

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

35th Legislative Day

March 28, 2001

Speaker Madigan: "The House shall come to order. the Members shall be in their chairs. We shall be led in prayer today by Pastor Robert Goins, of the First Assembly of God in Sparta. Pastor Goins is the guest of Representative Reitz. The guests in the gallery may wish to rise and join us for the invocation, and the Pledge of Allegiance."

Pastor Goins: "Thank you, Mr. Speaker. May we pray. Father, after You created the heavens and the earth, You did not abandon us. You did not wind us up and let us allow to be wound down. You continue to be involved in our lives and care for Your every creation. By Your power and mercy, there's preservation in Your creation. You're the glue, that holds all things together. By Your provision, we meet the daily needs of Your people. Each of us here today, You provide the food of daily need, as well as the wisdom for making wise choices. You provide, not only for our physical needs, but our spiritual needs, as well. By Your will, and under Your direction, You brought into existence, government. You direct the affairs of men, that they might direct the affairs of government, a government by the people, for the people, and of the people, of the State of Illinois. Yet, we know we must do our part, as well. We must follow Your lead. In Your word, You encourage us, that if any of us lacks wisdom, we should ask You, and You will give it generously to all, without finding fault. We do that here today, right now, tearing down the walls of pride, and asking for forgiveness, for trying to do it all in our own strength. Father, we ask You to bind together, these men and women, as one. You have raised each of them up, for just such a time as this, a time for humility, not pride; a time for unity, not division; a time for life, not death; a time for prosperity, not poverty; a time for

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inclusion, not exclusion. Lord, may Your hand and Your heart, govern the affairs of man, through this Body, and what it does here, today. In Your Holy Name, we pray. Amen."

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

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

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

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

Speaker Madigan: "Mr. Poe."

Poe: "Mr. Speaker, let the records show, that Representative Stephens is the only excused absence today."

Speaker Madigan: "The Clerk shall take the record. There being 116 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative Stroger, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on March 28, 2001, reported the same back with the following recommendation/s: 'be adopted' House Bill 497, Floor Amendment #1. Representative Lyons, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on March 28, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 843. Representative Morrow, Chairperson from the Committee on

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Appropriations-Public Safety, to which the following measure/s was/were referred, action taken on March 28, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 3521, 3522, 3523, 3524. Representative Saviano, Chairperson from the Committee on Registration & Regulation, to which the following measure/s was/were referred, action taken on March 28, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 2566. Representative Scully, Chairperson from the Committee on Conservation & Land Use, to which the following measure/s was/were referred, action taken on March 28, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 544. Representative Novak, Chairperson from the Committee on Environment & Energy, to which the following measure/s was/were referred, action taken on March 28, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 2571, and Floor Amendment #1 to House Bill 2575.

Speaker Madigan: "The Chair recognizes Representative Burke."

Burke: "Thank you, Mr. Speaker. On a point of personal privilege, I'd like to take this opportunity to introduce members of the Chicago Boys and Girls Clubs, who are visiting our Capitol this morning. And, I'd like to welcome them to Springfield. Thank you."

Speaker Madigan: "Mr. Smith, do you wish to call House Bill 2367?
Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2367, a Bill for an Act in relation to public employee benefits. Third Reading of this House Bill."

Speaker Madigan: "Mr. Smith."

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Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is a... the pension Bill for the Illinois Municipal Retirement Fund. There are three portions of this Bill, all have been agreed to, have been approved by the Pension Laws Commission, and of course, by Personnel & Pensions Committee of the House. Most of the changes are technical in nature, and have been recommended by the board of trustees of the system. The one additional change, was in Amendment #2, which would add the Illinois Municipal Gas Agency employees to the IMRF system. I know of no opposition to this legislation. I'd be happy to answer any questions."

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? Have all voted who wish? This is a Third Reading Roll Call. Have all voted who wish? Mr. McGuire. Representative Erwin recorded? Mr. Clerk, take the record. On this question there were 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Kurtz, did you wish to call House Bill 1810? Mr. Clerk, read the Bill. Representative Kurtz."

Clerk Rossi: "House Bill 1810, a Bill for an Act concerning public funds. Third Reading of this House Bill."

Speaker Madigan: "Representative Kurtz."

Kurtz: "Thank you, Mr. Speaker. This Bill, 1810, concerns the annual treasurer's report from municipalities. This legislation would amend the annual treasurer's report for units of local government. House Bill 1810 makes two changes: one change to the municipal treasurer's report,

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and one change to the Public Funds Statement Publication Act. The change to the Public Funds Statement Publication Act will change the requirement for reporting expenditures for vendors. Currently, all units of local government, except municipalities, must list all vendors who have received, in the aggregate for the year, more than a thousand dollars. This Bill changes that figure to \$25 hundred. The second change to the Bill amends the municipal treasurer's report by allowing the reporting of personnel salaries to be reported in categories, rather than exact dollar amounts, as is the current practice, for some treasurers' report. All other units of local government, currently, report personnel salaries in categories. So, this would make municipalities... of bringing them up to the standard of reporting, that other units of government have. I would welcome any questions."

Speaker Madigan: "The Lady 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... Representative Pankau."

Pankau: "Thank you, Mr. Speaker. I did not realize, because of the early hour, that this is Representative Kurtz's first Bill. Did you realize that, Mr. Speaker? Oh, perhaps you did realize that. Will the Sponsor yield for a question?"

Kurtz: "Finished, I turned the speaker button off. Yes, I will yield."

Pankau: "Thank you. Does this have anything to do with... let's see... you're from McHenry County, right?"

Kurtz: "Yes, Representative Pankau. I am."

Pankau: "So, how does this affect McHenry County?"

Kurtz: "This affects all of the municipalities of the whole state by raising the minimum reporting level, of that 1 thousand,

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to 25 hundred. It affects reporting of expenditures to all vendors in all of the municipalities. And the big difference is, that school boards, and county boards, and township boards, are required to specify salaries, but municipalities are not. So, we're just trying to bring them into the same level with the other units of local government."

Pankau: "So, this would not be any kind of special legislation...,"

Kurtz: "No."

Pankau: "...that you're proposing?"

Kurtz: "Not at all. And it was recommended by the Illinois Municipal League, and also by the Illinois Press Association. I, as a former elected treasurer of one of the municipalities, do realize the shortcomings in the past Bill. And therefore, I worked with these two other groups to come up with this Bill."

Pankau: "So, this really deals with money. Do you have a special kind of money in McHenry County, or is your money the same as the rest of the money in the state?"

Kurtz: "In McHenry County, we are so poor. Let me tell you, all we do is tax ourselves, and we would love to find some money down here to bring back to our county. We have... are accommodating 42 thousand new people, so we're really desperate. So, this Bill doesn't really have anything to do with your question."

Pankau: "So, in this annual report then, because you're sponsoring this Bill, are they going to be delineating the tax monies, all these tax monies that we're getting from McHenry County, as opposed to all the tax monies that we get from the rest of the state?"

Kurtz: "Oh, no. This has nothing to do with taxes. It has to do

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with reporting salaries, and letting the public know. You know, the press wouldn't be asking us to do something if they hadn't been asked by the public for information, you know, who's getting paid what."

Pankau: "And this money, that you're going to be reporting on, it's green money, right? I mean, we tend to use green money in this state. Do you have, maybe, red money, or brown money, up in McHenry County? Or, do you have the same green money, that the rest of us have?"

Kurtz: "Well, it's really clean green money."

Pankau: "Clean green money?"

Kurtz: "Yes, uh huh."

Pankau: "Uh huh. As in environmentally clean green money?"

Kurtz: "Exactly. That's something that preoccupies us up there, the environment."

Pankau: "So, by voting for this Bill, this would be a good conservation vote, on my part then, wouldn't it, would count towards my green votes for the year?"

Kurtz: "If you think that's true, why go right ahead. I don't want to turn off any of the anticonservationists. So, I'm just going to run around the bush there, and not really answer your question."

Pankau: "Ah, okay. So, I should probably vote for this, because I want to make sure that, that green money keeps coming into the state. Right, especially from McHenry County?"

Kurtz: "No. No. The Bill just has to do with reporting, in the paper, how much each person received from the taxpayers as a salary for their services."

Pankau: "Well, thank you, Representative, for bringing this quality Bill to our attention."

Kurtz: "Well, thank you, Representative Pankau."

Speaker Madigan: "Mr. Lang."

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Lang: "Thank you. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Lang: "Thank you, Mr. Speaker. Representative, good morning."

Kurtz: "Good morning, Representative Lang."

Lang: "How plaid you look this morning. It's a pleasure to see you. So, Representative, you have various Amendments on this Bill. What Amendments are on the Bill?"

Kurtz: "There is an Amendment... There are two Amendments... No, excuse me. I'm sorry. I'm looking at an Amendment... to Amendment... There is one Amendment, and it has to do with the categories... the categories that were changed. Let's see. For instance, on page 2, we are changing it to 25 thousand, and we're going to... 25 thousand to 49, 999, or 50 thousand; then we're going from 50 thousand to 75 thousand, another category, because we think some of our highly-professional-trained people, that work in our municipality, do earn more. We've added the category, 75 to \$100 thousand, 100 thousand to 125 thousand, and 125 thousand and over. So, if you have a fantastic city manager, who keeps the city going all the time, we figure..., and I don't think the people would be upset to know he made over \$125 thousand, but they would like to know if we are really paying him enough, or not."

Lang: "My analysis shows there's two Amendments. There's only one Amendment on the Bill?"

Kurtz: "That the first Amendment was tabled."

Lang: "The first Amendment was tabled?"

Kurtz: "Yes."

Lang: "Did you do that, yourself?"

Kurtz: "Yes, I did."

Lang: "You know, we normally don't allow freshmen to table Amendments, around here. Did you get permission from your

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Leadership, to do that?"

Kurtz: "I went around and asked the procedure, how to do it. So, I take credit for tabling it."

Lang: "So, which Amendment is on the Bill, Amendment #1, or Amendment #2?"

Kurtz: "It's #2, with these categories, that are higher rates of payment."

Lang: "So, do you have a chart, like they show in Congress, to show how the original Bill Amendment #1 and Amendment #2 all differ, so we can see how these categories have changed?"

Kurtz: "No. I should have learned when Ross Perot was running, to use charts, but I'm sorry, I didn't get to that. I don't have any colored pencils down here, and so, I just didn't."

Lang: "Well, ya know, Representative, these categories are very confusing. Can you tell me how you came to the numbers you did, in these categories?"

Kurtz: "Well, they're by decades, you know, from 30 thousand to 40 thousand, 40 to 50, you know. It's really kind of simple, and..."

Lang: "Now, have you discussed with Representative Collins, how this Bill might affect your second cousin?"

Kurtz: "No. I forgot that. You know, as a freshmen, you do have a tendency to overlook certain things. I'm sorry about that, Representative Collins, and second cousin implication."

