

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

March 23, 2001

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by the Reverend Sam Hamstra Jr. of the Palos Heights Christian Reform Church in Palos Heights. Reverend Hamstra is the guest of Representative Maggie Crotty. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Reverend Hamstra: "Thank you, Speaker. And thank you to my Representative Maggie, for the privilege of being here with you on this beautiful morning to seek God's blessing upon your deliberation. And thank you all for your public service to our wonderful state. Let us pray. Lord God, You have called us, pastors and politicians alike, to transform the world. You have placed each one of us in positions of influence for the purpose of protecting the innocent, empowering the weak, healing the broken, and supporting the dreams of those who contribute to the beauty and grandeur of our society. So, Lord God, humble us by this great responsibility and remind us, once again, that we are but servants. And in these endeavors, grant us wisdom in all our deliberations, grace in all of our interactions, and love for You, one another, and the citizens of this great state. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Dan Brady."

Brady - 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

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Representative Lou Jones and Representative Charles Morrow are excused today."

Speaker Madigan: "Mr. Poe."

Poe: "Mr. Speaker, let the record show that Representative Ron Stephens is excused today and all the Republicans are here."

Speaker Madigan: "Mr. Clerk, take the record. There being 115 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on Friday, March 23, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 1895 and Floor Amendment #1 to House Bill 3196. Representative Kenner, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on Friday, March 23, 2001, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 126. Representative Stroger, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on Friday, March 23, 2001, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 107. Representative Mautino, Chairperson from the Committee on Insurance, to which the following measure/s was/were referred, action taken on Friday, March 23, 2001, reported the same back with the following recommendation/s: 'recommends be adopted' House Joint Resolution 16. Representative Boland, Chairperson from the Committee on Elections & Campaign Reform, to which

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the following measure/s was/were referred, action taken on Friday, March 23, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' House Joint Resolution Constitutional Amendment #6. Representative Schoenberg, Chairperson from the Committee on Appropriations-General Services, to which the following measure/s was/were referred, action taken on Friday, March 23, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 2122, House Bill 2125, House Bill 2133, House Bill 2134, House Bill 2135, House Bill 2136, House Bill 2137, and House Bill 3329, House Bill 3489, House Bill 3490, House Bill 3491, House Bill 3492, House Bill 3493, House Bill 3494, House Bill 3495. Representative Monique Davis, Chairperson from the Committee on Appropriations-Human Services, to which the following measure/s was/were referred, action taken on Friday, March 23, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 2131 and House Bill 3463."

Speaker Madigan: "Mr. Bost."

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

Speaker Madigan: "State your point."

Bost: "Ladies and Gentlemen of the House, today we have the honor of celebrating the birthday of one of our colleagues, the fine Gentleman who prepares some of the finest jerky made from venison and prepares it for all of us here at the House Floor. A friend of ours here and from Logan County, John Turner is 45 today. Cake's down front."

Speaker Madigan: "Mr. Poe. Mr. Poe, did you wish to call House Bill 1008? Mr. Clerk, read House Bill 1008."

Clerk Rossi: "House Bill 1008, a Bill for an Act concerning

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county commissioners. Third Reading of this House Bill."

Speaker Madigan: "Mr. Poe."

Poe: "Mr. Speaker and Ladies and Gentlemen of the House, this is a Bill that just sort of tweaks up what we passed the Bill last year, on county commissioners, that they could be elected from districts. One of my counties chose to do that in the last election. They passed that. And what this will do, just clarify where the... residence of the people that's going to be running these districts when they file their nominating papers. So, I'd like to just have a 'yes' vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. This is a Third Reading Roll Call. Please record yourselves. Have all voted who wish? The Clerk shall take the record. On this question, there are 112 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Fowler, did you wish to call House Bill 1988? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1988, a Bill for an Act concerning township officials. Third Reading of this House Bill."

Speaker Madigan: "Mr. Fowler."

Fowler: "Thank you, Mr. Speaker. Currently, our townships can fill a vacancy on the township board only, and not in every township office. And what 1988 does, it amends the Township Code and it permits the electors to make or fill these appointments at any meeting of the board. It's just a very simple Amendment to that current law."

Speaker Madigan: "The Gentleman moves for the passage of the

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Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? This is a Third Reading Roll Call. Have all voted who wish? The Clerk shall take the record. On this question, there are 112 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Winters, House Bill 842. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 842, a Bill for an Act to create the Carbon Sequestration Study Act. Third Reading of this House Bill."

Speaker Madigan: "Mr. Winters."

Winters: "Thank you, Mr. Speaker. The carbon sequestration is a policy that the State of Illinois needs to be considering as we're looking at global warming and the addition of additional carbon dioxide into the atmosphere. This will set up a commission by the Department of Agriculture, including the Natural Resources Conservation Service, the U.S. Department of Agriculture, the University of Illinois. They are to respond back to the General Assembly within six months with a study of how to sequester carbon out of the atmosphere into our swills in trees. I'd be happy to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? This is a Third Reading Roll Call. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 112 people voting 'yes', 0 voting 'no'. This Bill,

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having received a Constitutional Majority, is hereby declared passed. House Bill 2567, Representative Mulligan. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2567, a Bill for an Act creating the Illinois Workforce Investment Board. Third Reading of this House Bill."

Speaker Madigan: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. If you would just let me dig out my glasses, at this age it's hard to read... House Bill 2567 revises the Human Resource Investment Council to reflect the transition from the Federal Job Training Partnership Act to the Federal Workforce Investment Act. It renames the Act as the Illinois Workforce Investment Board Act. It redesignates the Human Resource Investment Council, the State Advisory Board, regarding workforce preparation policy as the Illinois Workforce Investment Board, and revises the board's composition requirements to comply with the requirements of the federal statute, including the requirements that the board's chairman and a majority of its members be from the business community. Appointments to the board would continue to be subject to the advice and consent of the Senate. It strikes the language requiring five meetings per year, and as amended, instead, the board will meet four times a year; replaces language regarding the duties with provisions reflecting transition from JTPA to Workforce Investment Act, requires that the Illinois Workforce Investment Board cooperate with Governor and General Assembly and submit an annual report to the General Assembly. It ratifies the Human Resource Investment Council, actions that have taken place prior to the amendatory languages effective date, and are consistent with that language. And it incorporates the federal

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conflict of interest provisions for the board members. I would be happy to try to answer any questions. And I would appreciate your favorable support."

Speaker Madigan: "Representative Hamos."

Hamos: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Hamos: "Representative Mulligan, will this change the name of the Workforce Inves... Will this change the name from Illinois Human Resource Investment Council/Illinois Workforce Investment Board?"

Mulligan: "Yes, it does."

Hamos: "Well, that is, I think, a great improvement in what we've been trying to do in Illinois. Not only to streamline the services for workforce investment, but to streamline the name of our Workforce Investment Board. So, I stand in strong support of a board that you and I have now served on for a couple years."

Mulligan: "Thank you, Representative. I know we're in hopes that the board will federally link up with the General Assembly and tell them what we're actually doing there, which brings a lot of new funds to Illinois."

Speaker Madigan: "Mr. Franks."

Franks: "Will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Franks: "Representative, why do we need this change?"

Mulligan: "We need the change because there was a new Act passed at the federal level called the Workforce Investment Act, which changes what we're doing in Illinois with the former Job Training Program. It changes how we facilitate local one-stops, and also the things that used to go through Employment Security, which would be all unemployment now, consolidates Welfare to Work, Employment Security, job

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training, people that are being left out from job changes, summer jobs for teens. All those things are now going to go through one-stops. And the federal funding comes in through the Workforce Investment Act, which used to be the Job Training Program."

Franks: "Would we lose federal funding if we don't make these changes?"

Mulligan: "Probably, it would not... We have to do it to coordinate with the funds, and that's why we're doing it, because that's what the Workforce Investment Act from the federal level asks us to do. So, in order to make sure we get the funding and comply with the Federal Act, that's why we're making the changes."

Franks: "Okay, thank you, Representative."

Speaker Madigan: "Representative Mulligan to close."

Mulligan: "Thank you, Mr. Speaker. Members, thank you for your consideration. I hope you will give me an 'aye' vote on this."

Speaker Madigan: "The Lady moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Would someone record Mr. Tom Johnson? 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 112 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Daniels. Mr. Daniels, did you wish to call House Bill 1551? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1551, a Bill for an Act in relation to executive agencies. Third Reading of this House Bill."

Speaker Madigan: "Mr. Daniels."

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



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House. House Bill 1551 provides authorization to the Department of Public Health to regulate safety standards, specifically pertaining to entrapment in public pools, spas, waterslides, and other aquatic features. This was discussed, thoroughly, on the Amendment stage. And I'd ask for your favorable support."

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 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Someone record Mr. Tom Johnson. Have all voted who wish? The Clerk shall take the record. On this question, there are 112 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Parke. Mr. Terry Parke. Is Mr. Parke in the chamber? House Bill 575, by Mr. Hartke. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 575, a Bill for an Act concerning motor vehicles. Third Reading of this House Bill."

Speaker Madigan: "Mr. Hartke."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. House Bill 575 amends the Vehicle Code to bring into the State of Illinois a consistent speed limit on our rural interstate highways throughout the State of Illinois. Currently, those vehicles over 8,000 pounds are restricted to the travel of 55 mile an hour speed limit. This would raise it to a consistent throughout the State of Illinois, outside of the metropolitan areas in Chicago, mainly downstate interstate highways. I would be happy to answer any questions."

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

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

Speaker Madigan: "The Sponsor yields."

Black: "Representative, this is already in effect in other states, is it not?"

Hartke: "Yes, as a matter of fact, there are only four states in the nation that do not have a 65 mile an hour speed limit for vehicles over 80,000 pounds."

Black: "And as I recall your testimony in committee, there have been extensive studies that would indicate it actually adds to the safety because all traffic is ostensibly going at a similar rate of a speed than what we have now, where you might overtake a vehicle which could create a problem. So, if I remember the studies, it indicates that there is not a major safety problem with this Bill."

Hartke: "Well, that's my perception. When vehicles are traveling down the interstate at a consistent speed, and there's not this changing of lanes and interaction between the automobiles, why then, it is a much safer speed to go at."

Black: "And it's my understanding that this does not have any impact on those more congested freeways and expressways in the urbanized areas, say around Chicago."

Hartke: "That is correct. It would not affect that at all. Those speed limits will still remain in effect for the tollways and the other divided highways that are in Chicago and metropolitan area."

Black: "So..."

Hartke: "This just affects downstate, interstate..."

Black: "Right."

Hartke: "...rural traffic out in the country, so to speak."

Black: "So, it has no impact on our Chicago or suburban neighbors, this is only for rural interstate highways. The

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majority of states already have the same speed limit. And I believe we've passed this Bill before, out of this chamber, with more than 70 votes."

Hartke: "Yes, we have. It has passed over, going to the Senate, and like a lot of things over there, it ran out of gas."

Black: "Well, I stand in support of your Bill. I think it's time that we join the majority of other states in this action. And again, I think it's very important for our colleagues who live in heavily congested, high traffic areas, this has no impact on you. It does not change the 55-65 ratio in your area. It only impacts those interstate highways in rural or largely downstate areas. I commend the Sponsor."

