin: "House Bill 3673 is on the Order of House Bills-Third Reading."

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Speaker Hartke: "Move that Bill back to the Order of Second Reading for the purpose of an Amendment, at the request of the Sponsor. House Bill 3657."

Clerk Bolin: "House Bill 3657 is on the Order of House Bills-Third Reading."

Speaker Hartke: "Move that Bill back to the Order of Second Reading for the purpose of an Amendment, at the request of the Sponsor. Supplemental Calendar announcement."

Clerk Bolin: "Supplemental Calendar #1 is being distributed."

Speaker Hartke: "Rules Committee Report."

Clerk Bolin: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure was referred, action taken on February 22nd, 2002, reported the same back with the following recommendations: 'direct floor consideration' for House Resolution 562."

Speaker Hartke: "Supplemental Calendar announcement."

Clerk Bolin: "Supplemental Calendar #1 is being distributed."

Speaker Hartke: "On Supplemental Calendar #1 appears House Resolution 562, Representative Turner."

Turner, A.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. House Resolution 562 urges the Secretary of State to increase its efforts urging the People's Republic of China to recognize and to protect the human rights of its citizens and halt the persecution against the practitioners of the Falun Gong. And I move for the adoption of this Resolution."

Speaker Hartke: "Is there any discussion? Seeing none, the question is, 'Shall the House adopt House Resolution 562?' All those in favor signify by saying 'yes'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. The Chair recognizes Representative Lang. For what reason do you seek

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recognition?"

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Subsequent to the events of September 11th, this General Assembly worked very hard in a bipartisan way, Members of the House on both sides of the aisle and Members of the Senate on both sides of the aisle, to pass a piece of legislation, House Bill 2299, a piece of legislation that deals with terrorism in our country and a state response to that terrorism. I think we're all gratified that working together we're able to pass a comprehensive piece of legislation to the Governor. The Governor made an Amendatory Veto on that piece of legislation and sent that piece of legislation back to the General Assembly. Ladies and Gentlemen, the esteemed Minority Leader who is the Sponsor of that piece of legislation has yet to make a Motion relative to his intentions on this particular piece of legislation. I don't know about the rest of you, but as for me and my constituents, we are waiting for a state response on the issue of terrorism. We are waiting for a response from the Minority Leader as to what his intentions are. I think we all know that the ability to make this Motion expires next week. We won't be here next week and so, for all practical purposes the only opportunity we will have as a General Assembly this year, at this time, to deal with the issue of terrorism in our state is to have a Motion on the floor to deal with the Governor's Amendatory Veto on this very important piece of legislation. Mr. Speaker, Ladies and Gentlemen, I'm wondering if we can get a response from the Minority Leader as to his intentions as to what he believes the State of Illinois ought to do with the issue of terrorists among us in the State of Illinois. Thank you very much."

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Speaker Hartke: "The Chair recognizes Representative Black. For what reason do you seek recognition?"

Black: "Inquiry of the Chair, Mr. Speaker?"

Speaker Hartke: "State your inquiry."

Black: "For what purpose was the Gentleman recognized?"

Speaker Hartke: "I guess a point of personal privilege."

Black: "Well, you didn't ask and he didn't say."

Speaker Hartke: "Mr. Lang."

Black: "Well, it's too late now, Mr. Speaker. I have asked and you have answered in the manner of parliamentary procedure in which we are supposed to conduct our affairs. I am somewhat dismayed at the Gentleman's statement. I agreed with his first statement that we all acted in the bipartisan way and that we need to continue to do that. Now, if we want to turn... If we want to make an Amendatory Veto a political issue on something that was as heartwrenching and gutwrenching as anybody in this chamber has ever seen or probably I hope to God ever will see in our life, then let that begin. There is absolutely nothing to be gained by making this issue a political issue on who does what or who doesn't do what or who's not doing enough or I can do more than you do or I feel more strongly about it than my colleagues on the other side of the aisle. So far, most political bodies in this country have resisted trying to turn the most horrific incident that any of us have had to go through in our lifetime. I was one month old at Pearl Harbor, so I don't have any recollection of it. So far most every group in this country have resisted trying to make political capital out of something that killed more than 3 thousand of our fellow American citizens. In fact, people representing 60 countries died in that attack. Let's not stoop to this. We all know that