Lang: "Anyone in favor of this Bill in committee?"

Kurtz: "Yes, they were."

Lang: "And, who were they?"

Kurtz: "Oh. I'm sorry. The two people I mentioned before, the two institutions: The Municipal League... Illinois

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Municipal League, and the Illinois Press Association."

Lang: "Was anyone opposed?"

Kurtz: "No. No one was."

Lang: "Is anyone in America opposed?"

Kurtz: "I'm sure, they're not. This is a good Bill. Nice and clean."

Lang: "Well, if you're sure, that no one in America opposes this Bill, who am I to ask you anymore questions."

Kurtz: "Thank you, Representative Lang. I appreciate your kind words."

Speaker Madigan: "Representative Mendoza."

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

Speaker Madigan: "The Sponsor yields."

Mendoza: "Representative Kurtz, I just wanted to congratulate you on this most auspicious occasion of your first Bill. You know, it seems like only yesterday, that I was introducing my first Bill. And, as hard as that may seem, I remember what it was like, very important occasion. And I would like to take this opportunity to congratulate you, and I take my hat off to you, Representative. Congratulations."

Kurtz: "And, thank you very much, Representative Mendoza. I wish I had, had the initiative, or the originality, to have worn a bulletproof vest, like you did yesterday. Truly, you'll be a great addition to this august Assembly."

Speaker Madigan: "Representative Kurtz to close."

Kurtz: "I would appreciate an 'aye' vote on this Bill."

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? The Clerk shall take the record. On this question, there are 112 people voting 'yes', 0 voting 'no'. This Bill, having

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received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 276?"

Clerk Rossi: "House Bill 276 is on the Order of House Bills-Third Reading."

Speaker Madigan: "The Chair recognizes Mr. Holbrook. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 276, a Bill for an Act concerning historic preservation. Third Reading of this House Bill."

Holbrook: "Thank you, Mr. Speaker. House Bill 276 sets up a Cultural Resources Mitigation Grant Pilot Program in the Metro East, which has the highest incident of... high probability of archeological studies, that have to be done under regulations of the state. Amendment #2 has been expanded, to include Jersey and Randolph County, at the request of Representative Ryder. This is subject to appropriation. And I don't know of any one organization that's in opposition to this Bill. And I would move for its passage. I am handling this Bill for Representative Stephens, at his request."

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? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. McCarthy, did you wish to call House Bill 789? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 789, a Bill for an Act concerning civil procedure. Third Reading of this House Bill."

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 789 is a Bill that's an initiative of the Cook County Sheriff. Basically, it changes some arcane

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provisions in the Code of Civil Procedure, regarding assessments that are necessary whenever there is a judgement against a property. The Homestead Exemption says, that you can't take more than... you have to at least allow someone to have \$75 hundred in property value, after all liens are satisfied, exclusive of mortgage and taxes. And, the provisions today say, that when a person has a judgement against their property, the county sheriff has to go out and get three commissioners, it says right in the statute, pay them \$5 a day, to go out and assess that the property is worth more than \$75 hundred, so that the judgement can go forward. This just changes it to say, that one assessor, a certified assessor, can go out and say, yes it is worth, then the property can go on the tax sales. Truthfully, it's the procedure that they are using today. And the provisions that put three people out there at \$5 a day, hasn't really been used for a couple of years, and this would just put practice according to statute, so. We voted on this two years ago, and then it got stopped in the Senate. And, I think it was, basically, about 115 to 0, so. Would appreciate your 'aye' vote."

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? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Sommer, do you wish to call House Bill 3203? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3203, a Bill for an Act concerning

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development. Third Reading of this House Bill."

Sommer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3203 is, essentially, cleanup language submitted by the Department of Commerce and Community Affairs, in regards to some of their programs and as a response to some audit findings. Be happy to answer any questions."

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? The Clerk shall take the record. On this question, there are 114 people voting 'yes'; no one voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Crotty. Is Representative Crotty in the chamber? Do you wish to call House Bill 2063? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2063, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Madigan: "Representative Crotty."

Crotty: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a new and improved reading grant. I carried this last year. It went out of the House 118 to 0. This time we have improved the current grant, for reading, for kindergarten through sixth, and we're expanding it with new dollars, from seventh through twelfth. Along with the improvements were the application requirements, reporting the assessments, and reporting the results, annually, to the General Assembly. This is, right now, in the 2001, 2002, State Board of Ed budget. And, I'd be happy to answer any questions."

Speaker Madigan: "The Lady moves for the passage of the Bill."

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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? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Eileen Lyons, did you wish to call House Bill 452? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 452, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Madigan: "Representative Lyons."

Lyons, E.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 452 is an effort to expand our DNA database for law enforcement. Most states have enacted legislation requiring the collection of DNA samples from violent criminals. Recently, state Legislators, throughout the country have questioned why the DNA databases of violent offenders are not being expanded to include all convicted offenders. This comes as some U.S. states and foreign countries have discovered, that expanding DNA databases beyond violent criminals could double the chances of matching a suspect, against the state and federal databases. Expanding the state's databases, to include all convicted offenders would have several benefits. First, more crimes would be solved. Second, more crimes would be prevented. Third, more innocent people would be exonerated. And lastly, society would realize greater cost efficiencies. The Federal Government has recognized this, and has appropriated \$171 million to be expended on just this for states, over the next four years. This also corrects a flaw, right now, that would allow the State

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Police to collect those samples, when they have the resources. I have no... of known opposition. And I would ask for your favorable support."

Speaker Madigan: "The Lady moves for the passage of the Bill.
The Chair recognizes Mr. Brosnahan."

Brosnahan: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Brosnahan: "Representative, you mentioned that you have no... know of no known opposition. According to our analysis, that the Illinois State Police are opponents of this legislation. So, is there something they had concerns that you addressed? And if you did, what were those concerns?"

Lyons, E.: "Yes. The State Police were opposed to it, initially, but I worked with them to address those concerns. And what they were saying was, they don't have the resources, right now, to do that. So, this Bill requires them to do it, when the resources become available, because there is a federal funding that is going to be coming available. So again, what we're trying to do, is give them the mechanism in place, so that when the resources become available, they will be able to put the... implement this."

Brosnahan: "Do you have any idea when this federal funding is going to be made available to the State Police?"

Lyons, E.: "My understanding is, that the appropriation was made this year, to be appropriated over the next four years."

Brosnahan: "Okay. Thank you."

Speaker Madigan: "Mr. Fritchey."

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

Speaker Madigan: "Sponsor yields."

Fritchey: "Representative, there's been a lot of talk this Session, concerning issues with expungement. And I'm curious, in the situation where an individual is convicted

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and that conviction is later expunged, is there any provisions, in this Bill, for what happens with the DNA sample that's been collected?"

Lyons, E.: "No, there's no provision in this Bill, for that."

Fritchey: "So, even though somebody would be exonerated in the eyes of the law, their DNA would stil... their information would still stay on file?"

Lyons, E.: "As far as I know, yes."

Fritchey: "Do you see a problem with that?"

Lyons, E.: "Well, I think that is another issue, actually. I think what we're trying to do is, as I mentioned, expand the database to include more felonies. And what you're suggesting, I think, is going to create a host of problems. This would just be one of them. And I think the State Police would have to address that."

Fritchey: "But the State Police really couldn't address it, because they don't have the leeway, in this legislation, they're required to..."

Lyons, E.: "The normal expungement process is available, just like it is for anybody else."

Fritchey: "I understand that, and you have the conviction expunged, but there's no mechanism here to expunge the DNA record keeping. So what happen... you would then have a person that has a clean criminal record, but still is going to find themselves under the purview of the authorities for DNA purposes. I don't think that's what you're intending to do, but I think it's something that's very easily addressed by the insertion of, maybe, one sentence in the legislation."

Lyons, E.: "Well, I guess, what I'm trying to point out is, that this doesn't change... I mean, that's, presently, the problem today."

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Fritchey: "Well, it's the problem today, however, today DNA samples are only taken for specific offenses. And I agree with you, wholeheartedly, that a number of the offenses that you're looking to add here are significant offenses, and that we would be well served to have a DNA database keeping track of those offenders. So, the problem that I'm addressing does exist today in the limited realm. The problem that I'm talking about becomes greatly expanded, were this Bill to become law."

Lyons, E.: "And again, I think we have to address the problem, because this... the felonies were expanded in 1997 to include more felonies. This is a further expansion of it. This doesn't change anything. I understand what you're saying, it broadens the problem you're talking about, but the expunging process is in place for all of those."

Fritchey: "But not with respect... And I'm not... I'm really not saying this to be contentious, but the expungement process isn't in place, with respect to the collection of DNA evidence. There's no provision that says, if you are later found innocent of... let's just take... You know, if you're later found innocent of residential burglary, or your conviction is later expunged, there's no provision that the DNA records are then destroyed."

Lyons, E.: "Well, my only response is, that when the State Police have the resources to implement this, that that's something they're going to have to look at."

Fritchey: "But they can't look... they'd have to come back here, in order to do that. They can't..."

Lyons, E.: "That's not something they could do, without legislation?"

Fritchey: "I mean, if you tell me... I don't want to think, definitively, it's not. I don't see how... If we have

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legislation that says, that they have to take DNA samples, and hold them for these offenders, I don't think, that they can then take on their own the ability to go and destroy the DNA evidence. Mr. Speaker, to the Bill. Thank you, Representative, for answering the questions. Members, this is a very well-intentioned Bill. It's a good Bill. And I'm not going to oppose the Bill, but please keep in mind, as we start to do things like this, in the interests of better record keeping and tracking of offenders, we are walking a very fine line, from a civil rights standpoint. And I think, we just need to be cautious in what Bills, that we are passing out, that have far reaching implications for individuals, who may later be found to be guilty, or to be found to be innocent. Thank you."

Speaker Madigan: "Representative Lyons to close."

Lyons, E.: "I think it's important, that the State of Illinois cooperates and tries to expand their database, because I think the goal for all law enforcement is an all felon database. I must say, that Superintendent Hillard, and the City of Chicago, the State's Attorneys Office, the State Police, all law enforcement are in favor of this. And I would ask for your support, as well."

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? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Howard. Representative Howard."

Howard: "Can you hear me? Okay. Thank you, Mr. Speaker, Ladies and Gentlemen of the House of Representatives. For the

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third consecutive year, the pink and green ladies of Alpha Kappa Alpha Sorority, have come to Springfield to demonstrate their interest in public policy. Alpha Kappa Alpha Sorority, the Sorority of Representatives Wyvetter Younge, and myself, Constance Howard, is the first sorority, established by African-American college women, in this country, and has over 200 thousand undergraduate and graduate members. Today, we are joined by members of chapters located throughout the State of Illinois. My colleagues, I ask you to help me welcome to Springfield, members of Alpha Kappa Alpha Sorority."