Speaker Madigan: "This Bill is on the Order of Standard Debate. Mr. Hartke has stood in support of the Bill, Mr. Black has stood in response. Representative Garrett, I presume you stand in response. Representative Garrett."

Garrett: "I'm in opposition, Mr. Speaker."

Speaker Madigan: "Representative Garrett."

Garrett: "Will the Speak... Will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Garrett: "Representative Hartke, when you talk about this only affecting rural areas of Illinois, what exactly are the parameters? What are the boundaries of this speed limit increase?"

Hartke: "Mr. Speaker, I'm sorry, I would have to ask her to repeat the question."

Speaker Madigan: "Ladies and Gentlemen, if you could all give your attention to Representative Garrett. The Lady is attempting to pose a question to Representative Hartke."

Garrett: "Representative Hartke, when you talk about the speed limit applying to only rural areas, what are the boundaries for this particular speed limit, in the State of Illinois,

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on interstate highways?"

Hartke: "Any area within a municipality or around a municipality where there is a divided highway, the speed limit would not apply. And it is my understanding that anywhere in your area, for example, that is subdivisions on each sides, and so forth, on rural divided interstate freeways in rural areas, this would apply. In municipalities such as yours, although you may consider it an interstate, it would not be. And if you're talking about Route 41, that would still remain the same speed limit as it is now."

Garrett: "Well, let's talk about Route 41 for a second, because that is an interstate and I think it, basically, applies to what you're talking about. Now..."

Hartke: "Let me ask you a question, are there stoplights on that interstate?"

Garrett: "And so where there are stop..."

Hartke: "Are there stoplights on that interstate?"

Garrett: "Yes, there are stoplights."

Hartke: "Yes, there are. That... This would not apply in that area."

Garrett: "Is IDOT in opposition to this, or are they neutral, or what is their position?"

Hartke: "IDOT's position is that they claim that it would cost \$40,000 to change the signs."

Garrett: "Are they... What is their position on this, Representative?"

Hartke: "They spoke in opposition to it in committee."

Garrett: "Okay. I think one of their concerns is related to safety. And I do have a couple of questions I would like to ask you, in regard to that, if I could."

Hartke: "Could."

Garrett: "And I'll try to go as quickly as I can. With the

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increased speed... Will the increased speed have any effect on the ability of truck drivers to react in the event of any kind of an emergency?"

Hartke: "I don't think speed would have them anything to react. Their argument is that trucks would be safer traveling 55 mile an hour, rather than 65 mile an hour, because it takes a truck traveling 65 mile an hour 40% longer to slow down. I don't think that's a valid argument. Why don't we lower it to 45, and it would take them a lot less time to slow down to stop than they would at 55. My contention is that those trucks are traveling over 55 now, and it's a blatant violation of the law, it gives state troopers an opportunity to fine those truck drivers when they're traveling over 55. But I think you know in your heart, and I know in my heart, when you get out there on the interstate between Springfield, here and Chicago, you are probably being passed. Well, maybe not you. But we know and we all know that those trucks are traveling at 65 mile an hour. My contention is that more accidents happen when the State Police are out there on the interstate in the median and they're shooting they're radar guns, and immediately all the trucks slow down. And when that happens, you and I go whizzing past them at 65 mile an hour or faster. We weave out because here this slow truck is in front of me, and that's when interaction begins, and that's when accidents happen. The State Police cited in the committee on the number of accidents that would happen between cars and trucks, with the assumption that all the accidents were caused by the trucks. Not necessarily so. They didn't respond, or I could not find out, because they did not have the information, how many cars rear-ended the trucks, or clipped the trucks as they failed, or how many

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cars pulled out into a path where they blamed this accident because the truck was involved. I contend that the motoring public would be much safer if we were all traveling a consistent speed limit in the State of Illinois."

Garrett: "Representative Hartke, I think the statistics will speak for themselves, and I would like to cite some of those. And I would also like to cite that the Tribune did a poll asking citizens of the State of Illinois how they feel on this issue, and by and large, the people that were polled are opposed to it. And I think there is a great concern about truck safety in the State of Illinois. Now, you know, we have worked together on truck safety in my particular district and what I've heard from my constituents is that many years ago, it used to be that the truckers were looked at as being the safest drivers on the roads and they would be relegated to being on the... to being in the right hand lane. And that doesn't happen anymore. Now, we have two lanes of truck drivers, when there are two lanes of roads. But the point being is that people would stay next to the truckers because they were going the speed limit, they were going 55 miles an hour, and people by and large felt much safer because of that. But I would just like to say... point out a few statistics in regard to truck safety as the speed limit increases. A truck weighing 80,000 pounds, traveling at 65 miles per hour, requires approximately 40% more distance, which is 90 feet, to safely come to a stop compared to the same vehicle traveling 55 miles an hour. And I want to make one other point, a tractor-trailer... when a tractor-trailer strikes another object with an impact that is approximately 40 times greater at 65 miles per hour, when compared to 55

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miles per hour, we are in a very dangerous situation. And to the Bill. I would say that for those of us who travel interstate roads, that this is a very serious Bill, whether this pass out of the House or the Senate. People are very concerned about truck safety in the State of Illinois. And I ask for a 'no' vote on this. Thank you."

Speaker Madigan: "Ladies and Gentlemen, we have now had two people speak in response. Therefore, there'll be one more person in response. The next person is Mr. John Turner. Mr. Turner, do you rise in support or in response?"

Turner, J.: "Mr. Speaker, I'm in opposition to this measure."

Speaker Madigan: "So, Mr. Turner will be the last person to speak in response. Mr. John Turner."

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

Speaker Madigan: "The Sponsor yields."

Turner, J.: "Representative, I know you indicated a moment ago what the fiscal impact of the Bill was, but I couldn't hear you. Could you tell me again?"

Hartke: "The Illinois Department of Transportation is estimating that to replace those signs in rural areas, that the cost would be \$40,000. And I have the fiscal impact note."

Turner, J.: "You know, Representative, I drive as... I think you know, home every night, and back every day. It seems like to me trucks are already running 65 miles per hour. Do you have an opinion on that?"

Hartke: "You're probably correct. Most trucks probably do run 65 mile an hour today on our interstates, illegally."

Turner, J.: "I guess the point is, not to be facetious about it or make light about it, is if we raise the speed limit to 65, aren't they going to start going 75? I mean, isn't that logical to assume?"

Hartke: "John, that's a matter of law enforcement. I think

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maybe, you know, when we look at it in our neighboring states, are traveling at 65 mile an hour now. That trucker has a mission, and that mission is to get that product delivered. And when he comes to Illinois, he's got to slow down. Now, at any time that he has slowed down before there, he's trying to make up that time. Now, I contend that it would be better for commerce and industry and the businesses of the State of Illinois if we allowed those trucks to go 65 mile an hour. Midwest Truckers, of course, are in major support of this Bill simply because of the business that they're in, that's delivering product between places. When they come to Illinois, things slow down. You know, we want to be a good neighbor. We want to be a good economic state. Let's get in step with our neighboring states."

Turner, J.: "All right. I know the last Representative, he asked you some questions about the Bill. Again, I couldn't hear everything that she said. This Bill doesn't have anything to do with jake brakes, does it?"

Hartke: "No, and that's really ironic because the last speaker talked about jake brakes, she tried to outlaw those. Jake brakes help trucks stop and slow down."

Turner, J.: "Yes."

Hartke: "And so, I don't know if she wants them to back off at 45 mile an hour and never stop, or never use brakes. No."

Turner, J.: "Well, as you drive down the highway, you try to pass one of these trucks and, for example, if there's snow on road, if there's water on the road, I'm sure you've noticed, Representative, that the snow blows up into your windshield, the water blows up into your windshield, and you're, for several seconds, unless your wipers are really moving quickly, left in the blind, you can't even see. Is



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this not a concern of yours, with all these trucks going at this high rate of speed?"

Hartke: "Not a concern at all. That snow's going blow, and that mist is going to come up whether that truck's going at 55 mile an hour or 65 mile an hour. If you're all going 65 mile an hour, John, all you have to do is back off 500 feet, and you won't have that problem and you could all be traveling at 65 mile an hour."

Turner, J.: "There should be no passing, then, under this theory."

Hartke: "That is correct. There should be no passing."

Turner, J.: "There will be no car passing any truck, no truck passing any car. Because if everyone's going 65, and we have good law enforcement..."

Hartke: "Well, Federal Law allows nothing under than 45 mile an hour. So, if you wanted to travel 46 mile an hour, you could, but generally we don't. A consistent speed limit, that's what I'm trying to get at, to stop the interaction, the passing, the moving in and out of lanes. If we're all traveling the same speed, regardless of that speed, whether it be 55 or 65, it should be much safer."

Turner, J.: "I also wonder, if we raise the maximum speed limit for trucks to 65, do you fear that next year we'll be here with a Bill to raise the speed limit for cars and lighter trucks to 75? And where do we stop?"

Hartke: "Mr. Turner, that's not my intention, at all. I've had the same piece of legislation, consistent, for the last four years that I've introduced. And it's remained at 65. Now, there may be other people out here that want to raise it more than that, but I think that is the safe speed. It's the common speed throughout the State of Illinois, except in our western states, where they have 75 mile an

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hour, and that's out in the middle of nowhere, but here, 65."

Turner, J.: "Are the Illinois State Police still opposed to the Bill?"

Hartke: "Yes."

Turner, J.: "And is that because they have safety concerns, or do they believe it's going to be too hard to enforce?"

Hartke: "Well, they have cited certain safety surveys that they've taken in accident reports. But I have, also, other reports from other states who have changed. In Virginia, in particular, which adopted a 65 mile an hour speed limit recently and showed no increase in accidents involving trucks, whatsoever."

Turner, J.: "Okay. Representative, I appreciate you answering my questions, and you make some very good points. I think, on this particular Bill, I'm just going to have to agree to disagree with you. I think it does raise some safety concerns. I know you passed the Bill out of here before, and you're likely to do so again today, very easily. I'm glad you brought the Bill, I just can't support it. Thank you."

Hartke: "Sure."

Speaker Madigan: "Mr. Hartke to close."

Hartke: "Thank you very much, Ladies and Gentlemen. I really think this is a commonsense approach to our speed limits here in Illinois. It solves a problem for the Midwest truckers. Many times those drivers are out there, and they're trying to get their product to market and to its destination on time for you. And here they're skirting the law, by traveling faster than the speed limit. You know that when truckers, who travel probably half a million miles a year, come to Illinois, they hate this state. They

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got to slow down, they cannot deliver their product on time. I just think it's a commonsense thing we should do. And I would appreciate your support for this piece of legislation."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; 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? We need one person to vote. The Clerk shall take the record. On this question, there are 46 'yesses', 60 'noes'. The Bill... Mr. Hartke."

Hartke: "Yes, do I have the opportunity for a Postponed Consideration?"

Speaker Madigan: "I believe the rule provides that you need 47 votes for a Postponed Consideration, Mr. Hartke."

Hartke: "I wonder if someone would like to..."