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the Amendatory Veto is out there. We also all know that a Bill cleared the Senate today that will address some of these concerns. Let's at least give 911 six months before we want to turn it into a political issue. Because if anything ever happened in this country that does not need to be politicized, for all of the emotions and all of the different things we feel and all of the different comments we could bring to this issue, this is not the time, it's not the forum. It will be addressed and when it is, not everyone will be in agreement in how it's addressed, but I beg... I beg my colleague, whether it's on this side of the aisle or that side of the aisle, things have a way of working out here. I will not be part or party to any attempt to politicize the most nightmarish godforsaken thing I have ever seen or ever hope to see in my life again. That video tape is burned in my mind and burned in my brain and will never go away. And I assure that most of all of us probably feel that way. Now, let's not on a Friday afternoon close to a primary election try to make any political hay out of that horrific attack. Because in the long run nobody will gain state, or nationally, or locally, by trying to turn the events of September 11th, 2001, into some kind of political issue. If we can't all agree on that, then God help us with the future of this country."

Speaker Hartke: "Mr. Clerk, the Adjournment Resolution."

Clerk Bolin: "Senate Joint Resolution #55, offered by Representative Barbara Flynn Currie."

SENATE JOINT RESOLUTION NO. 55

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Friday, February 22,

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2002, the Senate stands adjourned until Tuesday, February 26, 2002, at 12:00 o'clock noon; and when it adjourns on that day, it stands adjourned until Wednesday, February 27, 2002; and when it adjourns on that day, it stands adjourned until Thursday, February 28, 2002; and when it adjourns on that day, it stands adjourned until March 5, 2002; and when it adjourns on that day, it stands adjourned until March 6, 2002; and when it adjourns on that day, it stands adjourned until March 7, 2002; and when it adjourns on that day, it stands adjourned until Wednesday, March 20, 2002; and the House of Representatives stands adjourned until Wednesday, February 27, 2002, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, March 5, 2002, in perfunctory session; and when it adjourns on that day, it stands adjourned until Wednesday, March 13, 2002, in perfunctory session; and when it adjourns on that day, it stands adjourned until Monday, March 18, 2002, in perfunctory session; and when it adjourns on that day, it stands adjourned until Wednesday, March 20, 2002, at 1:00 o'clock p.m."

Speaker Hartke: "You've heard the Adjournment Resolution. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Adjournment Resolution is adopted. Now, any Member have any announcements? Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 677, offered by Representative May; House Resolution 678, offered by Representative Brunsvold; House Resolution 679, offered by Representative Flowers; House Resolution 680, offered by Representative Colvin; House Resolution 682, offered by Representative Younge; House Resolution 684, offered by Representative Schmitz; House Resolution 686, offered by Representative McCarthy; House Resolution 688, offered by Representative May; House Resolution 690, offered by

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Representative Granberg; House Resolution 691, offered by Representative Flowers; House Resolution 693, offered by Speaker Madigan; House Resolution 694, offered by Representative Stephens; House Resolution 695, offered by Representative Stephens; and House Resolution 696, offered by Representative Stephens; House Resolution 697, offered by Representative Erwin; House Resolution 698, offered by Representative Klingler; House Resolution 699, offered by Representative Schoenberg; House Resolution 700, offered by Representative Johnson; and House Resolution 701, offered by Representative Franks; and House Resolution 704, offered by Representative Morrow."

Speaker Hartke: "You've heard the Agreed Resolutions. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Allowing perfunctory time for the Clerk, Representative Currie now moves that the House stand adjourned until March 20th, at the hour of 1 p.m. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned."