Speaker Madigan: "Representative Kurtz."

Kurtz: "Point of privilege."

Speaker Madigan: "State your point."

Kurtz: "Mr. Speaker, I would like to introduce students, high school and McHenry County Community College students. And they are seated over in this direction. Would you all stand up, so that our Members can see you? The Youth Leadership Council is a networking group of young adults of high school and community college age, from McHenry County, who work together with the leaders of our county on service projects, government, education, and business. The high schools that are represented with this group today are Marion Central, Crystal Lake Central, Woodstock High School, Prairie Ridge, and Prairie Grove. Also, like to give credit to a great supporter of good government, Sandy Purdue, who is an old loyal friend of former Senator Jack Schaffer. And one more, kudo of congratulations to, Nick Kachorubos, who is an intern for the Senator. And also, who organized this, when he was at the junior college level. Thank you."

Speaker Madigan: "Mr. O'Connor, do you wish to call House Bill

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225? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 225, a Bill for an Act concerning corrections. Third Reading of this House Bill."

O'Connor: "Speaker, Members of the House, House Bill 225 makes gang conscription a 'truth in sentencing' offense. It specifically provides, that defendants convicted of compelling gang membership receive a 4.5 days of good time per month. I know of no opposition to the Bill. Be happy to answer any questions."

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? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Hannig, do you wish to call House Bill 3150? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3150, a Bill for an Act in relation to elections. Third Reading of this House Bill."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This proposal deals with something, that has recently become more common in the election cycle of phenomenon, called push-polling. And first we define what that means. And it means: calling voters on behalf of, in support of, or in opposition to, any candidate for public office, asking questions relating to opposing candidates for that public office, that state, comply, or convey, information about the opposing candidates' character, status, or political stance, or record, and conducting the calls in a manner that is likely to be construed by the person

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receiving the call to be a survey, or poll, to gather statistical data for entities, or organizations that are acting independently of any political party, candidate, or interest group. Now, the fundamental problem, I think, with the push-poll is, that it tries to deceive the caller into thinking that this is some type of statistical gathering group, or that this is someone who's trying to find some other types of information, and it oftentimes starts out in a very neutral way. And then, unfortunately, sometimes, degenerates into something less than what I think any of us in this chamber, would be proud of. So, the Bill requires that any person engaging in this push-polling simply inform the person contacted that the call is being made on, or behalf of, in support of, or in opposition to a particular candidate, identify that candidate by name, and provide the telephone number of the person... I'm sorry, the telephone number of the place from which the push-polling is conducted. So, we're not saying that you can't do this, we're just simply saying that if it's something that you want to do, let's try to make sure that the person who's receiving the call, understands what the nature of this kind of call is really about, and who's making the call. To me, it just seems to be a fair thing to do. We need to have a little sunshine on these type of activities. And for those people who want to continue to do those, they still can. But I think that this would make the whole process a little bit better. So, that's the nature of the Bill. I'd ask for your affirmative vote. And I'd be happy to answer any questions."

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

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

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yield?"

Speaker Madigan: "The Sponsor yields."

Black: "Representative, can you give me an example of a public question issue that would be prohibited under this Bill, from a push-poll type procedure?"

Hannig: "Well, Representative, nothing is really prohibited under this Bill. We're just simply saying, that you have to disclose what it is you're doing. So, you can still make phone calls, in any way, shape, or form. It doesn't limit your ability to do this. It just simply says, if you're going to call, you need to say, that... who it is, that's doing this, on behalf of what group, and where you can find them."

Black: "Okay. I appreciate that answer. I wasn't looking in the right place. Representative, I'm not a... certainly, not a constitutional expert, but the Supreme Court has ruled that we can no longer even require the disclaimer on political mailings. I think you and I worked some years ago on a Bill you know there were some pretty low-down dirty mailers that would go out with no disclaimer. You didn't have any idea who this came from; the party, your opponent, some group. And I think you and I tried to say, that those must be identified as to the group putting out this mailer. The Supreme Court has substantively ruled, that we can't even really require a disclaimer on any political mailing. So, don't you see potential constitutional problems? Because the caller is going to have to identify the issue at hand. I don't see the language where they would have to identify the individual, or individuals pushing this poll, but I see potential constitutional problems tied up under the quicksand issue of freedom of speech."

Hannig: "Representative, what I would say is that I am not a

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lawyer, either. I think that we have to try to do in this chamber, what we think is right. We need to press forward with proposals that we think are important. It's up to that other branch of government, the judiciary branch, to ultimately rule, whether these Bills are constitutional, or not. Clearly, someone can take anything, that we do in this chamber to court, and the courts will weigh the merits and make a decision. So, I can't predict what would be the outcome of a court case on this Bill, or any Bill, for that matter. So I'm just trying to address a problem, Representative."

Black: "All right. And I appreciate that answer, and I certainly do not stand in opposition to the Bill. This particular tactic has been worked on many of us, on both sides of the aisle. It's a particularly onerous form of the rather low esteem in which campaigns are run today. I think there's a related issue, if I may be so bold, that Representative Hoffman and I are working on some kind of a 'do not call' list. I know, that's not always popular with political pros, but at some point not only I would hope that we can prohibit this kind of dirty tricks in campaigning, but also give people the ability to get their names on a list who simply don't want to be bothered by these kinds of incessant calls that we all get at home to the point where it drives us crazy. I applaud what you're trying to do. I would hope the court would uphold this. I'd like to see the court move, perhaps, a little more to the right. I think the issue of disclaimers has again lowered the basic tenor of campaigns, when you can send out anonymous merchandise. So, I applaud what you're trying to do. I hope the court agrees with you. And I hope this Bill goes out of here unanimously, and meets a similar fate in the

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Senate. Because I would like to see a court case and hopefully one that would rule in favor of trying to cleanup campaigns that regardless of who's involved in it, it besmirches all of us. You know, it's no wonder if you look at some of the literature that some of us tacitly agree to put out or the kind of campaigns on radio or television that we sometimes will lend our names to, it's no wonder that the public holds us in such low regard. And this may be the first step in trying to raise the tenor of political campaigns to a level that would reflect credit on what we all do here. And I applaud you for the Bill. Thank you."

Speaker Madigan: "Mr. Hannig has presented the Bill. Mr. Black has stood in response. There will be two more proponents, and two more speaking in response. Mr. Bost."

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

Speaker Madigan: "The Sponsor yields."

Bost: "Representative, first off, I agree with the Bill. I'm a little concerned though in the last paragraph of the change that you're making or asking the question relating to public questions; that state, imply, or convey information, favorable or unfavorable, to the public question. In that, Gary, what... who's going to be the judge of that? How can we say, okay, this is a push-poll, or it isn't a push-poll? I mean, what I might consider a push-poll might not be considered, what the other person running for office considers a push-poll, and you know, probably, if it's against one of us, we're quicker to react to it. So, what... Who sets the... Makes the call on that?"

Hannig: "Well, the Bill doesn't say, that... The Bill says, that you can do these things, but you have to disclose certain items. So, if you fall into this classification of push-polling, the penalties that are now in the Bill is

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that it can be that the State Board of Elections can impose a \$10 thousand civil penalty, that would be like the maximum."

Bost: "But, that still... My question is, what shows up as a push-poll? I mean, is the State Board going to make the... you know, if a person doesn't notify them, and doesn't say that this is a push-poll and all of a sudden it comes out against you or I in a campaign and we say it is. We call and contact the State Board. Is it the State Board that makes that call or who makes that call?"

Hannig: "Yes, Representative, the State Board of Elections which oversees the process of all the elections rules would be the one under this proposal that you would contact and they would, I think, have some type of hearing where they would give both sides an opportunity, and then they would make a determination."

Bost: "Thank you. I... Mr. Speaker, to the Bill. I'm in total support of the Bill. I think it's very necessary to do something. And hopefully, as Representative Black said, this is something that we're stepping in the right direction to try to cure a lot of these problems that exist. And as each one of us or many of us have been victims of these push-polls, I just hope that there is a way that we can actually implement this. And I do stand in support of it. Thank you."

Speaker Madigan: "Mr. Hannig has presented the Bill. He and Mr. Bost have spoken in support of the Bill. And Mr. Black has stood in response. There will be one more proponents, and two people in response. Mr. Giles. Mr. Giles."

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

Speaker Madigan: "The Sponsor yields."

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Giles: "Representative Hannig, I think I know what you're trying to do here. I just want a little bit more clarity because I've had quite a few instances in which dirty tricks have been played not necessarily coming from the opposite party but from the same party that I belong to. So, I want to know how can this legislation... What is the real if you will, what would be the real emphasis of this legislation being in force?"

Hannig: "Well, Representative..."

Giles: "I see there's a \$10 thousand fine for an individual. How can this be enforced?"

Hannig: "Representative, the State Board of Elections is the agency that we have in this state, that oversees differences and disputes that we have within the election process. So, they would be the agency that if you felt there was illegal push-polling going on in your district whether it came from your party in a primary, or it came from another party in the general election, that would be the agency, though, that you would contact. And they would then probably do some preliminary investigation and if they thought there was merit they'd have a full-blown hearing and potentially could impose a fine upon someone up to \$10 thousand."

Giles: "And Representative, this individual that's anonymous how can we get this individual to come forth and to truthfully give his or her true identity without giving another false alias? How can we enforce this?"

Hannig: "Well, Representative, as technology moves forward I think it's possible more today than ever to know who's on the other side of that line. I mean, I have caller ID at home, and most of the time when the phone rings, I already know who's calling, regardless, of who it is, who they say

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they are. So, that could be one mechanism, and I think, you know, if there's potentially a court... or potentially a challenge if the State Board of Elections... they could use what rights and powers that they have to try to also gather this information, at least at a preliminary stage to try to determine whether or not there is a violation. So I think that we have some mechanisms. I understand what you're saying, that people will try to get around this law and disguise themselves in other ways. But I think we have to use whatever technological and legal means we have available to try to keep the election process aboveboard."

Giles: "Thank you. I think what I was trying to... I think you answered the questions as best that you could. I was sort of getting to... For instance, if you in your campaign office and oftentime in your campaign office you don't have caller ID. And of course, you get all sorts of phone calls coming to your office, and it may not be a traceable situation in which it comes from a third, or fourth, even a fifth party. So I'm just trying to find out how we can truly track these individual and truly be able to identify these individuals. Representative, thank you for answering the question. Mr. Speaker, I was not in committee. I would have had more questions on this issue but I think we are going in the right direction. Representative, I will work with you if this Bill gets out, or even next Session, to try to explore a little bit more to be able to put some more substance and teeth into this legislation. I think this is something that is highly needed and we must continue to move forward to try to make sure that this legislation meets all the needs. Thank you, Mr. Speaker."

Speaker Madigan: "The last speaker will be Representative Andrea Moore."

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

Speaker Madigan: "Sponsor yields."