Speaker Madigan: "But I think the Clerk has taken the record. Is that correct, Mr. Clerk?"

Hartke: "That's fine. Let'er go."

Speaker Madigan: "The Bill fails. Mr. Parke, do you wish to call House Bill 207? The Gentleman indicates he does not wish to call the Bill. Mr. Brady, did you wish to do the Pledge of Allegiance again? Mr. Clerk, House Bill 1989. Read the Bill."

Clerk Rossi: "House Bill 1989, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Madigan: "Mr. Brady."

Brady: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1989 provides that liability claims against assets of an insurance company cannot be chargeable out of a separate account, such as guaranteed investment contract accounts. It's supported by the Illinois Life

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Insurance Council and the Department of Insurance. What the Bill simply states to is that it can be no commingling of funds paid out of different accounts, regarding the liability claims. It's a protection of those accounts that the money comes out of the account that it's supposed to and would protect those funds. I'd be happy to answer any questions that anyone may have."

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

Mautino: "Thank you, Speaker and Ladies and Gentlemen of the House. I simply rise in support of the Gentleman's legislation. As he said, this Bill simply says that in the event that there's a health insurance or a pension account, where the company goes into insolvency, the people covered by those funds will receive their pensions, will receive their health insurance, before those assets can be used in any other dissolution. So, with that, there were no objections. And I ask for an 'aye' vote."

Speaker Madigan: "Mr. Brady moves for the passage of the Bill. Those in favor signify by voting 'yes'; 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? The Clerk shall take the record. On this question, there are 112 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Hartke in the Chair."

Speaker Hartke: "Mr. Clerk, what is the status of House Bill 2009?"

Clerk Rossi: "House Bill 2009 is on the Order of House Bills-Third Reading."

Speaker Hartke: "Move that Bill back to Second Reading for the purpose of an Amendment. House Bill... On Second Reading

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appears House Bill 778. Representative Lyons. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 778, a Bill for an Act relating to procurement. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Committee Report."

Clerk Rossi: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on March 23, 2001, reported the same back with the following recommendation/s: 'to the floor for consideration' Floor Amendment #1 to House Bill 1; Floor Amendment #1 to House Bill 27; Floor Amendment #2 to House Bill 36; Floor Amendment #3 to House Bill 185; Floor Amendment #2 to House Bill 268; Floor Amendment #2 to House Bill 448; Floor Amendment #2 to House Bill 854; Floor Amendment #2 to House Bill 1927; Floor Amendment #1 to House Bill 3069; Floor Amendment #1 to House Bill 3557; and a Motion to Table Floor Amendment #1 on House Bill 921."

Speaker Hartke: "Further announcements?"

Clerk Rossi: "Supplemental Calendar #2 is being distributed."

Speaker Hartke: "On Third Reading appears House Bill 2278. Representative Moore. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2278, a Bill for an Act in relation to taxes. Third Reading of this House Bill."

Speaker Hartke: "Representative Moore."

Moore: "Thank you, Mr. Speaker. House Bill 2278 amends the Illinois Municipal Code and it requires that the levy, the property tax levy, that's made in December, be based on the appropriation ordinance for the next fiscal year and requires that the ordinance specify the amount and purpose

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of the sums to be levied. This is an Illinois Municipal League initiative. There are no known opponents. Last year, this Bill went through here and went over to the Senate with, I think, about 115 votes, and it was changed over there. So, it's another initiative that we've brought back. I would be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Since no one is seeking recognition, the question is, 'Shall the House pass House Bill 2278?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2278, there were 112 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1845, Representative Mitchell. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1845, a Bill for an Act in relation to education. Third Reading of this House Bill."

Speaker Hartke: "Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I bring you House Bill 1845, it's a very simple Bill. And what it does is raises the foundation level from the EFAB recommendation of 46 or 4560, it raises it \$40 to \$4600. The reason I bring this action is that the EFAB recommendation is \$20 a student below the consumer price index. In other words, we're not even keeping up with the rate of inflation, in our formula, for our schools. This Bill would then raise it \$20 above that and at least we can very proudly hold our heads up and say, we are at least funding the education foundation formula above the consumer price index. I'd be happy to answer any questions."

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

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seeking recognition, the question is, 'Shall the House pass House Bill 1845?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 1845, there are 112 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On Second Reading appears House Bill 770. Representative Black. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 770, a Bill for an Act concerning associate judges. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. The Chair would ask that any Member who has a Bill on Second Reading and would like to move it to Third Reading, please approach the podium, and we will see if we can accommodate you. We would like to move to a list of Bills that have been... Floor Amendments have been approved and referred to the floor. So, these will be Second Readings moving to Third that have Amendments that have been approved. House Bill 27, Representative Black."

Black: "Thank you very much, Mr. Speaker."

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

Clerk Rossi: "House Bill 27 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Black, has been approved for consideration."

Speaker Hartke: "Representative Black."

Black: "Yes, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #1 was suggested

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by the Land Title Association people. The supervisor of the township in my district who brought this Bill to me is in agree with it... is in agreement with their Amendment. It simply protects their lien rights on any order of demolition. I'll be glad to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 27?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 36, Representative Poe. Mr. Clerk."

Clerk Rossi: "House Bill 36 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Poe, has been approved for consideration."

Speaker Hartke: "Representative... Out of the record. House Bill 185, Representative Fowler. Prepare to... Amendment #3, Mr. Fowler. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 185, a Bill for an Act concerning public transportation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Fowler, has been approved for consideration."

Speaker Hartke: "Representative Fowler, on Amendment #2."

Fowler: "Thank you, Mr. Speaker. That's a technical change, there. And all it does is change a date from 2001 to 2002."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House



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adopt Floor Amendment #2 to House Bill 185? All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Fowler."

Speaker Hartke: "Representative Fowler. Hoffman. Fowler. Take this Bill out of the record. Let it remain on Second Reading, with the second Amendment adopted. House Bill 268, Representative Davis. Monique Davis. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 268, a Bill for an Act respecting schools. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Monique Davis, has been approved for consideration."

Speaker Hartke: "Representative Davis, on Amendment #2."

Davis, M.: "Thank you, Mr. Speaker. Amendment #2 continues the two-year expulsions that is required for those who bring weapons to school. And it also... Oh, it says that if any school district develops a policy and uses criminal technology, that the criminal technology has to concur with what the state has labeled the criminal words. In other words, the definitions much match what the state has already defined. And that's all."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Black, on Amendment #2."

Black: "Excuse me, Mr. Speaker, see if I can get the update. All right, will the Sponsor of the Amendment yield?"

Speaker Hartke: "The Sponsor of the Amendment will yield."

Black: "Thank you. The Amendment is replacing one year with two years, aren't you in effect, then, mandating a zero

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tolerance expulsion?"

Davis, M.: "No, we're not. What we're... All this Bill does is ask that each school district develop an expulsion policy and that this particular Amendment... The Bill had one year, and we wanted it to remain at two years, so we just took it back to the two years."

Black: "So, if the offense is a criminal offense under the Criminal Code of 1961, then it would appear to me that you are putting into law a mandated two-year expulsion."

Davis, M.: "No, one of your Members asked that we make sure that in developing policy, some school districts would not decide to name a criminal offense something different than what the state defines it as. So that bit was in order to make sure if they used any language in reference to criminal offenses that they didn't make up a new term for what the state has already designated. That was asked for by Member Representative Johnson."

Black: "Well, I can appreciate that, Representative. He isn't here, I can't talk to him, but you are codifying criminal offense language with this Amendment. I'm not sure that's what you intend to do. I mean for..."

Davis, M.: "We're not doing that."

Black: "Yes, yes, you are. If you'll look at the Amendment, you are codifying the underlined, on page 16, if the offense is a criminal offense under the Criminal Code of 1961, then the definition must comport with the Criminal Code of 1961's description of the offense. Now, if it meets that guideline or that definition, then it is a mandated two-year expulsion."

Davis, M.: "But it doesn't say that at all, Representative. It says..."

Black: "Well, Representative..."

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Davis, M.: "It says the defi..."

Black: "Representative, I can't help what you think it says. Look at the Amendment on page... on line 16, Amendment 2. It's underlined. I'm not making it up. It's your Amendment, not mine."

Davis, M.: "Excuse me, I don't think you have to yell, I can hear you."

Black: "Well, fine, I can hear you too, but look at the Amendment. Don't sit here and argue with me about what you think it says, read what it says."

Davis, M.: "The Amendment says for any Criminal Code language that is used by a school district, that it has to..."

Black: "Representative, you are not reading the Amendment, you're reading your interpretation of the Amendment. Read it word for word on line 16 of this Amendment. Just read what it says."

Davis, M.: "Okay, wait a minute, she's going to bring it here. It says, Representative, if the offense is a criminal offense under the Criminal Code of '61, then the definition must comport with the Criminal Code of the 1961's description of the offense. The 'definition'."

Black: "That's right."

Davis, M.: "Do you understand that?"

Black: "That's what I've trying to ask you."

Davis, M.: "Do you understand that?"

Black: "Well, I don't understand the word 'definition', but I understand the definition of the word, as used in this Amendment. You're mandating a two-year expulsion if the crim... if the act of the student defines under the Criminal Code. I don't think that's what you want to do."

Davis, M.: "Let me read it again. If the offense is a criminal offense under the Criminal Code of 1961, then the

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definition must comport with the Criminal Code of 1961's description of the offense. In other words, Representative, school districts cannot make up new definitions for criminal acts. The definitions have to comport, or agree with, or concur with what we have defined in 1961."

Black: "Representative, I stand in absolute support of this Amendment, as it is written. You are mandating a zero tolerance policy under the Criminal Code, and I'm a tough son of a gun, I used to be a dean of students, and I'll agree with you, the way your Amendment is written, it's tougher on students than I would ever dreamed to have been. But it's fine, it meets the standards of the day. If they fit under the definition of a Criminal Code, you're mandating zero tolerance two years."

Davis, M.: "It does not say that."

Black: "I think that's a good idea. I think it's a great idea, and I intend to vote for your Amendment."

Davis, M.: "Excuse me, Representative Black, Representative Turner brought this up in committee, in reference to the definitions concurring with our own definition. It doesn't say they have to do anything with those pupils at all, absolutely nothing. It just says, as they're developing their policy, as they develop their policy, in using any language in reference to criminal offenses, that language or definition has to agree with what we consider a criminal offense under our title. In other words, if a robbery is a robbery under 1961's definitions in the State Law, then they would have to use those definitions and not make up some new language."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Whiteside, Mr. Mitchell."

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

Speaker Hartke: "The Sponsor will yield."

Mitchell, J.: "Okay. First of all, I'm having trouble getting this up on my laptop, if you give me just a second.

Representative Davis, I'm trying to see..."

Speaker Hartke: "Shh, Ladies and Gentlemen, please."

Mitchell, J.: "What this Bill actually will do for school districts or to school districts. Can you give me a thumbnail sketch as to the... first of all, the genesis of the Bill, and secondly, why you think this is necessary."

Davis, M.: "It's necessary, Representative, for parents and students to know what acts are very likely to create an expulsion. In other words, the expulsion should not be ex post facto. There should be written language as to what our expulsion policy is. And that's all this Bill is asking, that school districts develop an expulsion policy."