Clerk Bolin: "The House Perfunctory Session will come to order. Committee Reports. Representative Schoenberg, Chairperson from the Committee on Appropriations-General Services, to which the following measure/s was/were referred, action taken on February 21, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 4155. Representative Morrow, Chairperson from the Committee on Appropriations-Public Safety, to which the following measure/s was/were referred, action taken on February 21, 2002, reported the same back with the following recommendation/s: 'do pass as amended Short

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Debate' House Bill 4956. Representative McCarthy, Chairperson from the Committee on Child Support Enforcement, to which the following measure/s was/were referred, action taken on February 21, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 5632 and 5695. Representative Reitz, Chairperson from the Committee on Cities & Villages, to which the following measure/s was/were referred, action taken on February 21, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 4470, 5577, 5781, and 6011. 'do pass as amended Short Debate' House Bills 3687, and 4188. Representative Steve Davis, Chairperson from the Committee on Constitutional Officers, to which the following measure/s was/were referred, action taken on February 21, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 4355. Representative Brosnahan, Chairperson from the Committee on the Disabled Community, to which the following measure/s was/were referred, action taken on February 21, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 5579. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on February 21, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 3704, 3705, 4178, 4263, 4914, 4991, 5605, 5660, 5661, 5662, 5663, 5664, 5700, 5739, 5939, 6038, and 6050. 'do pass Standard Debate' House Bill 4117. 'do pass as amended Short Debate' House Bills 4726, 5780, 5812. Representative Novak, Chairperson from the Committee on Environment & Energy, to which the following measure/s was/were referred,

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action taken on February 21, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 3768, 5720, 5958, 5960, and 5961. Representative Erwin, Chairperson from the Committee on Higher Education, to which the following measure/s was/were referred, action taken on February 21, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 3636, 4946, and 5015. 'do pass as amended Short Debate' House Bills 5599, 6007, and 6031. Representative Feigenholtz, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on February 21, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 3783, 4208, 4414, 5571, 5656, 5844, 5868, 5870, 5906, 6001, 6002, 6028, and 6046. 'do pass as amended Short Debate' House Bills 5659, 6041, 4377, 4183, 5920, and 6042. Introduction of Resolutions. House Resolution 689, offered by Representative Flowers; House Resolution 692, offered by Representative Flowers; House Joint Resolution 63, offered by Representative Mautino; and House Joint Resolution 64, offered by Representative Garrett. These Resolutions are referred to the House Rules Committee. Committee Reports. Representative Dart, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on February 21, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 4999, 5827 and 5940. 'do pass as amended Short Debate' House Bills 4897, 4915, 5681, 5823, and 5860. Representative McKeon, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on February 21, 2002,

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reported the same back with the following recommendation/s:
'do pass Short Debate' House Bill 5738. back with the
following recommendation/s: 'do pass Standard Debate' House
Bills 5617, and 5626. 'do pass as amended Short Debate'
House Bill 5996. Representative Saviano, Chairperson from
the Committee on Registration & Regulation, to which the
following measure/s was/were referred, action taken on
February 21, 2002, reported the same back with the
following recommendation/s: 'do pass Short Debate' House
Bills 5846, and 6003. 'do pass as amended Short Debate'
House Bills 5803 and 6032. 'do pass as amended Standard
Debate' House Bill 3788. Representative Kenner, Chairperson
from the Committee on State Government Administration, to
which the following measure/s was/were referred, action
taken on February 21, 2002, reported the same back with the
following recommendation/s: 'do pass Short Debate' House
Bills 3690, 3699, 3809, 4078, 4157, 4162, 4444, 4467, 5685,
5821, and 5849. 'do pass as amended Short Debate' House
Bills 4446, 5807, and 5937. recommends 'be adopted Short
Debate' House Joint Resolution 55. Representative McGuire,
Chairperson from the Committee on Aging, to which the
following measure/s was/were referred, action taken on
February 22, 2002, reported the same back with the
following recommendation/s: 'do pass Short Debate' House
Bills 4246, 4294, and 6040. 'do pass Standard Debate' House
Bill 4001. Representative Howard, Chairperson from the
Committee on Computer Technology, to which the following
measure/s was/were referred, action taken on February 22,
2002, reported the same back with the following
recommendation/s: 'do pass Short Debate' House Bills 4228,
5808, 5911, and 6000. 'do pass as amended Short Debate'
House Bill 5910. 'do pass as amended Standard Debate' House