Moore: "I think... I think most of this I understand pretty well, but I do have a couple of questions. Just for clarification, a survey that is contracted for that does ask a variety of questions regarding a public question would be affected by this legislation, or would not be affected by this legislation?"

Hannig: "A survey that's strictly for the purposes of gathering information..."

Moore: "Pardon?"

Hannig: "A survey that's strictly for the purposes of gathering information, a statistical poll..."

Moore: "Yeah."

Hannig: "... really would not be affected by this. We're talking about when that group then goes to the next phase, and says, okay if you answer 'yes', we're going to say, well, would you still vote for this question if you knew the following, and then they're pushing you in a direction. That's really the push-polling that we're trying to deal with. Now, as opposed to people who are simply trying to get legitimate information for purposes of polling, so they can maybe report to you the question is winning 30 to 20, with 50% undecided. I mean, those kind of questions we're not going to change."

Moore: "So, I was a little confused about the reference to telemarketing. So, if a telemarketing firm is engaged to actually do this kind of work, they are exempt or they are not?"

Hannig: "They are not exempt. The person who would be exempt would be... let's say that the telemarketing firm hired some young person at minimum wage, and they gave them a

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script and said this is what you do. Well, if that's push-polling that they're doing, we don't want to be penalizing that minimum-wage person. We want to say that the firm who actually had control, that set up the script, they're the ones we want to hold accountable."

Moore: "So, if the public question, as an example, we had something here recently, about... that was in regard to mandates for the state. So, if the Municipal League went out and actually started to do some surveying to figure out how to drum up against this, they would be bound by this. But all they would have to do is identify the reason they're calling and the phone number that they're at?"

Hannig: "Yes, Representative. They would inform the person contacted that the call is being made on behalf of, in support of, or in opposition to a particular candidate; identify that candidate by name, provide the telephone number of the place from which the push-polling is conducted. I said candidate, but also it would mean public question."

Moore: "So, the volunteers then would... and if you had volunteers doing this, they would just have to follow those rules. And then the push-polling questions would be acceptable?"

Hannig: "Yeah. They can say we're calling on behalf of the Municipal League, and we're calling from, you know, 1-2-3-4-5-6, and we're in favor of this Amendment and this, you know, then this is what we'd like you to know about it. So, as long as they've disclosed that, I think that's okay."

Moore: "Thank you."

Speaker Madigan: "Mr. Hannig to close."

Hannig: "Well, thank you, Mr. Speaker and Members of the House."

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This does not prohibit anyone from doing anything, but it tries to set some parameters to, basically, raise the standards of these kind of activities that we often see in a hotly-contested political campaign. And, as Representative Giles, so ably pointed out, this is not just a question that happens between Democrats and Republicans, this can be something that happens even within a political primary, as well. So, it certainly is not directed against any one particular party. This is to try to raise the bar, to put a little more sunshine on what's going on in these political campaigns and to try to help us understand who it is that's on the other side of that phone that's calling us and what they are about, whether they're really just trying to get information for information's sake, or whether they're trying to push you in a certain direction. I think it's an improvement from what we see today. I know both parties complain about these kind of things happening. I wish there was a way that we could have agreements not to do these things, but probably, that's never gonna work. I think it's important that we have some statement by this House that we're in opposition to this and we send this over to the Senate with a resounding vote, and hope that they'll take it up and give it to the Governor for his signature. Because I think it would be a very big step forward in the campaign process. So, I ask for your 'yes' vote."

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? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional

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Majority, is hereby declared passed. Mr. Persico. Is Mr. Persico in the chamber? Mr. Mitchell. Mr. Bill Mitchell. Mr. Cross, did you wish to call your Bill? House Bill 1414. Mr. Clerk, read the Bill. 1414."

Clerk Bolin: "House Bill 1414, a Bill for an Act in relation to civil procedure. Third Reading of this House Bill."

Speaker Madigan: "Mr. Cross."

Cross: "Thank you, Mr. Speaker. Thanks for calling this Bill. This is a Bill that deals with violence against women, specifically prohibiting or stopping the violence against women that goes on, not only around the country, but also unfortunately, in the State of Illinois. As many of you know, and I mentioned it yesterday, Congress attempted to pass a Bill similar to this, or in fact, they did pass it and the United States Supreme Court said, 'This is not an issue for the United States Congress. It's an issue that each state needs to handle in their own respective ways.' This Bill gives civil remedies to those harmed under the guise or under the definition of 'gender-related violence'. There's several definitions here of what constitutes the violence or physical aggression, the type of causes of action that are available, as well as the damages. It passed out of committee, unanimously. I think it's a Bill that we need to do as a state. I know there's some that maybe think it does not go far enough, but I think it's as good a start as we can have and I'm hopeful that we can gain support in the Senate and pass it, as well. I think a strong vote out of the House would send a very good message to the Senate. And I would appreciate an 'aye' vote, and would be glad to answer any questions. Thank you."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Representative Mulligan."

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Mulligan: "Thank you, Mr. Speaker. I rise in support of this Bill. The fact that we no longer have a Federal Law and although we had an expanded Bill last year that we did not get out. And though we'd like to see it expanded, I think it's very important for people to have this alternative. Sometimes a perpetrator of a crime plea bargains. He's out. He may have a lot of money, and the victim has long-ranging effects. I think she ought to be able to sue in civil court and I think she ought to be able to take advantage of that in order to pay for long-range effects, that she might need counseling or repair of physical damage. I think this is an important thing for us to do and I'd like to see 'aye' votes. And I'm standing in strong support of this Bill."

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? The Clerk shall take the record. On this question, there were 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Miller, House Bill 1717. Mr. Clerk, read the Bill. Mr. Miller."

Clerk Rossi: "House Bill 1717, a Bill for an Act in relation to children's health. Third Reading of this House Bill."

Miller: "Thank you, Mr. Speaker and Members of the House. Today I present House Bill 1717. This Bill will help simplify the KidCare enrollment process. Currently, there are about 130 thousand children out of about 200 thousand children who are currently enrolled into KidCare. Therefore, the 60 thousand children who are currently eligible are not enrolled into this program. Therefore, this legislation is to address this population. House Bill 1717 will simplify

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the KidCare enrollment process by allowing the applicant to attest to their income eligibility, which would subsequently be subject to subsequent verification by the Illinois Department of Public Aid. It will require the applicants to be checked through the eligibility verification system only. House Bill 1717 also stipulates that the Department will encourage and facilitate the core enrollment of various federal assistance programs such as; the National School Lunch Program and the WIC Program, that enrolls similar identical income-eligibility standards. I ask for a favorable vote by my Members."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' The Chair recognizes Mr. Black."

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

Speaker Madigan: "The Sponsor yields."

Black: "Representative, just a few questions. Is there a dental component under the KidCare Program?"

Miller: "Yes, there is."

Black: "I'll talk to you about that off the mike a little later. The one concern that I have about an automatic acceptance of an applicant's attestation, I don't see any language in the Bill that if they knowingly distort their income level and the Department later discovers that and they in the meantime have received benefits of \$2 thousand, whatever it is, is it up to administrative rule as to whether that money could be recovered?"

Miller: "There are other provisions in the Public Aid Code that would cover that, that deal with fraud."

Black: "My only fear, and correct me if my fear is unfounded, if we ask the Department and I understand what you're trying

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to do in encouraging applications. It's been a slow process and I don't have any problems with what you're trying to do. But when we tell the Department by statute, you accept the attestation. They later discover, after a check of Social Security, crosscheck with Revenue or however that's done, that in fact, the applicant is not qualified. And by now the child is in the middle of a very lengthy and expensive medical protocol. Aren't we putting the Department in a most untenable position? Do they immediately go in and stop the medical procedure or the coverage of that procedure or do they stand aside and let the procedure be carried out and then try to recover the money?"

Miller: "Well, I think the first and foremost issue is to get the children covered who are eligible. I do understand your concern, Representative. It's a very good one. However, there are some remedies to seek recovery if there's some wrongful... if it's been... do that they're... receiving service, that should be ineligible for the KidCare Program."

Black: "All right. Representative, I don't stand in opposition to your Bill. I would encourage you to to work with your Senate Sponsor on some language that I think would assist the Department of Public Aid. I don't want the Department put into a position where a Legislator or someone could say you are aiding and abetting fraud. The attestation is incorrect. It was fraudulent. We believe it was knowingly fraudulent. And then the Department is in a real bad position. Do they immediately terminate benefits or a treatment protocol or do they wait until it's over and then try to recover the money in a legal action? I mean, in any of those scenarios the Department is in a very difficult

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position. And I daresay, that various taxpayer watchdog groups would really get on the Department for not checking the application in a more timely fashion or not recovering money that might have been spent under fraudulent conditions. I don't intend to vote 'no' on your Bill. I do think it's an area that maybe needs some attention and possibly an Amendment as the Bill moves through the process."

Speaker Madigan: "There being no further 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? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Julie Curry for the purpose of an announcement."

Curry: "Thank you, Mr. Speaker. I'd like the Body to welcome the third grade class from Bethany Grade School in Bethany. Mrs. McClain and Mrs. Sinclair's class are here and we have six students who are paging here on the House Floor, for myself, and Representative Bill Mitchell. If the chamber would give them a round of applause and welcome them."

Speaker Madigan: "Mr. Clerk, what is the status of House Bill 3050?"

Clerk Rossi: "House Bill 3050 is on the Order of House Bills-Third Reading."

Speaker Madigan: "Put that Bill on the Order of Second Reading. Is Mr. Persico in the chamber? For what purpose does Mr. Miller seek recognition?"

Miller: "For House Bill 1717, I'd like to announce, that I have filed statements of conflict of interest and that I have

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voted with my conscience on that issue."

Speaker Madigan: "Mr. Persico, do you wish to call House Bill 3264? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3264, a Bill for an Act concerning nuclear safety. Third Reading of this House Bill."

Persico: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3264 repeals the Nuclear Safety Education Act. Basically, they have not given... provided any scholarship money since Fiscal Year '94. This program was set up to do that but because of budget constraints, they have not been able to give out any scholarship nor do they intend to, and they would like it off the books. And I request an 'aye' vote on House Bill 3264."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Representative Hamos."

Hamos: "Will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Hamos: "Mr. Persico, what... why do we need to repeal this? I mean is it getting in anybody's way? Is the Department feel like they have to be doing things, even though it's not active? Why did we have to... there's lots of places, it seems to me in our statutes, where we have obsolete Sections and I just wondered when I was looking at this Bill why we needed to do this, at this point?"

Persico: "The Department of Nuclear Safety is not required to give any grants or scholarship or any other assistance, to make an offer of employment to any person. So, what they have... They gave out... They've only given out four scholarships since this program was set up in 1988. I believe they haven't given out any since 1994... Fiscal Year 1994, and they have no intent to support this program anymore. So they would just like it off the books."