Mitchell, J.: "And what does that expulsion policy have to have contained in it?"

Davis, M.: "It just... It doesn't have to have anything, except what that school's expulsion policy is."

Mitchell, J.: "But does it have to list the offenses that they will be expelled for?"

Davis, M.: "But if it does include definitions of criminal acts, if it does, then those definitions should comport with the definitions used in the 1961 statute of the State of Illinois."

Mitchell, J.: "And what's the problem with our local schools and the local control that we have now in the area of expulsion that you think needs fixed?"

Davis, M.: "There's absolutely... It doesn't take away any local control, at all. It certainly recognizes and respects local control because..."

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Mitchell, J.: "I'm not asking whether it takes away local control. I'm asking what's wrong with the way it's done with local control now?"

Davis, M.: "Oh, because you don't want ex post facto expulsion laws. You want a student and his or her parents to know what will cause expulsion from this particular school. And every school district can write its own. Most of them have an expulsion policy, a few do not."

Mitchell, J.: "And if they, in fact, don't have the offense, whatever it may be, within their policy, then that district will not be allowed to expel a student for that offense, is that correct?"

Davis, M.: "Well, Representative, usually school districts will use terms such as things that are disruptive to the education of students, things that are creating unsafe conditions for a student."

Mitchell, J.: "Ladies and Gentlemen, I hope you're hearing what's being said. Basically, what this Bill will do is tie the hands of local districts when it comes to whether or not they can determine, after an offense has been perpetrated on a school district, what they can do about it. This is an issue that each local district, according to this diverse state, must have the latitude to determine. You can't sit here in Springfield and tell every school district, you've got to have a policy that says what you're going to be expelled for, and you've got to have a policy that ties your hands when it comes to anything outside those parameters. Right now, we expect local districts to handle offenses and handle expulsions. We also say that other districts hands are not tied, even though I tried to change that law last year, the Governor said, 'No'. This Bill simply puts everybody on the same playing field with

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no changes, no differences, nothing that they can do outside of what that policy is. I don't think it's necessary. I think we handle offenses in each school district, according to what local people think is offensive. And I don't think we can determine, here, what's right for every single child from one place. I urge an 'aye' vote... a 'no' vote, excuse me."

Davis, M.: "You're..."

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

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

Speaker Hartke: "The Lady will yield."

Turner, J.: "Representative, I was listening to the debate, and you referred to Representative Turner. I presume you were referring to me, suggested that I had asked for a change to be put into your original Bill. I guess my question is, when did I make such a request? I don't even sit on the Education Committee."

Davis, M.: "I apologize, Representative. Staff... Excuse me, I apologize, staff gave me your name. It was Tom Johnson, who has just entered the room."

Turner, J.: "Well, this isn't the first time that Representative Johnson has tried to go under my name. And I'm sure he'll be responding to that in a moment. Representative, then, just a more serious question, if you do acknowledge that I have not discussed this Bill with you, I made no recommendation as to any changes."

Davis, M.: "I apologize, staff recommended that you were the one. However, I thought and I spoke that it was Tom Johnson."

Turner, J.: "Okay, I thank you for that. To get back on a point just made by the prior Representative, however, this does appear to usurp local control. Do you... Is that your

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design, is that your intent with this legislation to do so?"

Davis, M.: "That certainly is not my intent. It is not my intent. Can you tell me how it usurps local control?"

Turner, J.: "Well, it appears to me... I don't think I can articulate it any better than Representative Mitchell just did. It appears to me that to have the state, in essence, mandate these particular expulsion penalties does take away from..."

Davis, M.: "It doesn't do that."

Turner, J.: "...the local control."

Davis, M.: "It does not do that."

Turner, J.: "How does it not do that, Representative?"

Davis, M.: "It does not do that."

Turner, J.: "All right, what does it do then?"

Davis, M.: "Amendment #... The original Bill had listed a number of offenses in which a student could be expelled. The first Amendment to the Bill removed all of those offenses and merely stated that a school district had to write an expulsion policy, had to have a written expulsion policy. And the Amendment also stated that it would return to the two years, rather than the one year. There are no defined activities. Someone in committee asked what if, in writing their school policy, expulsion policy, a school board decided to list some offenses, and that enlisting some of those offenses, they touched upon some criminal offenses. And suppose they did not use the terms that are applied to those offenses by the State of Illinois' statutes of 1961."

Turner, J.: "All right. Well, is there any opposition to your Bill, then? Representative, isn't the alliance still opposed to your Bill?"

Davis, M.: "Excuse me."



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Turner, J.: "Isn't the alliance still opposed to your Bill?"

Davis, M.: "Yes, they are."

Turner, J.: "And aren't they opposed to your Bill because they believe this is a mandate coming from Springfield to local school districts? Isn't that their reason...?"

Davis, M.: "Do they..."

Turner, J.: "...for being opposed?"

Davis, M.: "Do they view... I don't know if they view each school district having an expulsion policy that is written in order to make certain that laws are not made up, ex post facto, for students who have committed an offense. Now, if they view the fact that every school district should supply its parents and its students with an expulsion policy, then perhaps they do still oppose, I don't know."

Turner, J.: "I have no further questions, Mr. Speaker."

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

Davis, M.: "Represent... I'm sorry. Mr. Speaker, I would like for our legal team to look at this language and see if this language is purporting that the State of Illinois mandate expulsions for students, or if it does what the intent is, and that is have every school district write an expulsion policy. I will take it out of the record so that can be done."

Speaker Hartke: "Out of the record. House Bill 448. Yes, Mr. Cross."

Cross: "In fact, one second, if you don't mind. It's nonrelated to a Bill. Representative Bost was kind enough to announce Representative Turner's birthday being neglected. I guess, based on the past, he would have been right to neglect to mention that there was cake, because if you may recall, for every birthday Representative Turner's had here, he's

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never... never, ever brought cake, never. So, he has brought cake this year. There's one problem, there's no ice cream. But we'd also like to announce the birthday, they are the same age, Denise Pierce, it's her birthday as well. Well, she is a lot younger and a lot smarter, but it's her birthday as well, and better looking. But, Representative Turner will bring ice cream over in a little bit. He's going down to get some."

Speaker Hartke: "Thank you. The Chair recognizes Representative Mitchell. Representative Bill Mitchell, your light's on. Representative Bost."

Bost: "Thank you, Mr. Speaker. My name was just used and the problem I have is, we need to check the tape, because I did mention the cake. Now, the ice cream, I'm all for it, but I want to defend myself, I did mention cake."

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

Clerk Rossi: "House Bill 44..."

Speaker Hartke: "Out of the record. House Bill 854, Representative Beaubien. Mr. Clerk. Your Amendment has been approved and referred to the floor. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 854 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Beaubien, has been approved for consideration."

Speaker Hartke: "Representative Beaubien."

Beaubien: "Yes, thank you, Mr. Speaker. The Amendment to this Bill strips out the controversial part, which dealt with the national guardsmen with 23 years experience being eligible for domiciliary care. It goes back to the original part of the first part of the Bill, which I

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believe all the veterans' groups are in support of. And I would like to have the opportunity to have this Amendment adopted, and we'll talk about the Bill on Third Reading. But I would ensure every Member of the General Assembly that the controversial part of the Bill is now out."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 854?' All those in favor signify by saying 'yes'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 1927, Representative Delgado. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1927, a Bill for an Act concerning schools. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Delgado, has been approved for consideration."

Speaker Hartke: "Representative Delgado on Amendment #2."

Delgado: "Thank you, Mr. Speaker and Members of the House. Amendment #2 changes the amount of time that a waiver may be granted for two of the three categories. For the category regarding a lack of facilities, the waiver may be granted for four years, an increase of one year. For the category of any other good reason for a waiver, it may be granted for two years, which is an increase of one year. And this was in conjunction with my cochair, Representative Susie Bassi, and other Members of our subcommittee, or our committee, on PE. So, I do believe now, this has taken away any type of opposition on this Bill. And we feel we could send a consensus Bill to the Senate, Mr. Speaker."

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Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing that no one is seeking recognition... Representative Black."

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, has the School Management Alliance taken a position on this Amendment?"

Delgado: "They were in opposition. And I understood, at this point, that I would have to intelligently assume that they were working with this Amendment to get this Amendment in. At this point, I do not know their position. I assume that it's no longer in opposition, though."

Black: "It's my understanding that they do still have some difficulties with the Amendment. With the Amendment, are you allowing a modification to the PE waiver request, as embodied in current law?"

Delgado: "Yes, with this Amendment, what this Amendment does is actually... the original legislation would have been a little bit more stringent. This one takes it up a little bit to adhere to the concerns of Representative Susie Bassi, and I believe Representative... if I'm not mistaken, Representative Cowlshaw. And if I'm mistaken, I do withdraw that from the record. But it was my understanding that I would have hoped that my cochair would have shared this with the alliance. They did not come to speak to me about the Amendment. I had to just... I believe that that was just taking care of it. And I had to count on other Members of this committee to take care of that."

Black: "So, under the current law, a district could seek and be granted a physical education waiver for five years? Now, this Amendment takes that back to..."

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Delgado: "Four."

Black: "...four years?"

Delgado: "That'd be four years with inadequate facilities, Representative. We had extensive studies in our... when we had public hearings, we had one in Springfield, one in Chicago, and one in Palatine. We had a study that was shown to us by Illinois State University. Dr. Dave Thomas, the professor of statistics, made it very clear that five-year waivers on inadequate facilities, we were just trying to figure out what have they done to try to rectify it. Send us some information. Have you had a referendum? Have you tried to develop a partnership with a park? Have you tried... what have you tried to do, at least to try to deal with it? And, so, we felt that those five years was a long time. And we... I think I've compromised quite a bit, just dropping it one year, and making it four."

Black: "All right. But have you closed off the number of... I'm searching for the right word. Have you reduced the number of options available to a school district to seek a waiver on the physical ed requirement?"

Delgado: "No, Sir. All we did was change the amount of years that they would be good for."

Black: "All right. I read something yesterday in a story that, historically, in Illinois, if you were playing football, I know when I was in high school, and that's a very, very long time ago, we didn't have helmets, and that explains many of my problems. But, if you were out for football or basketball or track or any interscholastic sport, you could be excused from PE during the semester that you were participating in that interscholastic sport. Is that still the case in the School Code, you're not closing that off?"

Delgado: "No, Sir, we're not. But I would like to say to the

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Body that when you... when joined that football team, maybe 50 guys, 60 guys went out for it, and maybe 40 got accepted. And what we've learned is that what happened to the other 20 that got opted out of PE, guess what? They didn't go back to PE, they were in a study hall. So, actually now, what we're trying to do here is just have a little bit more accountability and make sure that our kids are the strongest body with the strongest mind and that they continue to have this hub of America called Illinois, for our future generations, very strong."

Black: "By looking at you, I assume that you participated in PE all four years you were in high school."

Delgado: "Sir, I was about 4 foot 11, and now I'm about five feet. And so, I was limited, and I got into wrestling, I got into baseball, and I got into a little bit of track, and I participated in Mini-Olympics every year with YMCA children. And as an adult, I still hold my own, Representative, but my children would say different."