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Bill 5809. Representative Slone, Chairperson from the Committee on Conservation & Land Use, to which the following measure/s was/were referred, action taken on February 22, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 5728 and 6013. 'do pass as amended Short Debate' House Bill 5727. Representative Fowler, Chairperson from the Committee on Counties & Townships, to which the following measure/s was/were referred, action taken on February 22, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 5664, 5715, 5785, and 5824. 'do pass as amended Short Debate' House Bills 4429, 5592, and 5694. Corrected Committee Report. Representative O'Brien, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on February 22, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 3984, 4124, 4245, 4341, 5638, 5680, 5713, 5732, 5788, 5792, 5830, 5874, 5887, 5889, 5891, 5903 and all the Bills on Agreed Bill List #1. 'do pass Short Debate'. 'do pass Standard Debate' House Bill 5714. 'do pass as amended Short Debate' House Bills 4074, 4096, 4203, 4455, 4942, 4976, 5637, 5649, 5934, 5794, and 5798. House Bill 5843 was tabled in committee. Representative McKeon, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on February 22, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 1871. Representative Joseph Lyons, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on February 22, 2002, reported the

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same back with the following recommendation/s: 'do pass Short Debate' House Bills 4082, 4083, 4137, 4172, 4230, 4337, 4404, 5616, 5631, and 5779. 'do pass Standard Debate' House Bills 4138 and 4312. 'do pass as amended Short Debate' House Bills 3668, 3775, 4053, 4106, 5634, 5635, and 6012. 'do pass as amended Standard Debate' House Bill 5734. Representative Kenner, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on February 22, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 4451. 'do pass as amended Short Debate' House Bill 4174. Representative Miller, Chairperson from the Committee on State Procurement, to which the following measure/s was/were referred, action taken on February 22, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 4996. Representative McAuliffe, Chairperson from the Committee on Veterans' Affairs, to which the following measure/s was/were referred, action taken on February 22, 2002, reported the same back with the following recommendation/s: 'do pass as amended Standard Debate' House Bill 4937. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on February 21, 2002, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 4067, 4077, 4090, 4153, 4187, 4214, 4322, 4453, 4462, 4949, 5000, 5593, 5610, 5611, 5686, 5687, 5688, 5689, 5690, 5806, 5923, 5924, 5998 and all Bills listed in User File #1021. 'do pass as amended Short Debate' House Bills 4023, 4168, 4199, 4255, 4468, 5627, 5684, 5922, and House Joint Resolution #7. 'do pass Standard Debate' House Bills 4042,

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4054, and 4240. First Reading and Introduction of House Bills. House Bill 6160, offered by Representative Hannig, a Bill for an Act making appropriations. House Bill 6161, offered by Representative Julie Curry, a Bill for an Act making appropriations. House Bill 6162, offered by Representative Julie Curry, a Bill for an Act making appropriations. House Bill 6163, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6164, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6165, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6166, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6167, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6168, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6169, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6170, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6171, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6172, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6173, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6174, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6175, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6176, offered by Representatives Daniels, a Bill for an Act making appropriations. House Bill 6177, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6178, offered by Representative

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Daniels, a Bill for an Act making appropriations. House Bill 6179, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6180, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6181, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6182, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6183, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6184, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6185, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6186, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6187, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6188, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6189, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6190, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6191, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6192, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6193, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6194, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6195, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6196, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6197, offered by Representative Daniels, a Bill for an

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Act making appropriations. House Bill 6198, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6199, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6200, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 6201, offered by Representative Daniels, a Bill for an Act making appropriations. First Reading of these House Bills. There being no further business, the House Perfunctory Session now stands adjourned."