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Hamos: "Did the Department bring this to you to ask you to do this?"

Persico: "I'm sorry, I couldn't hear you."

Hamos: "Did the Department ask you to..."

Persico: "Yes. They came to me and there's no opposition to the Bill."

Hamos: "So, they're just trying to make sure that it's clear, that they don't have responsibilities under this program anymore?"

Persico: "They never did have to. They were never required to, it was just something that they set up earlier, you know, years before that I believe, 1988. And since, you know, fiscal constraints have not allowed them to even think of giving out scholarships they would just like it off the books."

Hamos: "So, this Bill is not being used as a shell Bill over in the Sen... as a quasi-Bill to amend..."

Persico: "No. This is not a shell Bill. This is something that the Department of Nuclear Safety came to me that they would like to see removed."

Hamos: "Okay, thank you."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "The Sponsor yields."

Black: "Representative, has any funding taken place for these scholarships in the Department in recent history?"

Persico: "No, not since Fiscal Year '94."

Black: "So, we have a program to award scholarships that this Body has seen fit to discontinue funding for seven years ago?"

Persico: "That is correct."

Black: "I think it's time that we get it off the books. We have

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more scholarships, financial aid, tuition waivers, all over the budget. It's no wonder we can't keep track and no wonder we keep getting Bills to add to and more money in there, and more money in here. It's ridiculous. I don't know why the Department was ever in the scholarship business to begin with. We have an excellent scholarship arm in this state, the Illinois Student Assistance Commission. The General Assembly, some years ago, saw fit to no longer fund scholarships to the Department of Nuclear Safety. It's time to get it off the books and concentrate on scholarships in the agencies that we have to do that purpose. I stand in strong support of your Bill."

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? The Clerk shall take the record. On this question, there are 113 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Winters."

Winters: "Point of personal privilege. I'd like to introduce to the House three students from the Rockford area who have been helping design the first teen antismoking campaign in the state. It will roll out statewide next year. But Ed Gilbert, Callie Rumstead, and Mike Rumstead, in the east gallery."

Speaker Madigan: "Mr. Boland, do you wish to call House Bill 3284? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3284, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Boland: "Thank you, Mr. Speaker. House Bill 3284 provides that in DUI cases, as a condition of bail, the judge may require the defendant to refrain from operating a vehicle without

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an ignition interlock device. It does also provide that under this condition the court may allow a defendant who is not self-employed to operate a vehicle owned by the defendant's employer that is not equipped with an ignition interlock device, in the scope of that defendant's employment. This Bill passed out of committee 13 to 0, and it is supported by the Mothers Against Drunk Driving."

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

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

Speaker Madigan: "Sponsor yields."

Cross: "Representative, did you make some changes in the area of bail on the original Bill? Our analysis and I don't have your original language, I wish I did. But it... And I'm look..."

Boland: "The orig... What the Amendment did was just to bring the language of this Bill into the same language as is in the supervision's statute right now. So, it was technical in nature."

Cross: "Well, you've got it here. At least, our language says that when a person is charged with DUI, he or she must appear before a judge to be admitted to bail. Is there... You can't have a... You can't post bail and be released like we do now?"

Boland: "No. That was the... The Amendment changed that. Right. The Amendment brought that into the same line as the supervision statute."

Cross: "So, there's no... There are no changes in your Bill with respect to bail?"

Boland: "Right."

Cross: "All right. Now, on the interlock device, is that a condition of the bail or is that a condition of the order

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of supervision?"

Boland: "That... The judge 'may', it's not required, but 'may' make that a condition of the bail."

Cross: "Who's going to pay the... for the cost of the interlock?"

Boland: "I believe it's the same as under the supervision statute and I believe that is the defendant."

Cross: "All right. Now, will the court monitor... Is it the court's responsibility to monitor the installation or is it up to the Secretary of State?"

Boland: "Let me check here, just a second. It is the court. It is the court."

Cross: "All right. Let me go back to your bail language. This looks... I don't see any chang... Amendment here. When a person is charged with the offense of, Section 501 of the Illinois Vehicle Code, he or she must appear before a judge to be admitted to bail, or be released on his or her own recognizance. And if she's admitted to bail or released the judge may require the defendant. That seems to... That's very confusing, Representative. I'm on page 6 of the actual Bill. I mean normally, people can post their drivers license, I think, and \$2 hundred, or maybe their driver... I think it's actually their drivers license and a hundred dollars. And of course, they're not to have their vehicle and they have to get a ride home, which they should. But I'm not sure it's your intent to keep people over the weekend at a county facility?"

Boland: "No. No. Definitely not. And that was deleted by the Amendment. That part of the original Bill was deleted by the Amendment."

Cross: "Okay. So, you... All right. I apologize. You've deleted lines 22 through 31. So that's all gone."

Boland: "Yes."

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Cross: "All right. So, at the time of... You know, so if someone's recogged or not before a judge, when will the judge, under your Bill, order the installation of the interlock device? When will that take place? And I'm not saying that I don't think the concept's bad..."

Boland: "Right. Right."

Cross: "What I want to know is, when will the judge have the defendant in front of him, he or she?"

Boland: "It's being made an option. So when they are before them, that's when they would do it."

Cross: "Just... And again, the concept's a good one, but from a procedural standpoint or technical standpoint, what happens then is the defendant's arrested for DUI. They're released, you know, they post bond. They probably won't have a court date for 30 or 45 days down the road, at which time there actually may be a disposition. So, if your goal is to... If your goal is to have an interlocking device put on at the time of the arrest or soon after, I'm not sure it's... I don't know how... There's no language in here that tells us how that's going to happen."

Boland: "You're right."

Cross: "Again, I can't stress enough, Representative, that I understand what you're doing and I'm not quarreling with it, but logistically I don't know how it's going to happen. And maybe I'm missing something in your Bill."

Boland: "If the person is before them, this obviously just gives the judge another option."

Cross: "I understand, but I just... Just so you know, and you might want to talk to your Senate Sponsor. No one's going to vote 'no' on this Bill. 'Cause we don't... you know..."

Boland: "To have the Senate..."

Cross: "I really would look at..."

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Boland: "Right. Right."

Cross: "I just think there's a gap there and often and with good reason, because you've got court dates. So, I just would encourage you to look at that, Representative. Thank you."

Boland: "I will do that. Thank you."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. 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? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Mitchell. Mr. Bill Mitchell. Representative Bassi on House Bill 1302. Representative Bassi. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1302, a Bill for an Act concerning aging. Third Reading of this House Bill."

Speaker Madigan: "Representative Bassi."

Bassi: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This particular Bill addresses the Illinois Act on Aging, which had been awarded the funding for the... Area Agencies on Aging was distributed... divided evenly amongst the 13 agencies. Floor Amendment 2 became the Bill, which we amended onto it yesterday. And today, what I'm asking is that you would take a look at the Bill which is to provide for the distribution of any new funds beginning July 1st, 2001, to these 13 Area Agencies on Aging, according to the interstate(sic-intrastate) funding formula. It passed out of committee with no opposition, and is supported by the Department on Aging, and the Area Agencies on Aging. We know of no opposition, and would

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request an 'aye' vote."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Hoffman: "Representative, real quickly, it's my understanding that Amendment #1 was adopted. What's the status of Amendment #2?"

Bassi: "No. Amendment #1 was not adopted, Representative, it was tabled."

Hoffman: "Okay. So, Amendment #2 now becomes the Bill. Is that correct?"

Bassi: "Amendment #2 became the Bill and it was with language, that had been approved by the Department on Aging."

Hoffman: "And there is, currently, intrastate funding formula, that currently exists. Is that right?"

Bassi: "Pardon me?"

Hoffman: "There is an intrastate funding formula that currently exists in the Department of (sic-on) Aging, as to how funds are distributed. And all this is saying, that the new money given to this program, will go through that formula. Is that right?"

Bassi: "Precisely. Yes."

Hoffman: "Okay. Thank you."

Bassi: "Thank you."

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? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Brosnahan, did you wish to call House Bill 1942? Mr.

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Clerk, read the Bill."

Clerk Rossi: "House Bill 1942, a Bill for an Act concerning firearms. Third Reading of this House Bill."

Brosnahan: "Thank you, Mr. Speaker. House Bill 1942 is an initiative of Mayor Daley. It's part of his anticrime legislation. House Bill 1942 amends the Firearm Owners Identification Act. It provides that any person who forges, or materially alters, or counterfeits an FOID card commits a Class II felony. Under this legislation it also provides that any person who possesses an FOID card with knowledge that it's been forged, altered, or counterfeited also commits a Class II felony. This Bill has widespread support. And not only is it supported by all of law enforcement, but this Bill also has the support of the NRA. They did file a slip in support of this legislation. And I'd be happy to answer any questions."

Speaker Madigan: "Mr. Righter."

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

Speaker Madigan: "The Sponsor yields."

Righter: "Thank you. Representative Brosnahan, as I understand it, the current status of the law with regards to forgery, it's just a general forgery statute. There's not a specific provision in there for forgery of a FOID card. Is that right?"

Brosnahan: "That's correct."

Righter: "And what's the penalty for forgery, as it stands right now?"

Brosnahan: "I believe it's a Class III, Dale. I'm not positive. But I think it's a Class III felony."

Righter: "Do you know... Is there any step-up for forgery, like if it's a second offense, or a third offense?"

Brosnahan: "You know, I'm not aware, Dale, sorry. I don't

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believe there is. I don't think there's an aggravated forgery. I think it remains a Class III, but I'm not sure on that."

Righter: "All right. Thank you, Representative. To the Bill, Mr. Speaker. I want to compliment the Sponsor on bringing this Bill to the General Assembly. This is a Bill that actually does work hard to make sure that we keep people who are not supposed to have firearms from getting firearms. And I would urge an 'aye' vote."

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? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Bill Mitchell, House Bill 1732. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1732, a Bill for an Act in relation to tobacco. Third Reading of this House Bill."

Mitchell, B.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1732, it authorizes appropriation from the Tobacco Settlement Recovery Fund to the Department of Public Health for grants to physicians who agree to practice full-time as a primary care physician in a designated shortage area for three years, provides that the amount of the grant shall be the amount equal to the tuition fees paid by a physician for his or her medical school education or \$80 thousand, whichever is less. Mr. Speaker, I'd be glad to entertain any questions."

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';

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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? Have all voted who wish? Mr. Saviano recorded? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Wyvetter Younge. Do you wish to call House Bill 2518? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2518, a Bill for an Act concerning higher education. Third Reading of this House Bill."

Speaker Madigan: "Representative Younge."

Younge: "Thank you, Mr. Speaker. House Bill 2518 would give permission to Southern Illinois University to establish a hospitality industry training program in East St. Louis. It is understood that new funding would have to be made available for this training to occur in East St. Louis. And I move for the passage of the Bill."

Speaker Madigan: "Mr. Righter."

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

Speaker Madigan: "The Sponsor yields."