Black: "I was going to say, you're an advertisement for physical education. I look at you, and I can only think back when I... I never looked that good, even when I was your age."

Delgado: "Well, you're too flattering ... Representative. But you know the word Delgado, my last name, means thin or slim. And in some of my previous careers, they've called me Willie Slim. So... but, I'm getting a little up there."

Black: "I've been called much worse than that. When I came down here, I was six foot six, but after Representative Monique Davis and I have had our differences, now I'm down to five foot eight. But..."

Delgado: "Well, you know what, when platforms were in the seventies, I used to be six foot one. So, if they come back in, I might be six foot one again."

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Black: "Listen, if you can guarantee me that, I'll vote for anything you sponsor. I appreciate the answers to the questions."

Delgado: "Thank you, Representative Black."

Speaker Hartke: "Further discussion on the Amendment? The Chair recognizes Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. I would like to, if I may, just make a comment about the whole purpose of this Bill that Representative Delgado has so thoughtfully prepared and brought to us. Many of us in this chamber remember physical education the way it was taught when we were in high school and earlier grades. And in many areas in Illinois today, that is not what physical education is. It is no longer simply a matter of learning team sports. It is now a matter of building healthy lifestyles for a lifetime. And I think that the Sponsor of this Bill not only would like to make sure that we try to... to the extent that we can, guarantee that our high school students throughout this state, are offered an opportunity to have a quality physical education program throughout their entire four-year high school career. And yet, there still are areas and school districts in Illinois where the physical education program is not what we might wish that it could be. And so, although I am listed as one of the Sponsors of this Bill and I believe it ought to be widely supported, it seems to me that we have a long way yet to go. I have a middle school teacher in my school district who came and testified at the hearing on this Bill, his name is Phil Lawler, he teaches physical education at a middle school, Madison Junior High School in Naperville. His PE program is so outstanding, and is so much geared to a lifetime of healthful living, that his program was featured recently in

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a rather extensive article in Time Magazine, bringing attention throughout our nation to the kinds of physical education initiatives that really work, that make sense in a contemporary world, and that we ought to be promoting everywhere in Illinois. It is not just Phil Lawler's program, there are a lot of physical education programs throughout the state that are exemplary, that need to be regarded as models. And I would like to volunteer to work with the Sponsor of this Bill and any other Member of the Legislature, on either side of the aisle, in either chamber, so that we can try to assure, as this Bill makes an excellent beginning to assure, that every student in Illinois has the opportunity to learn that you cannot develop a really wise mind in an unhealthy body and that health is a matter of lifestyle throughout an entire lifetime, not just something you do when you're young enough to play football. Thank you for offering this Bill, Sir."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Whiteside, Representative Mitchell, on Amendment #2."

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

Speaker Hartke: "The Sponsor will yield."

Mitchell, J.: "Representative Delgado, number one, I think that what you're doing is certainly something that needs to be done, there's no question about that. Will this Amendment take away the Statewide School Alliance's opposition to this Bill?"

Delgado: "Representative Mitchell, it appears to... I believe it does. And because their concern was, basically, not to inhibit administrators' ability to make decisions on the local level, we have... And so now with this here, this is



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just... We've compromised this to the point that we just don't want to compromise the children, and we believe that yes, this has done that now. And I'm very committed to continue to work on appropriations later to alleviate what we have to do and make sure that with our science labs and our reading labs, that we make sure that we have gym labs, because they shouldn't be just a big ol' shell with a couple of basketball courts. So, I do believe that this has done that, because this Amendment came through my cochair, Representative Susie Bassi, and others that worked with us."

Mitchell, J.: "But my understanding, at this point, is that the alliance is still opposed to the Bill itself."

Delgado: "I would be more than willing to work with them on the other side. I would Jerry."

Mitchell, J.: "Well, it's... And it's not so much for the fact that they don't agree with the concept of the Bill, as they do... concerned about changes in the waiver law, itself, especially for one area, not for other areas that it... they feel it gives an unfair advantage to one curriculum area. I certainly understand that. But, number one, of all the curriculum areas that we've had, the hardest hit has been physical education. We have virtually wiped out high school education as we used to know it, and maybe that was good at the time, simply because this... the Mandate Waiver Law has served as a wake-up call to AHPER and the Illinois portion of that which says, we have to make physical education a worthwhile curriculum subject worthy of standing its ground with science, social studies, health, and all of the others, not even talking about reading and math."

Delgado: "Yes, and Represen..."

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Mitchell, J.: "So, I think the argument is more with the law than your Bill. I, again, still stand with you as a former..."

Delgado: "Thank you."

Mitchell, J.: "...physical education teacher and have seen what's happened with physical education and what has happened with our youth. We have..."

Delgado: "Yes, and I appreciate the technical opposition to it, understanding that this is talking about medical evidence that came in front of us indicated that in the last 10 to 12 years, as PE was starting to diminish, if you will, obesity and Type II diabetes is becoming very prevalent in our children. So, appreciating their technical opposition, I feel very committed to the health of our children and, therefore, we want to... And I understand their opposition for the record."

Mitchell, J.: "Mr. Speaker, to the Bill. To the Amendment."

Speaker Hartke: "To the Amendment."

Mitchell, J.: "Basically, I understand and respect the opposition of Statewide School Management Alliance. However, the underlying principles of this Bill are based upon the scientific knowledge that we have concerning the health and welfare of our children. And for that reason, I commend Representative Delgado on the work that he's done, and think this Bill should have... this Amendment should have a favorable vote. Thank you."

Speaker Hartke: "There is still four people seeking recognition on this Amendment. Does any of the individuals stand in opposition to this Amendment? Representative Monique Davis."

Davis, M.: "I have a few questions of the Sponsor."

Speaker Hartke: "Sure."

Davis, M.: "Okay. Representative Delgado."

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Delgado: "Yes, Ma'am."

Davis, M.: "My understanding is, that with this Amendment, you are granting a four-year waiver for some category, what category is that?"

Delgado: "When we look at other categories, Representative?"

Davis, M.: "I mean you're... in... second Amendment you're saying that, for a lack of facilities, if the school district rep... I mean, if they don't have facilities there for four years, they don't have to mandate PE?"

Delgado: "Right, other categories... You're talking about the third category?"

Davis, M.: "I don't know which category."

Delgado: "Okay. I have here, for the category regarding the lack of facilities, the waiver may be granted for four years. However, with that, there will be policy enforcements that... which weren't in place before."

Davis, M.: "So, what you're doing is increasing that by one year, which means some students, if it's a high school, may never have physical education in that school."

Delgado: "On the contrary, Representative, we have decreased it one year because it was originally good for five years. So, we had... I wanted..."

Davis, M.: "According to staff's report on this computer, it says, increase of one year."

Delgado: "Right, we increased it from the first Amendment, Representative, to one year, to that one year. And keep in mind that in the high school level, juniors and seniors will remain the opt out..."

Davis, M.: "And then it appears..."

Delgado: "...and have it as an option."

Davis, M.: "It appears on the next category..."

Delgado: "Yes."

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Davis, M.: "...you're increasing the waiver again for one year..."

Delgado: "That's correct."

Davis, M.: "...to two years. Is that correct?"

Delgado: "That is correct. I think it's very important to mention, Representative Davis, that what this will do, we are adding measures of accountability, a check and balance. For example, you submit your waiver for the four or the two years, you'll have to justify that with inadequate facilities, have you had a referendum, what are you doing to rectify your situation. If you can't do so, we'll work with that part."

Davis, M.: "To the Bill, Mr. Speaker."

Speaker Hartke: "To the Amendment."

Davis, M.: "To the Amendment. With all due respect to Representative Delgado, who is certainly a very good friend, I know that he supports physical education in our schools, and I know that he does not support this waive to decrease physical education for almost any reason. Those organizations that are in support of physical education include the American Heart Association, who spoke before our committee, the State Board of Education, the Illinois Association of Health & Physical Education, the IEA, the AFL-CIO, and the Cook County Department of Health. There's only one group that appears to not support this, and that is the alliance. I think it's extremely important that we realize that physical education for children is just as valuable as reading, as math, as algebra. And when we don't do that, we end up with children who are not healthy. We end up with children who have diabetes, children who have heart disease, children who are obese, and children who are subjecting themselves to the illnesses of older

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people. I'm going to support your Amendment, Representative, but I really don't want to see any more Bills that allow an increase waivers for school districts not to give children special ed... physical education. And especially for a four-year period, which is the entire time that a child is in high school. Thank you."

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

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

Speaker Hartke: "The Sponsor will yield."

Righter: "Representative Delgado, as Representative Mitchell stated, and I guess I wasn't clear from your earlier comments, your understanding of the School Management Alliance's opposition is what? Do you know, specifically, what their basis of opposition is?"

Delgado: "Right. At this point, I've had to frame this as a technical opposition, as we don't want waivers to be touched, we don't want to have waivers messed with, and management would want everything to stay status quo. These changes do increase their level of accountability, these changes do increase some paperwork, and I have to intelligently assume, Representative Righter, that their opposition is based on technicalities."

Righter: "Representative, in the Amendment, you're going to distinguish between different types of waivers. And is that for different types of activity that they're applying for the waiver for?"

Delgado: "Not necessarily. Well, yes, for the activities, but the activities are far ranging. What they... what we want as in the past, they would send a cookie-cutter waiver to the General Assembly, and say, inadequate facilities or we want marching bands for our fourth graders, and we're going

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to opt the fourth graders out of PE. Well, we don't know many fourth-grade marching bands that are carrying tubas, but... So, we're wondering, what are they doing with that? So, we want... Or, a better example is, we want to spend more time on science. Fine, but next year show us that your science scores have increased by taking those extra hours out of PE to better your science qualifications that there was no sense of accountability. Now, there's an incentive to be able to say, we want a waiver, and this is why, and here's our evidence. And that will help us make intellectual decisions and one of better... it's just a better process. There was no accountability."

Righter: "Well, does the current law call for accountability by the school districts? I mean, when they submit a waiver and send it into the State Board of Education now, do they not have to put on that waiver request why it is that they should be granted the waiver? I mean, isn't that already required in the law?"

Delgado: "It's part of the question on the waiver, itself. But unfortunately, because of the process we have here in the General Assembly, we found, through our statistics, a lot of districts were circumventing it. The reason why they submitted a waiver wasn't actually what they were using it for once they got back to their districts. And we found, during Veto Session, that there were approximately 11 school districts that, basically, circumvented, in many cases, the law."

Righter: "Eleven out of how many?"

Delgado: "Oh, quite a few, Representative. It was a very small percentage."

Righter: "And is there a mechanism in the law already, that requires the State Board of Education to verify what it is

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the school district is sending in on their waiver request?"

Delgado: "I believe there is. There is... there was some very loosely defined and very unenforceable."

Righter: "So, without House Bill 1927 or Amendment 2, the tool already exists in the Illinois statutes to ensure that the school districts, in fact, are requesting a waiver for what it is they've put on their form."

Delgado: "At one point, there was just a generic form, exactly a generic form. And it was for five years, no matter what category it was in."