Righter: "Representative Younge, I sit on the Higher Education Committee and when the Bill was first brought before the Committee, it was a mandatory piece of legislation. It was a mandate, is that right?"

Younge: "Yes. Amendment #1 takes care of that and makes it permissive. It says SIU 'may' establish, rather than 'shall'."

Righter: "With that change then, Representative Younge, I can assume then that this program will only go into place if the board of trustees or the administrators at the university want to put it in place and obviously, if they have the money to do that. Is that right?"

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Younge: "That's correct."

Righter: "Okay. I have no further questions, Mr. Speaker. Thank you, Representative."

Younge: "You're welcome."

Speaker Madigan: "Representative Younge 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? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Andrea Moore, do you wish to call House Bill 915? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 915, a Bill for an Act in relation to taxes. Third Reading of this House Bill."

Moore: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 915 allows the forest preserve districts to reword the question for general corporate tax levy increases. As you know, with the tax cap they are all required to go to the voters to ask for a tax increase. This allows a more understandable wording about what is going to actually be done with the money, how much they're asking for, and it also provides on a different area of the ballot that they can give some detail about how much it will be costing the voter. This is a good government Bill. I'd be happy to answer any questions."

Speaker Madigan: "The Lady 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? Have all voted who wish? The Clerk shall take the record. On this question there are 104 people

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voting 'yes', 10 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. McKeon, did you wish to call House Bill 34? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 34, a Bill for an Act amending the Illinois Human Rights Act. Third Reading of this House Bill."

Speaker Madigan: "Mr. McKeon."

McKeon: "Thank you, Mr. Speaker, Members of the House. House Bill 34 is a technical Amendment to the Illinois Human Rights Act. The Floor Amendment becomes the Bill. And what the Bill merely does is substitute the word 'disability' for the word 'handicap' throughout the Act. Again, this is a technical change. It meant to eliminate any pejorative or negative implications that may be inferred in the use of the term 'handicap'. I'd appreciate your support and will answer any questions from Members of the Body."

Speaker Madigan: "The Gentleman 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? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Coulson, did you wish to call House Bill 719? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 719, a Bill for an Act in relation to children. Third Reading of this House Bill."

Coulson: "Thank you, Mr. Speaker. House Bill 719 amends the Early Intervention Service System Act. It provides that a developmental delay means a delay of 30% or more below the

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mean. It requires that inter agency agreements under the Act ensure that early intervention services are considered to be covered medical services for purposes of the Medicaid Healthy Kids Program."

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? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Lang, do you wish to call House Bill 64? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 64, a Bill for an Act amending certain Acts in relation to mental health. Third Reading of this House Bill."

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen, House Bill 64 is an omnibus mental health reform Bill. Many who have served on the House Mental Health Task Force and the House Mental Health Committee are familiar with what's in this legislation. And although this Bill did not go to the Mental Health Committee this year, for some reason it went to the Executive Committee, this is a repeat, basically, with a few new twists of House Bill 182 which we passed here unanimously last year, which was cut to pieces in the Senate. Rather than go through all the provisions of this Bill, let me just say that I think this is a major step forward in the treatment of the mentally ill. It deals with such issues as the Inspector General and the use of that office and allowing it to be a separate office with its separate appropriations. It deals with the treatment of mentally ill in nursing homes. It deals with the use of restraints in mental health facilities, and many other

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issues that we've been concerned about on this floor and I would ask for your support in passing this important piece of legislation."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' The Chair recognizes Mr. Hoffman."

Hoffman: "Will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Hoffman: "Question of the Sponsor. Representative Lang, AFSCME's position on this Bill is what?"

Lang: "AFSCME was opposed to the original Bill but the language that was offensive to them has been removed from the Bill."

Hoffman: "Thank you."

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? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Hannig in the Chair."

Speaker Hannig: "Who's next? Representative Kurtz on House Bill 2111. Mr. Clerk, would you read the Bill?"

Clerk Rossi: "House Bill 2111, a Bill for an Act concerning higher education student assistance. Third Reading of this House Bill."

Speaker Hannig: "Representative Kurtz."

Kurtz: "Thank you, Mr. Speaker. This Bill deals with the Illinois Students Assistance Commission and it will give the commission, House Bill 2111 will give the Commission the ability to request a transfer of funds from the Federal Student Loan Fund into the Student Loan Operating Fund. ISAC or Illinois Student Assistance Commission needs this

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authority to comply with the new federal regulation. No one is opposed to this Bill. The Comptroller's Office that will take care of the transfer funds is neutral. ISAC and the Illinois Board of Higher Education do support this Bill and it was voted unanimously in the House Higher Education Committee. In essence, it is a plus for accounting efficiency. If there are any questions, I'd be happy to answer them."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Mitchell, Bill Mitchell, for what reason do you rise?"

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

Speaker Hannig: "State your point."

Mitchell, B.: "I would like to give... ask the House to give a big House welcome to the eighth grade class of Neoga, in Cumberland County. Stand up folks."

Speaker Hannig: "Welcome to Springfield. Representative Mary Flowers, are you ready on House Bill 243? Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 243, a Bill for an Act concerning insurance coverage for pregnancy prevention. Third Reading of this House Bill."

Speaker Hannig: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 243 says that when insurance companies

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provide and cover impotency medication that they must also cover prescription drugs for the prevention of pregnancy. And I'll be more than happy to answer any questions you may have in regards to House Bill 241 (sic-243)."

Speaker Hannig: "The Lady has moved for passage of House Bill 243. This Bill's on the Order of Short Debate. Representative Novak, do you stand in opposition?"

Novak: "No. I'd just like to ask a question."

Speaker Hannig: "Yeah, the Lady will yield."

Novak: "Yes. Representative Flowers, I think your Bill is a good Bill. I just had a question about current law and how it applies to men with respect to insurance coverage for, let's say, men who have sexual dysfunction. In other words, Viagra. Does current law allow for insurance coverage for Viagra prescriptions?"

Flowers: "I'm glad... yes, Representative, insurance company does allow coverage but it doesn't mandate it. And this Bill would merely say that if an insurance company is going to provide that type of coverage for men that they should do the same for women."

Novak: "Okay. Is the insurance industry opposed to this?"

Flowers: "For some reason they do, Representative, and I haven't a clue as to the reason why, because I think this Bill would save insurance company millions and millions of dollars."

Novak: "Well, I agree with you and I just can't understand why a double standard here has been in existence."

Flowers: "And not only that, Representative, I want to say to you that we are in violation of Federal Law. Women advocates have pushed this coverage in Congress for a very long time. And the EEOC stated that it is the first official body to conclude that the law already requires this coverage in the

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first place. And so by us passing this Bill, once again, we would be in compliance with Federal Law."

Novak: "Okay. Well, I think it's a good idea. It should have been done years ago. Let me just ask you one more question about state employees. Do female state... are female state employees that work for the, you know any agency, are their birth control pills covered by insurance?"

Flowers: "Representative, the answer is 'no'."

Novak: "No. Are male state employees, if they wish to... if they go to a physician and you know, they have a dysfunction and the doctor prescribes Viagra, would that be covered by state employees health insurance?"

Flowers: "Representative, the answer is 'yes'."

Novak: "That doesn't seem fair, does it?"

Flowers: "No, it's not fair at all. Not at all."

Novak: "I agree. And I think everybody should vote for the Bill."

Flowers: "Thank you, Representative."

Speaker Hannig: "The Bill's on the Order of Short Debate. Representative Black, would you like to speak in opposition?"

Black: "I think so, Mr. Speaker, if the Sponsor would yield, first of all."

Speaker Hannig: "She will yield."

Black: "Thank you. Representative, I don't see any language, and I've been looking at it very hastily maybe you or your staff could correct me. I don't see any language that would specifically say that the Right of Conscience Act would be followed under this Bill. That being... I think that most all of us know what that is. The Right of Conscience Act would allow a health plan to deny coverage for a prescription that would be used to prevent pregnancy."

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And generally, that Right of Conscience has been fairly well accepted, but I didn't see anything in the Bill that would say that that could apply to this legislation."

Flowers: "Representative, this is not a mandate, so therefore that would not be applicable here."

Black: "How could you say, unless there's something here I don't see, how could you say it isn't a mandate?"

Flowers: "Well, if the... "

Black: "It clearly says that if a health policy provides insurance coverage for impotency drugs, then they must provide coverage for any and all prescription birth control."

Flowers: "But if they don't provide it, it's not a mandate."

Black: "Well, but I think the Right of Conscience Act gets to the issue where there may be things... and I don't believe Viagra or any of the impotency drugs are classified as a contraceptive. I mean, it's a medically... I don't know what the term is, medically determined that impotency can be a disease or an illness that can be treated and a medication that will be used to prevent pregnancy does not necessarily fall under that category."

Flowers: "Well, Representative, the Right of Conscience Law already exists and so therefore there's no need in putting a law that's already law and making it law again. So if..."

Black: "Okay."

Flowers: "And so it would be up to the insurance company to state whether or not if they're going to do it, then this law would be applicable."

Black: "Well, that's a very slippery slope. An insurance company probably could not... well, they certainly couldn't use the Right of Conscience to deny any of the medically or FDA

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approved drugs to treat impotency because that has the weight of medical research behind it. That can be a disease or an illness. But the Right of Conscience would certainly come into play to an insurance company who will say we will cover any and all prescription medications that are used to treat a medically recognized disease or illness but we don't have to cover any prescription medication who's primary use is to prevent conception. That's where you get into the Right of Conscience Act."

Flowers: "That is the law already, Representative."

Black: "Well, but your Bill would say... and put an insurance company in an untenable position if you deny a prescription coverage for a drug that medical research says is a treatable illness. If you deny that, I think you're in violation of any and all laws. But the law is clear, an insurance company can invoke the Right of Conscience to say, we will not cover elective prescription medication to prevent pregnancy."

Flowers: "Representative, I'm so glad you brought that up."

Black: "So am I."

Flowers: "Because what you just articulated isn't necessarily an illness, it is a condition. But let me tell you a few things that might be an illness. Contraceptives can be used for more than one thing. It can be used to reduce menstrual cramps. That is an illness, Sir. Some formulas can be used to reduce acne. That is an illness, Sir, that can be cured. Also, it protects against iron deficiency for people that's anemia (sic-anemic). It also relieves menstrual tension, reduce menstrual flow, can lessen... people who have a form of arthritis. It can treat..."

Speaker Hannig: "Representative Black, could you bring your remarks to a close, please?"

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Black: "Well, okay. Thank you very much, Mr. Speaker. I appreciate what the Sponsor is trying to do. And all of the conditions she was just going over, as a husband and a father of a young woman, almost everything she mentioned has a treatment protocol and an accepted formulary for medication to treat any of those things. You don't necessarily have to go to a physician and get a prescription for a pregnancy prevention drug to attack any of the other illness that she mentioned. There are formularies that will do that. And an insurance company would cover that. What this is saying is that on the one hand whether we agree or not, whether you like Bob Dole's ads or whether you don't like Bob Dole's ads. The medical research has shown that impotency is a treatable illness. The same research, and again, I'm at a disadvantage as a male, I understand that. But as a husband and a father I've had many a discussion with this and I'm not denigrating the importance of your Bill. But I think the issue we get ourselves into is if we tell insurance companies... the law is fairly clear, you must cover those drug prescription formularies that treat a specific illness that medical research says is, in fact, an illness or a treatable disease. But then when we say you must... if you do that, you must now cover the prescription costs of a drug of choice to prevent pregnancy, when all of the other obstetrical and gynecological ailments and even dermatology that Sponsor mentioned can be treated by another drug formulary that is developed for that and is a recognized prescription for those ailments. We get ourselves in a position where we may just discover that the insurance companies will say, okay, all right, I won't cover any of it. I won't cover Viagra and let me see, I think I'll go

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through here and take out about 45 other prescription drug formularies, because I don't really like to cover those anyway and then I don't have to get caught up in this thing. In trying to solve a problem that I agree with the Representative doesn't make any sense on its face. I absolutely agree with that. But in trying to solve it by this legislation, we may create more of a problem than what we have now by letting insurance companies say, well I can solve this, I'm just gonna give you a list of a hundred different things I won't cover. I'm not sure that's what we're gonna get into. This is a... this is not an easy Bill for me to vote against. I imagine I'm gonna hear a little something from my wife and I know I'll hear something from my daughter. But the way the Bill is drafted, I think there's a better way to get to the problem and I just can't in good conscience, I'm not invoking the Right of Conscience, but I can't in good conscience support the Bill the way it's drafted. Although I do support what the Lady is attempting to do because on its face it doesn't make a lot of sense. But if you read the Bill I think we may be opening a can of worms that we may a year from now wished we hadn't opened in the first place. Thank you, Mr. Speaker."

Speaker Hannig: "This Bill's on the Order of Short Debate. Representative Black has spoke in opposition, Representative Novak has spoke in favor. Now Representative Flowers to close."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill is about equal protection under the law. This Bill is about eliminating discrimination. If an insurance company is going to provide coverage for men they should also provide pregnancy prevention pills for women."

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A lot of women are head of households, a lot of women cannot continue to work as a result of an illness they may have during their pregnancy. A lot of women may be subject to unwanted pregnancy and it cause hardship on the family. The only thing I'm saying is that we should comply with Federal Law. And I would appreciate an... And I have a doctor in the House and my doctor is telling me that a lot of doctors prescribe birth control pills for pain medication because no other medication would work. Ladies and Gentlemen, this is a good piece of legislation. It will save the insurance companies money. It will save the state money and you will save a lot of family and women undue hardship. I would appreciate an 'aye' vote. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative Granberg 'aye'. Okay. On this question there are 63 'yes', and 49 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Poe, for what reason do you rise?"

Poe: "Point of personal privilege."

Speaker Hannig: "Yes. Proceed."

Poe: "Yeah, I'd like to introduce a school district in my district, Riverton Middle School. They're up here and this is Mr. Jumper's eighth grade top 25 on their U.S. Constitutional Test. So let's recognize those kids for outstanding abilities."

Speaker Hannig: "Congratulations, and welcome to Springfield. Representative Wirsing, on House Bill 446. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 446, a Bill for an Act concerning organ transplantation. Third Reading of this House Bill."

Speaker Hannig: "Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker and Members of the House. House Bill 446 simply amends the Uniform Anatomical Gift Act of the Illinois Eye Transplant Act and the Organ Donation Request Act. Simply what it does, it adds to the list of those who would have the authority to direct where organs from organs from a deceased friend, family member would have that authority to direct where that organ transplant issue would go to, where those organs would go or whether they would go anywhere. And that's simply what the Act does, it extends the list of those, formerly of those who would have that kind of authority. There was an Amendment to it and simply what the Amendment did was to said that there had to be an affidavit of a close friend presented to, or of anybody presented to, the person in charge of the organ transplant program at that facility, a hospital or whatever it may be. That tightened up the Bill a little bit and makes it a little cleaner. That's the essence of the Bill and would answer any questions."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative McKeon, are you ready on House Bill 2539? Okay, out of the record. Excuse me, okay, Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2539, a Bill for an Act concerning

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pawnbrokers. Third Reading of this House Bill."

Speaker Hannig: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 2539 is an agency Bill from the Office of Banks and Real Estate. If you remember a couple of years ago we passed the Pawnbrokers Licensing Bill. This is a cleanup Bill to tighten up some of the provisions which we originally passed in the Bill. The Commissioner of Banks and Real Estate and the Pawnbrokers Association worked out these changes and it's an Agreed Bill. Thank you."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'yes', and 1 voting 'no'. And this Bill, having a Constitutional Majority, is hereby declared passed. Is Representative Tenhouse prepared on House Bill 3210? Would someone like to handle that for Representative Tenhouse? Okay, oh, there he is in his seat, excuse me, Representative, I didn't see you there. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3210, a Bill for an Act in relation to vehicles. Third Reading of this House Bill."

Speaker Hannig: "Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think we're gonna spend some time on 3210 today because I think there's some misconceptions out here on what we're trying to accomplish with this Bill. Originally, House Bill 3210 wanted to deal with the issue of extending the length of recreational vehicles to 45 feet from 42, feet as far as Illinois is concerned. But what

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really, there are also some other issues that dealt... initially, the Bill had some concerns as far as width, which we addressed with Amendment #2. And as far as the overall length dealing with pulling a combination vehicle, which was 65 feet and we also addressed that by eliminating that in Amendment #1. So at this point in time, it's pretty simple. We're just asking that we be given the authority under the law to be able to have 45 feet recreational vehicles as opposed to 42 feet and really put ourselves in compliance with other states here in the upper Midwest. Basically, Illinois almost sits out as an island, the only really, state that's not dealing with this issue. I'd certainly stand ready along with my friend, Representative Black, and my brother, Art Turner, to answer any questions that you may have today."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 3210. This question's on the Order of Short Debate. Does someone stand in opposition? Representative Garrett, are you in opposition? Representative Garrett."

Garrett: "Will the Sponsor yield?"

Speaker Hannig: "He indicates he will."

Garrett: "Representative, what requirements are in place now for those seeking to drive an RV of this size?"

Tenhouse: "Just a second, Representative. I'm informed you have to have a Class C license to be able to operate this length of vehicle. And that really won't change, it's true now. You can't just go in with a passenger vehicle classification and expect to be able to operate this vehicle. You would have to go through a more rigorous test."

Garrett: "So, Representative, what you're saying is that I have a regular license. I could, in fact, purchase an RV, a

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45-foot RV and start driving on our interstates without any prior practice or special kind of license."

Tenhouse: "No, that's not true. That's not true. You have to have a Class C license. You would have to go through a training program that would require you to be proficient in that vehicle. You would not be able to go in with a passenger license and operate this vehicle legally in Illinois."

Garrett: "Well, the information that I have, basically says that, and I will read it to you, 'individuals operating large recreational vehicles are not required to obtain a commercial driver's license or have any specialized training'."

Tenhouse: "They do not have to have a commercial drivers license, Representative, but they still have to take a Class C license which is still much more restrictive than the passenger license that you're using."

Garrett: "Let me just go on to read that the lack of specific training is compounded by the fact that the recreational vehicles are operated infrequently. Further, the recreational vehicles are not subject to any of the safety requirements imposed under the motor carrier safety regulations."

Tenhouse: "I think, Representative, in answer to your question, I think there's certainly a difference of opinion. We're informed you have to have a Class C license, you have to go through more extensive training. I think obviously there's some misinformation in relation to that issue."

Garrett: "The other question I have, Representative, is what states, surrounding states, specifically what states do allow for these vehicles to be 45 feet in length?"

Tenhouse: "Okay. Indiana, Ohio, Kentucky, Tennessee, Missouri,

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Arkansas, Iowa and then you go to the West, virtually every state. And to the South the same way, all the way from Florida all the way on up. Really, when you look it's pretty obvious, when you look at the map in terms of the footprint, about the only state that doesn't have it is Illinois, except for Wisconsin."

Garrett: "And what about Michigan? I didn't hear about Michigan."

Tenhouse: "Wisconsin and Michigan do not."

Garrett: "Well..."

Tenhouse: "But Wisconsin is in the process of enacting a law very similar to Illinois, that we're talking about here today, they're looking at very, very similar legislation. I think, Representative, one of the issues we have to understand is, they're on the road. These vehicles exist. All we're talking about is extending by three feet, what we're already doing now. Unless you want to put your RV cops out with their tapes, we'll see what happens."

Garrett: "The... regarding the length, I guess we are in agreement that many of the states do allow for a 45-foot length. What about the width of surrounding states?"

Tenhouse: "With what we're doing with Amendment #2, it puts us in compliance with the other states that surround us that also have 40-foot length requirements and that would include Indiana, Kentucky, Missouri and Iowa. A lot of other states have very similar legislation, as well. But the states that directly touch us, that'll put us in exactly... in fact the language is identical to several of those states. That would be eight foot, six inches."

Garrett: "One of the concerns I have and I'm sure others may have, is that on township roads and other roads that are not four or five lanes wide, we do have problems with the

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width and it's very dangerous when these recreational vehicles are in use. They do take up the entire width of a lane and can, in fact, be very dangerous to the other motorists and pedestrians."

Speaker Hannig: "Representative, could you bring your remarks to a close? Your five minutes have expired."

Garrett: "I thank the Sponsor for bringing this Bill forward, but I think that we are as to quote Representative Black, we're going down a slippery slope and we have to be very vigilant and cognizant of what this kind of addition to our RV's would mean, to not just for instance, the interstates but your community and township and local roads. Thank you very much."

Speaker Hannig: "Okay. We're gonna remove this Bill from Short Debate. So, now we've had one in favor and one in opposition. Representative Hamos, do you rise in support or opposition? Okay, please proceed."

Hamos: "Thank you. Ladies and Gentlemen, I voted for this Bill in committee and I was uncomfortable with it because I think that for all of us the safety of our citizens and the safety of our streets is of paramount concern. So, I left the committee and did do quite a bit of research on what this Bill would entail. And I asked the Department of Transportation, in fact, to survey the surrounding states because we were told in committee and I thought about that and I tried to be sympathetic to RV owners that, in fact, the surround... that we were sort of an island among the surrounding states. But then I learned that, in fact, of the surrounding states, for example, Kentucky provides a maximum width of no more than eight feet, six inches. Iowa allows a width of eight feet, six inches. Indiana imposes a maximum width of eight feet, six inches. Missouri

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imposes a maximum of eight feet, six inches. Wisconsin imposes a maximum width of eight feet, six inches. This Bill would allow it to expand by six inches on either side. None of these surrounding states really allow for that. There's a difference in this Bill between width and length. And on width, when we're talking about width, none of the surrounding states have chosen to do that. In addition to that, as I understand it, right now these are constrained to be just on the major highways, which of course are wider. But the way the Bill is drafted, this would allow all these wider vehicles to also ride on our city streets. And that's why the City of Chicago, for example, is very concerned about this Bill. This would expand the number of square miles that these RV's can currently ride on from 8,000 square miles throughout the state to 130,000 square miles throughout the state. So, I don't know that we know enough about the impacts that this would have to allow us to vote for something at this time, that really could affect the safety of our streets. And I do encourage everybody here to vote 'no'."