Righter: "Representative, is it your intent to try to..."

Delgado: "Right. And the Amendment, Representative... I must interject that. The Amendment 2 really has nothing to do with... Amendment 2 does not compromise with your side of the aisle to address the overall Bill. Right. We're starting to debate our Bill, Representative, we're trying to debate and/or Amendment 2."

Righter: "I didn't hear that, Representative, can you..."

Delgado: "We are trying to stay focused on Amendment 2. He actually ask... Amendment 2 really has nothing to do with all of the other language we're discussing here. Amendment 2 is an inc... we had... is an increase in year, is the compromise to get everyone on board this Bill."

Righter: "That's a good point, Representative. And on Third Reading, I will like to continue the questions along these lines."

Delgado: "Thank you, Representative."

Righter: "Thank you, Mr. Speaker."

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

Bassi: "Thank you, Mr. Speaker. Since my name has been used a couple of times in debate, I figured, perhaps, I would like

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to rise to thank the Representative Delgado for having acceded to my request to increase the time frame for the benefit of school districts from... to two years on one instance, and four years on the other, in an attempt to ameliorate some of the paperwork that would be required on them and yet, still send the message from the Elementary & Secondary Education Committee that we happen to think that PE is important, that it is a part of a child's development, that lifelong healthy learning is important, and that a simple waiver, just because they decide that they don't want PE for fourth graders, is no longer going to be sufficient. So, I thank the Representative, not only for his assistance, but for having chaired the committees' hearings all summer."

Speaker Hartke: "Further Discussion? Representative Delgado to close on the Amendment."

Delgado: "Thank you, Mr. Speaker and fellow Members of the House. I want to commend Representative Susie Bassi and other Members who sat through our hot summer. And thank you for inviting us out to Palatine, Representative Bassi. This was a great example of bipartisan work. We brought together many outside groups, we had wonderful help from the American Heart Association and IAHPERD, we had quite a few people here. This is about the future of our children. This Amendment compromises the fact that we have a process here in Illinois and we work together on both sides of the aisle, but we made very sure that we didn't compromise the health of our children. And with that, I want to thank all your Members for giving us the opportunity to bring this Bill out, shine some light on it, and do the best thing for the best interests of the child. And let's move on and get this Amendment adopted, Mr. Speaker."



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Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #2 to House Bill 1927?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. The Chair recognizes Representative Miller. For what reason do you seek recognition?"

Miller: "Point of personal privilege, Sir. Mr. Speaker."

Speaker Hartke: "State your point."

Miller: "Speaker, I would like to recognize the ladies of Delta Sigma Theta Sorority, Incorporated, who are in town celebrating their statewide founders weekend. The hundreds of Deltas across the state plan to attend this event, which is on March 23 to the 25, here in Springfield. Founded in 1913, on the campus of Howard University, Delta Sigma Theta Sorority, Incorporated is a private nonprofit organization whose purpose is to provide service and programs to promote the human welfare. Delta Sigma Theta, DST, has a membership of over 190,000 predominantly African-American college educated women. Some of these women include our Senator Kimberly Lightford, Secretary Linda Renee Baker, and our own DeShana Forney. As a member of their brother fraternity, Omega Psi Phi, I would like the Members of the General Assembly to give them a warm welcome of applause."

Speaker Hartke: "Welcome to the General Assembly. On Second Reading appears House Bill 19... Mr. Clerk. No further Amendments. Third Reading. House Bill 192... excuse me, House Bill 448, Representative Acevedo. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 448 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Acevedo, has been approved for

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consideration."

Speaker Hartke: "Representative Acevedo, on Amendment #2."

Acevedo: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 was added at the request of DCCA and it's a technical change that will change the word 'shall' to 'may', which would allow the Department to set eligibility level in which persons are eligible for the Energy Assistance Program based on available funding. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 448?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 3069, Representative Fritchey. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3069, a Bill for an Act concerning local governments. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Fritchey, has been approved for consideration."

Speaker Hartke: "Representative Fritchey on Floor Amendment #1."

Fritchey: "Floor Amendment 1 is a Amendment that is a product of an ongoing agreement between the City of Chicago and the... and Cook County and the Metropolitan Water Reclamation District that will allow cross collection of debts owing to those bodies from employees of the other entities. We will have another Amendment coming that has been filed and we can discuss that one when we discuss the full Bill, that's Amendment 2. And I would request passage of this one at

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this time."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3069?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and Floor Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Mr. Fritchey, would you like for this Bill to remain on Second Reading or move it to Third?"

Fritchey: "Mr. Speaker, Amendment 2 has been filed. I don't believe it has even gotten to Rules yet, it was just filed this morning. So, I'd like to keep this on Second Reading for now. Thank you."

Speaker Hartke: "Mr. Clerk, let that Bill remain on Second Reading. House Bill 3557, Representative Moffitt. Mr. Clerk, read that Bill."

Clerk Rossi: "House Bill 3557, a Bill for an Act concerning firefighting. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Moffitt, has been approved for consideration."

Speaker Hartke: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 would switch the administration of this loan... Revolving Loan Program from DCCA over to the State Treasurer, and the State Treasurer is a proponent of this, would like to have this in the Treasurer's Office. And the only opposition was from DCCA and this removes their opposition. We had lots of proponents."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House

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adopt Floor Amendment #1 to House Bill 3557?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 36, Representative Poe. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 36 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Poe, has been approved for consideration."

Speaker Hartke: "Representative Poe."

Poe: "Yeah, Mr. Speaker, this is the Bill that we've been working on a couple years, you and myself, and many others in the chamber. And it creates an Agriculture Infrastructure Development Grant Program for the purposes of promoting value added processing of Illinois agriculture products and by products. And the department will be able to lend technical assistance, feasibility... help out on feasibility studies, and try to help maintain the viability of agriculture in the State of Illinois. We think it's a real good program. Twenty-four and a half percent of the employees in the State of Illinois work in ag-related businesses and jobs. There's 1400 businesses, many of them in Northern Illinois, that process and export food. So, we'd just like to present to you in something that we can help agriculture for the State of Illinois."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 36?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and

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the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 305, a Bill for an Act amending the State Finance Act. Second Reading of this House Bill. Amendment #1, offered by Representative Righter, Dale Righter, has been approved for consideration."

Speaker Hartke: "Representative Righter."

Righter: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment 1 to House Bill 305 becomes the Bill. The only change between it and the underlying Bill is that it moves the implementation date back from Fiscal Year 2003 to Fiscal Year 2004. And, I'd be happy to answer any questions."

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

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 479, Representative Younge. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 479 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Younge, has been approved for consideration."

Speaker Hartke: "Representative Younge."

Younge: "Thank you, Mr. Speaker. Amendment #1 is an Amendment to define high levels of poverty and chronic unemployment. And this Amendment indicates that levels of unemployment

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and poverty equal to the levels in East St. Louis, Illinois, is the definition. I move for the adoption of the Amendment."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 479?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 2518, Representative Younge. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2518, a Bill for an Act concerning higher education. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Younge, has been approved for consideration."

Speaker Hartke: "Representative Younge."

Younge: "Thank you, Mr. Speaker. This Amendment changes from 'shall' to 'may' for the Southern Illinois University to establish a Hospitality Industry Training Program in East St. Louis, Illinois. I move for the adoption of the Amendment."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2518?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and Floor Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 2519, Representative Younge. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 2519, a Bill for an Act concerning performing arts school. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Younge, has been approved for consideration."

Speaker Hartke: "Representative Younge."

Younge: "Thank you. This Amendment deletes 'at Rock School' in the Bill. This school has been torn down, and so this is a corrective Amendment. And I move for its adoption."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2519?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and Floor Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 921, Representative Pankau. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 921, a Bill for an Act concerning the regulation of professions. Second Reading of this House Bill. A Motion to Table Amendment #1 has been approved by the Rules Committee for consideration."

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

Pankau: "Thank you, Mr. Speaker. I move to table Committee Amendment 1."

Speaker Hartke: "You've heard the Lady's Motion. All those in favor of tabling Amendment #1 signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? This requires 60 votes to table the Amendment. Have all voted who wish? Mr. Clerk, take the record. On this question to table House Amendment #1,

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there were 111 votes 'yes', 1 person voting 'no', and 0 voting 'present'. And the House does table Amendment #1 to House Bill 921. Mr. Clerk, further Amendments?"

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

Speaker Hartke: "Representative Pankau."

Pankau: "I move to approve Floor Amendment #2."

Speaker Hartke: "Would you explain the Amendment?"

Pankau: "Yes. This Amendment came about because of a clerical error that happened in the committee. Everyone in the committee thought that this was the Amendment that we were being... that was being adopted onto the Bill. However, when the LIS exchanged numbers, the wrong number was picked up, and so, technically, on the computer, the wrong Amendment was put on. So, that's why you've just had the tabling Motion for the Committee Amendment, and now the acceptance of the Floor Amendment. And this will put it in the form that makes it an Agreed Bill."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 921?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, what is the status of House Bill 2244?"

Clerk Rossi: "House Bill 2244 is on the Order of House 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 1094, Representative Novak."



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Mr. Clerk, what is the status of that Bill?"

Clerk Rossi: "House Bill 1094 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. House Bill 686, McCarthy. Mr. Clerk, what is the status of that Bill?"

Clerk Rossi: "House Bill 686 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. House Bill 728, Schoenberg. Mr. Clerk, what is the status of that Bill?"

Clerk Rossi: "House Bill 728 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. On Third Reading appears House Bill 3192, Representative Coulson. 3192. Third Reading. Representative Coulson. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3192, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hartke: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. This legislation clarifies and strengthens existing provisions regarding transition services for disabled. It also... We're looking at... As you all know, the disabled person who is in the school system rarely gets much in the way of transition services. And in this Bill, we're trying to make sure that the Inner Coordinating Council make sure these children have transition services and IEP's that relate to that. And I can answer any questions."

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Speaker Hartke: "Is there any discussion on House Bill 3192? The Chair recognizes Representative Brosnahan."

Brosnahan: "Will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Brosnahan: "Representative, according to our analysis, it states that some school districts may oppose this Bill. Now, in committee I don't recall any school district officials testifying against the Bill. But, to your knowledge, have they expressed any concerns to you?"

Coulson: "The school board, the ISBE, had some concerns about the longitudinal study that was added in the Amendment and we... I had a meeting this morning with them and said that I would like to continue working on that area. And it's mainly a budgetary issue on who... how would they pay for it. But I have not had any comments from any school districts."

Brosnahan: "Okay. But as of today, the School District Association, those individuals, are opposing the Bill, but you think it's just for budget concerns?"

Coulson: "There are no school districts that I know of that are opposing the Bill. The ISBE was concerned about the longitudinal study..."

Brosnahan: "Okay."

Coulson: "...and how much it might cost and not having any budget item in there. We will continue to work on that as we move the Bill along."

Brosnahan: "Okay, that's it. Thank you."

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

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

Speaker Hartke: "The Sponsor will yield."

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Black: "Representative, just one quick question. You aren't... It is not your intent and you are not, in this legislation, codifying any portion of the recent Federal Court decision on the Corey H. case, are you?"

Coulson: "No, we're not."

Black: "In other words, if that decision has... if we decide to appeal that decision, we being the State Board of Education or the State of Illinois, this does not preclude any appeal of that case?"

Coulson: "No, it does not."

Black: "Thank you very much."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3192?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3192, there were 112 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Hultgren. For what reason do you seek recognition?"

Hultgren: "Thank you, Mr. Speaker. It's my pleasure to welcome to Springfield the seventh grade classes from St. Michael's School in Wheaton. I want to ask the Members of the House if you'd join me in welcoming the seventh grade class from St. Michael's School."

Speaker Hartke: "Welcome to your State Capitol. On Third Reading appears House Bill 604. Representative Slone. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 604, a Bill for an Act relating to facility planning areas. Third Reading of this House

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Bill."

Speaker Hartke: "Representative Slone."

Slone: "Thank you, Mr. Speaker and Ladies and Gentlemen. House Bill 604 is an outgrowth of the Growth Task Force from last year and it would expand the facility planning area process, which the EPA has been doing for a number of years, by requiring them to consider some additional factors in deciding whether to expand sewer capacity and allow permits to be granted for those. And I would be happy to answer any questions."

Speaker Hartke: "Is there any discussion on House Bill 604? Representative Black."

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

Speaker Hartke: "The Sponsor indicates she will yield."

Black: "Thank you. Representative, there is considerable opposition to the Bill. I don't know if the Amendments would negate any of that opposition, but most of the business organizations that traditionally lobby here have expressed their opposition to the Bill, as well as the St. Louis Regional Chamber and Growth Association. And it would be... Would you qualify their opposition based on the unknown cost of your Bill or would there be another reason, in your opinion?"

Slone: "Mr. Black, I'm not exactly sure. I think when we had discussion on an earlier Amendment to the Bill at an earlier stage, I indicated then, and I will reiterate, that they did file witness slips in oppositioning committee, but chose not to testify... and have... I have not gotten detailed indications as to what the nature of the opposition is. If the cost factor was one of them, and it certainly might have been, we have more recent fiscal notes

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from EPA and a letter from Northeast Illinois Planning Commission that indicate that the costs are far less than what was originally... what we were originally told."

Black: "Perhaps some of the concern would be related to giving an agency like the Illinois Environmental Protection Agency such sweeping control over comprehensive facility plans. I know at one point, concern that... there's concern raised by some areas through in the state that the IEPA could start planning maps or land use maps or planning documents that could even supersede that of a local entity, such as a community or a county. Do you interpret the law to give them that kind of a power?"

Slone: "No, Mr. Black. The facility planning in question here is quite specific and it arises under Federal Law and it's actually been part of Illinois law for a number of years. And it refers only to sewage treatment facilities, not to anything broader than that. And the Bill would require that the EPA take into account, in issuing permits or not issuing permits for expansions of these sewage treatment plants, that they take into consideration local county and regional land use plants. Current law doesn't even require them to take those plants into account."

Black: "Well, let me ask you, in my home county how this would work. My home county does not have any land use ordinance or zoning ordinance, whatsoever. And one can debate whether that's a reasonable thing to do, but over the years my county has defeated any attempt to impose any land use regional planning or zoning. Now, there are communities within the county that do have... haven't adopted zoning ordinances. But in my home county, you could plat a... easily plat a 1,000 acre planned unit development, a subdivision, if you will, with all of the amenities. And

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there would be no way, under current technology and cost, that any of those facilities could be hooked up to a sewage system. They would either have to build their own as a stand-alone or they would have to run an interceptor and mains, sometimes 25 miles, to an existing sewage treatment facility and the cost of that would simply be prohibitive. It would make the lot costs such that you couldn't sell them. Under that kind of a scenario, what would this Bill do to a developer in an unincorporated area in a county without any land use planning or zoning to build a facility where you would have two acre lots, but it's out in the rural area and simply not anywhere near an existing sewage treatment facility? Could the developer proceed with his or her development in that scenario?"

Slone: "I would think so, Representative Black. This only requires consideration of local county and regional land use plans where those plans already exist."

Black: "Well, you see... and that's... I'm glad you said that, I think you're being very forthright in your answers. And I think that's why there are some areas of the state who have some concerns about this. They feel that the agency, the IEPA, might use this law to come in and say, in the absence of any planning facility, in the absence of any land use ordinance, we don't think it's wise to put 500 homes and an elementary school in your 1,000 acres because you do not have sewage treatment facilities and we don't think that a septic system or individual septic systems, even if they're of the highest technology currently out there. I think many people in rural areas are afraid that that's exactly what'll happen. The IEPA will come in and say, no, no, we absolutely don't want that, we can't allow it, we won't allow it. That's too many houses, too much usage to go on

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individual septic systems."

Slone: "Mr. Black, the applicants for these facility planning permits are usually local municipalities or sanitary districts that already have a sewage treatment plant and are seeking to expand the area that they cover. That's who applies for these now, that's who would apply for them after the passage of this Bill. This only says, when EPA is deciding whether or not to grant an expansion to a unit of local government or including a sanitary district, that they consider whether there are... whether... if, in fact, there are local land use plans or county land use plans, that they take those into consideration in deciding whether or not to grant the expansion."

Black: "Well see, I think that's the dilemma that many of us who live in rural areas find ourselves in. If the agency has no plans to... excuse me, no plans to review development in an area with no plan and no sewage treatment facility, and all it is is continuing the authority they currently have over sewage treatment facilities and any growth of that facility, then why do you need this law? I mean, the IEPA can already come in and mandate improvements to your treatment facility. And in my home town, some years ago, the IEPA came in and mandated a no growth, no more sewer taps could be added until the capacity of our sewage treatment system was expanded. Now, that's a very difficult thing for a community to deal with. The City of Danville had the money to comply. Many small communities who may... I can think of some suburban... some small communities around Danville, that if they had an influx of a 500 home subdivision, their current sewage treatment plant would not handle that. And so..."

Slone: "And so they..."

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Black: "...you're telling me that the IEPA wouldn't come in and tell that developer, you can't build those homes there because the existing sewage treatment facility in that village will not handle that growth."

Slone: "Okay. In your hypothetical, the 500 unit subdivision is going to be within the existing boundaries of a facility planning area that is served by a sewer..."

Black: "Well, see the..."

Slone: "...a sewer district."

Black: "The very definition of planning area in most communities in my district, that doesn't exist..."

Slone: "Right."

Black: "...because the Vermilion County..."

Slone: "No, no, I understand that..."

Black: "Okay."

Slone: "...Mr. Black, but..."

Black: "So."

Slone: "...this is a special use of the term, it's facility planning area, it's like... I wish it were called something else, but it comes from Federal Law, that definition. And it applies only to these sewer districts, themselves. It doesn't apply to like a municipal plan or anything one would ordinarily, in ordinary speech, think it would apply to. It applies only to the geographic area within which is served by a sewer system or a municipal waste treatment plant, to be more accurate."

Black: "How would this impact an agricultural production facility that currently is just outside the city limits of a small community? That small community, in fact, has a sewage treatment plant. Is there..."

Slone: "I would think that that would be governed by the Livestock Facilities Management Act and not by the EPA."



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Black: "So, there would be..."

Slone: "In other words, animal waste is under a whole 'nother set of laws."

Black: "Well, and I understand that. But I'm talking even about runoff. As we tile fields and as we get into drainage technology, is there any implied power in this legislation that would allow the IEPA to come out to a farm and say, look, this field runoff has fertilizer, pesticides, nitrates..."

Slone: "Not if EPA can't do that already, no. It doesn't expand their authority on that at all."

Black: "Then what are we doing here? I mean, if they don't have the authority and they aren't going to bother anybody in rural areas, what does this Bill do?"

Slone: "This Bill requires them to look at local plans, county plans, where they exist, to make sure that they don't allow an expansion where local people have already said that's not where they want it. And it also puts a five-year sunset provision on their authority to do this at all, which does not exist in current law."

Black: "All right. And I appreciate your answers. Then one last question. Does this give them express or implied power to come into an area with a plan, the agency reviews the plan and says, that's not acceptable. You're going to have to go back and rework that, we..."

Slone: "You mean a local land use plan?"

Black: "A local land use plan, a local development is in the planning stages, the plans are submitted, the agency looks at them and says, oh no..."

Slone: "No."

Black: "No, that's wrong..."

Slone: "No, it would only be..."

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Black: "...that's completely wrong."

Slone: "No. That would be... They would have to consult with the local planning authorities as to a permit request in that community, but they would not be empowered to say, we don't like your plans or we don't want to go along with your plans at all."

Black: "Okay. Thank you very much, Representative. Mr. Speaker, to the Bill. Ladies and Gentlemen of the House, it's very difficult to quarrel with the Sponsor on what she's attempting to do. There's just something about this that I can't... and I'm not... I am not expressing the concerns that I have adequately. I'm not sure what this does. If it doesn't give any additional powers to the agency over the planning and growth, particularly in rural areas that don't have those plans, I can understand, in those high density population areas, where growth is a tremendous day to day occurrence and you're adding thousands of people to your population as the Village of Naperville or the City of Naperville, City of Aurora did, as shown in the last ten years. That's a whole different issue when you come down into rural Illinois, and I know I've had a few phone calls, and some of the business groups just aren't quite certain what this does and how it will impact some greenfield sites where planning agencies don't exist and zoning has been a emotional battle for a number of years. As much as I appreciate what the agency tries to do and the vital service that the IEPA provides, I want clean air, I want clean water, just like everybody else. But I come from an area that would expect me to say, we want a cost benefit ratio analysis. And I know that there are many people in my rural areas who would love to be on a sewer. It's no fun, if you haven't had a septic tank, it's no fun to

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maintain one. It's certainly no fun to have to replace one at today's prices. But we would be very reluctant to have anybody come in and say, you can't replace that septic system when it goes... when it fails in the next ten years, you must hook up to a sanitary sewer. We'd love to be able to do that, but in areas where there are no treatment facilities in a 20-mile radius, it not only is not financially feasible, it often is not an engineering feat that can be accomplished. And I don't know that this Bill would impact that or not. But in all due respect to the Sponsor and what she's trying to do, I've been asked by many of my constituents to vote 'no' and simply to express the tremendous diversity that this state has and how some of these Bills that can make eminent good sense in high growth areas are viewed differently, I'm not saying viewed correctly, I'm just saying viewed differently in less populated more rural areas of the state. So, I intend to vote 'no'."

Speaker Hartke: "Further discussion. The Chair recognizes the Lady from Kane, Representative Lindner."

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

Speaker Hartke: "She will yield."

Lindner: "Yes, to the Bill. I don't know if any of you received the numerous communications that I did last year when the EPA was going to do away with the facility planning areas. But this does not expand any authority of the EPA, but this is something they have been doing for a long time. They were going to stop this program last year and I heard, from all of my municipalities and counties and villages, that they like the facility planning areas, that they had been working with them. And I'd asked the suburban Legislators if they also heard from a lot of their people because this

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was something that was a big issue. It was either last year or the year before. Also, I am confused by our analysis that business groups are against this and they may have been at the beginning, I don't know if they are with the Amendments or not, but they were some of the groups that participated in the Growth Task Force chaired by Senator Maitland, who is a downstate person. And in all of these documents of the working groups, one of the recommendations was that the EPA still keep the facilities planning areas. And the groups were very diverse, there were business groups included in it and Lake County and the Department of Agriculture, the Municipal League, they were a big variety of people working on these groups. So, I would ask everybody to think that maybe they heard from people at home that still want the facilities planning area and to vote 'yes' on the Bill."

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

Berns: "Thank you, Mr. Speaker. Will the Representative yield?"

Speaker Hartke: "The Sponsor will yield."

Berns: "Representative, the facilities planning process is predominantly an engineering process, wherein areas of potential service lie, municipal sewage treatment facilities are determined. Do you believe it will be an enhancement to that process to include land use planning in that program?"

Slone: "We're not including land use planning in the program, EPA has no authority to do that. We're just asking EPA, in considering applications for permits to expand sewage treatment, that they take local plans, where they exist, into account in making a decision on granting or not granting a permit."

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Berns: "This is a permit to amend the facilities plan or a permit for a sewer within a facilities plan?"

Slone: "This is a permit... these would be permits for expansion... generally, for expansion of sewage treatment plant capacity."

Berns: "In other words, we want to amend the facilities plan or do we want to implement the facilities plan by the issuance of a sewage treatment connection permit?"

Slone: "We're the local sewage treatment plant, whether it's a municipal plant or a separate sewage treatment district, or whatever it is that would apply for an expansion... they would apply for an expansion of their capacity, usually to serve a new geographic area, an adjacent geographic area."

Berns: "It's unfortunate that, in many cases, individuals with a particular purpose for preservation of property or nondevelopment of property will use a plan of that sort, at least as I understand the Amendment, to oppose the facilities plan modification and thus, use a land planning issue to alter an engineering decision that relates to facilities plans. Is that the approach that's being proposed?"

Slone: "I'm sorry, Mr. Berns. Can you rephrase... Representative Berns, I'm not sure I understand your question."

Berns: "I'm not sure I understand the proposal. Maybe you should start and give me the... your understanding of the Amendment, what it would do, please."

Slone: "The most recent Amendment would put a sunset on the program, a five-year sunset, and it would insure that EPA, in deciding whether to grant a permit to expand a sewage treatment facility, that they take into account local and county plans where they exist. That's it."

Berns: "This is to expand the facility that is the sewage

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treatment plant, or is it to expand the facility plan?  
They're different."

Slone: "Whichever it is that requires an EPA permit and has for a  
number of years."

Berns: "Well, both of them require EPA action. I'm not sure that  
I fully understand what it is that this is proposing to  
impact. Mr. Speaker, then to the Bill."

Speaker Hartke: "To the Bill."

Berns: "If in fact, the proposal is to modify the agency's  
opportunity to approve modifications to a facility's plan,  
I think this would unnecessarily interfere in a process  
that's basically an engineering process on its face and  
those issues that engineers normally and customarily take  
with the agency in amending those facility's plan. And I  
would oppose the Bill, please."

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

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

Speaker Hartke: "The Sponsor will yield."

Mulligan: "Representative, I've been asking some of the Members  
on our side and Representative Lindner, I don't understand  
why business would be... or business or the chamber would  
be opposed to this since Representative Lindner tells me  
that the chamber was part of the initial talks. Have you  
heard from them? I can't underst..."

Slone: "I have not. I have not, no."

Mulligan: "So, to your understanding, they're not opposed to it?"

Slone: "They've filed witness slips in opposition to the original  
version of the Bill in committee, record of appearance  
only, and nobody has approached me to discuss the nature of  
their concern. And I am not sure that their concern...  
Given that the Bill has been amended twice since then and

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nobody's talked to me, I can't say that they're not opposed, but nobody has come up and said, we don't like the Amendment or we want you to do x, y, or z to it."

Mulligan: "Would there be any cost involved to them in any way, unless they had a facility that had to use the line?"

Slone: "The facilities that would be expanded would be publicly-owned sewage treatment plants, municipal wastewater treatment plants, things of that nature, which are public bodies. There shouldn't be any additional cost to industry implicated by this Bill in any way, I wouldn't think."

Mulligan: "All right. Thank you."

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

Moore: "Thank you, Mr. Speaker. I served on what is called a facility planning board and it was with the NIPSI organization, for those of you who are in the northern part of Lake County. There is another planning board that's in the southern part of the state, as well. When we had small packaged treatment plants in Illinois for sewage treatment, they were privately held plants and we had failures all over this state. The Federal Government, in the 70's, began to have programs for funding sewage treatment through local municipalities. At that time they divided up areas into facility planning areas in order to be economical. So, you were supposed to... you had one municipal area that was assigned as the facility planning area and boundaries. That's what she's talking about, that is not going to change at all. The only thing that's going to change with this Bill is that the... if the area has a comprehensive plan, if you need an Amendment to the plan, which means you might need to change the boundaries just slightly, then you

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would have to consider the comprehensive plans that are in place. The reference to a subdivision that exists in a facility planning area, unless there is a boundary change, that subdivision will not be affected by this Bill at all. This is to take into account good planning. This was discussed with the Growth Task Force. It isn't as major a change as it is sounding. Unless you understand how facility planning areas work to begin with, it does sound confusing, but it is not a significant change. It does recognize that, in Illinois, we have come to understand what good comprehensive planning can add to an area and it does give it credit for that, but that is the change of this Bill. And I would urge support. It's a good Bill."

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

Slone: "Thank you, Mr. Speaker and Ladies and Gentlemen. I would only echo what Representative Moore just said. This is actually quite an incremental change in a program that's been working successfully for a number of years and it does provide a sunset. The cost to EPA is very low, the cost to industry is nonexistent. And I would appreciate an 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 604?' All those in favor of the Bill vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 604, there are 71 Members voting 'yes', 39 Members voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 207, Representative Parke. Mr. Clerk, read the Bill."



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Clerk Rossi: "House Bill 207, a Bill for an Act concerning unclaimed property. Third Reading of this House Bill."

Speaker Hartke: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 207 is a Bill that changes the amount of time in which a private entity holds a money order in abeyance, instead of the current five years, to expand it to seven years. A currency exchange or a bank receives money for a money order, they hold it for five years, they use the float within that, at the end of five years we give it to the unclaimed property account with the State Treasurer. What we find is that if we can allow the private institution to hold that for seven years, they will use that float, and we've been told that they'll use it to lower the cost of the money orders. Now, who uses money orders, elderly, poor people who don't have checking accounts. And they have to buy'em, a lot of us rarely ever use a money order. Now, currently in the State of Illinois, we have travelers checks that are being able to be held by the institution issuing it for 15 years. Now, around the United States currently, there are 40 other states doing the same thing that I'm recommending to you today. And they have recommended that the other 10 states go to the seven-year waiting period. Currently, in the State of Illinois, those supporting House Bill 207 is the Illinois Bankers Association, the Illinois Community Bankers, the Illinois Taxpayer Federation, and the League of Financial Institutions all believe that this is a good Bill. I would ask that you consider voting 'yes' on House Bill 207."

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

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Lyons, J.: "Thank you, Speaker. Pardon my raspy voice, but I stand in support of Representative Parke's Bill. I worked with him in committee on this thing, that is the Revenue Committee, Representative, we worked together on this Bill. And for the record, I just wanted to make sure that the Gentleman to your immediate... to the right of you who brought a point of order on the record yesterday about it did get out of the Revenue Committee. I just wanted to further support... I mean, explain to him that another Bill did successfully come out of the Revenue Committee. Make that clear to him if he's not paying attention. Congratulations, Representative Parke."

Parke: "Thank you."

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

Parke: "I believe in the long run, this will be a good idea for the people of Illinois."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 207?' All those in favor will signify by saying 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 207, there are 110 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Agreed Resolutions."

Clerk Rossi: "House Resolution 99, offered by Representative Burke; House Resolution 135, offered by Representative Collins; House Resolution 136, offered by Representative Osmond; House Resolution 137 and 138, offered by Representative McKeon; House Resolution 139, offered by

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Representative Miller; House Resolution 140, 141, 142, and 143, offered by Representative Granberg; House Resolution 144, offered by Representative Barbara Currie; House Resolution 145, offered by Representative Art Turner; House Resolution 146, offered by Representative Hannig; House Resolution 147 and 148, offered by Representative Hoffman; House Resolution 149, offered by Representative Black; House Resolution 150, offered by Representative Crotty; House Resolution 151, offered by Representative Jerry Mitchell; House Resolution 152, offered by Representative Granberg; House Resolution 153, offered by Representative Lou Jones; House Resolution 154, 155, and 159, offered by Representative Schoenberg; House Resolution 160, offered by Representative Kosel; House Resolution 161, offered by Representative Reitz; and House Resolution 162, offered by Representative Dart."

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

Clerk Rossi: "Senate Joint Resolution #20, offered by Representative Barbara Currie."

SENATE JOINT RESOLUTION 20

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the Senate adjourns on Thursday, March 22, 2001, it stands adjourned until Tuesday, March 27, 2001, at 12:00 o'clock noon; and when the House of Representatives adjourns on Friday, March 23, 2001, it stands adjourned until Monday, March 26, 2001, at 12:00 o'clock noon; and when it adjourns on that day,

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it stands adjourned until Tuesday, March 27, 2001, at 10:00 o'clock a.m."

Speaker Hartke: "You've heard the Adjournment Resolution. All those in favor of the Adjournment Resolution signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Adjournment Resolution is adopted. Does any Member have an announcement? Seeing none, Representative Currie now moves that... Representative Brunsvold, for what reason do you seek recognition?"

Brunsvold: "Thank you, Mr. Speaker. I'd like to introduce Pat Mitchell and Nancy Mitchell from my district. We had a fund raiser at the high school and they won me for a day, and the losers got me for two days. So, welcome to Springfield Pat and Nancy Mitchell."

Speaker Hartke: "Congratulations and welcome to the Capitol. Representative Currie now moves that the House stand adjourned, allowing perfunctory time for the Clerk, until 12 noon March 21, excuse me, 26. 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. Have a great weekend."

Clerk Bolin: "House Perfunctory Session will come to order. First Reading and Introduction of Senate Bills. Senate Bill 64, offered by Representative Hoffman, a Bill for an Act in relation to vehicles. Senate Bill 119, offered by Representative Schoenberg, a Bill for an Act in relation to financial regulation. Senate Bill 195, offered by Representative Bill Mitchell, a Bill for an Act concerning civil procedure. Senate Bill 263, offered by Representative Saviano, a Bill for an Act concerning the regulation of professions. Senate Bill 319, offered by Representative

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Persico, a Bill for an Act relating to insurance. Senate Bill 574, offered by Representative Tenhouse, a Bill for an Act in relation to taxes. Senate Bill 865, offered by Representative Brady, a Bill for an Act concerning insurance. Senate Bill 898, offered by Representative Schoenberg, a Bill for an Act concerning schools. Senate Bill 1517, offered by Representative Winters, a Bill for an Act concerning the Department of Corrections. First Reading of these Senate Bills. House Perfunctory Session now stands adjourned."