Speaker Hannig: "Representative Black is recognized. Are you in support or opposition, Representative?"

Black: "Thank you very much, Mr. Speaker. I was in moderate support but after hearing this baloney, I've heard... this is more baloney than Oscar Mayer could slice in six months. Holy Toledo. If you're gonna oppose a Bill at least be factual. You know, I lose more Bills than anybody here as Floor Leader, that's part of my job. I get beaten up every day, every day. But I'm not gonna sit... Oh, you go ahead an holler. But I'm gonna tell you one thing, when you come to an Illinois football game and you wanna get into my RV, which is illegal under this law, don't knock, I'm not gonna

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let you in. For crying out loud. The Lady that just got up... eight feet, six inches, eight feet, six inches. That's what this Bill allows. Eight feet, six inches with an additional six inches for your mirrors, an outside appurtenance. We're not doing anything different than any other state. The current length is 42 feet, 42 feet. This adds 3 feet. Now, I've been driving an RV since I took the kids out West in 1978. Now, Ladies and Gentlemen of the House, you've seen these. Some of you own 'em. Some of 'em you go to football games or a family reunions in these. You gonna drive a 45 foot RV down Michigan Avenue, in the City of Chicago? Give me a break. Where you gonna park the thing in the City of Chicago? Gonna pull up to the Palmer House and say, do you have an electric water and sewer hookup for my RV? No, we don't but the Ritz Carlton does. I, you know, I don't mind losing a Bill, but for crying out loud... And you know, IDOT, I dearly love IDOT, but in all due respect of them they have sold you a bunch of baloney. These people... I'll tell you what, if a meat packing industry goes into recession, I'm gonna put some IDOT folks over there and they'll boost the consumption of baloney and pork and beef and what have you, by 80%. These RV's are being manufactured today by all kinds of manufacturers. They are in use all over the United States of America. I daresay that some of you when you retire will invest in one. They are a phenomenal way to travel. The accident statistics, and they can't fudge this, they're safer than automobiles. My regular drivers' license doesn't qualify me to drive our RV, I have to get a different kind of license. I'm gonna go down a township road in a \$185,000 RV. I'm gonna go to Chuck Hartke's farm and say, hey Chuck, you got an extension cord so I can plug

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in my RV? Give me a break. This is a multimillion dollar business. If you belong to the Family Motor Coach Home Association and you want to go to their convention, 20 thousand people show up at these things in motor homes that range from eight feet, to heavens knows, bigger than 45. It's estimated those folks drop about \$40 million at their convention site. Now, of all the states in the union, who spends more money to attract tourism? We do. We're the number one state in spending money to attract tourism. But we're gonna tell hundreds of thousands of people that belong to the GoodSam Club or the Family Motor Coach Association if you buy one of these new Blue Birds or Wanderlodes or Winnebagos or Holiday Ramblers and it's bigger than 42 feet and it's bigger than eight foot, six inches, not counting your side mirrors so you can see, don't come to Illinois, you can't drive through here. I mean that is just ludicrous. And to get up and say the City of Chicago is concerned about RV's in downtown Chicago. If the mayor calls me, I'll drive up in my RV and take him to his next ribbon cutting in the RV. Who are we trying to kid? I couldn't get down the City of Chicago streets with my 1989 Buick, let alone a 45 foot RV. They're not gonna clog the City of Chicago in RV's. You think these people go to Chicago, hang out the window of their RV's? Look at the big buildings, ma. Son of a gun, get the kids up from the back and get little Johnny out of the onboard bathroom, you just wouldn't believe these here buildings. You know, for heaven sakes folk, if you want to vote against the Bill, that's fine. I understand that, I respect that, but don't get up an obfuscate the issue on a bunch of baloney you've been fed by people who grew up at the knee of Oscar Mayer. Vote 'yes' for common sense."

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Speaker Hannig: "We've had two in favor and two in opposition.

Representative Lang. In favor or opposed, Representative?"

Lang: "Well, first I have some questions, then I'll let you know, Mr. Speaker."

Speaker Hannig: "All right, proceed, Representative."

Lang: "Thank you. Will the Sponsor yield?"

Speaker Hannig: "He indicates he will."

Lang: "Thank you. Where are you? Representative, let me see if I can understand a couple of things here. The people that are opposed, the governmental bodies that are opposed and the others, if the previous speaker is correct then this is no big deal, a no-brainer, why are these people opposed to your Bill?"

Tenhouse: "Representative, I think first of all, the original Bill had some issues that raised some concerns. But we addressed those. And in fairness, Representative Hamos, when she was talking about the nine-foot width, that was a real concern. It was raised in committee. We amended that. The language we have is identical to the states she cited, eight foot, six inches, and we allowed for them to go ahead with the awnings. That's exactly the same language that these other surrounding states. The other issue, you know they hand out this handout talking about 65 feet length, we amended it out. We amended it out, you're still working the floor telling Members things that don't exist in this Bill. You know, if you want it go ahead and come on the floor and lie to the Members, then fine. But I'm beginning to feel like Bill Black. I've gotten a little bit full of this considering the fact we've addressed the concerns that were raised. I think the question is this: We have 45 foot vehicles coming across this state right now. So I think if we're gonna enforce

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this law then we ought to hire RV cops at every border. And they're gonna go in with their tape measures and they're gonna pull these vehicles off and we're gonna measure them all. And we're gonna check and if they're six inches too long, we're gonna give them a ticket. And that's basically what's happening here. This only affects RV's, only affects the length by three feet, only puts us in compliance with the states that surround us. That's where we are, Representative.'

Lang: "Representative, I don't know what you're getting angry at me about, all I did was ask you a question. You're using me on the floor of this House, Representative."

Tenhouse: "Representative Lang.."

Lang: "Let me ask you this question."

Tenhouse: "...I would never use you, Representative Lang."

Lang: "Let me ask this. Today, this Bill would allow RV's that are eight foot six and larger to be anywhere in the State of Illinois, is that correct?"

Tenhouse: "No. Eight foot, six inches. That's the width. The only thing that does..."

Lang: "To be anywhere on any public street in the State of Illinois, is that correct?"

Tenhouse: "Basically, that's correct, where they can go now, with the 42 footer. All you're doing... I mean if you've got a 42 foot and you're being followed by a 45 footer you can go down the same street. But again, I don't think you're gonna go down many side streets with a 45 foot RV."

Lang: "But here's the question. Don't we have semis that are eight foot, six inches wide that are restricted on some of the roads in the State of Illinois? Why should RV's that wide go where semis can't?"

Tenhouse: "Representative, there's nothing that would preclude a

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city from not allowing this to take place. So they can have an eight foot width requirement, it doesn't make any difference. And if those are already in existence, that's true, too."

Lang: "Have there been any studies done regarding safety on a vehicle that's 45 feet long as opposed to 42 feet long?"

Tenhouse: "Yes, there actually has, and at this point in time, no one has been able to find that there's any relationship between the length that once you go, you know, and the safety record. At least, not that we've been able to find."

Lang: "You ever been behind one of these in your passenger vehicle while they've been trying to make a turn?"

Tenhouse: "Not in the City of Chicago. I think maybe when I was down by Danville, but never in your city."

Lang: "Representative, let's go back to my previous question. What about the issue of home rule? You've said that municipalities can restrict these vehicles but if you pass this Bill nonhome rule communities cannot restrict the movement of these vehicles, isn't that right?"

Tenhouse: "That's correct."

Lang: "Thank you. Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Lang: "I understand that the Representative is trying to do something for RV owners and while I respect the rights of RV owners, I don't think there's a convincing evidence here on the record that we have safety issues covered. And in addition, we've got now this situation where the laws of our state don't allow semis to go on certain highways or semis to go on certain roads, but a vehicle just as wide that's called an RV, under this Bill would be allowed to go on those same roads. They'll be able to... allowed to go

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on limited access highways, limited access roadways. I think we have a problem with this Bill. I'm not opposed to RV owners and I think we ought to try to help them. But when we have a situation where nonhome rule units all across the State of Illinois will have an inability to restrict access to their own roadways and their own cities and municipalities, I think we have a Bill that's unfair because it doesn't apply in an across the board way. So while I respect what the Representative is doing, I think he ought to go back to the drawing board and would ask for 'no' votes."

Speaker Hannig: "Okay. So now we've had three speak in opposition, two in favor. We need one more in favor. Representative O'Brien."

O'Brien: "Will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

O'Brien: "Representative Tenhouse, are you aware whether or not insurance rates go up with the length of the vehicle, for these recreational vehicles?"

Tenhouse: "Representative, they do not. There's really been no relationship between the increase in insurance rates and vehicle length. It's not a factor."

O'Brien: "And isn't it also true that with technology and these newer vehicles that the turning radius for these vehicles at 45 feet is much shorter and smaller than the one maybe Representative Black drove in 1978?"

Tenhouse: "That's correct. The insurance rates go up with the value of the vehicle but it really is not relative as far as the issue of the length."

O'Brien: "Thank you. These are quite expensive vehicles as well, correct?"

Tenhouse: "Yes, they're very expensive. And the fact is,

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Representative, they're being titled and owned right now in Illinois even though they might not be legal because under the 42 foot length, they're here. This really is... they're very, very expensive vehicles. You're not gonna see too many of them all over the highways, but the ones that are here I think we want to make legal and frankly, with the new presidential library here in Springfield I think you're gonna see people spending more time coming through Central Illinois and this would certainly help, I think encourage them to come here."

O'Brien: "Thank you, Representative Tenhouse. To the Bill, Mr. Speaker, Ladies and Gentlemen of the House. This Bill just, I guess is in my opinion, been so blown out of proportion. It calls for no different width regulations than other states but there are allowances for appurtenances which would be the mirrors and the awnings. But we're not advocating or we're not seeking to legalize running down the highway with your awnings unrolled. These would be rolled up. They don't block the mirror. They... you can still see out and see who is behind you, maybe a little angry because you are going slower because you're driving a very expensive vehicle and no different than any other vehicle on the highway. We do want these people to come into our state. If you can afford up to \$750 thousand for a camper, I think then you can afford to come into our state and spend some of your hard earned money on our tourist attractions in this state. We spend what \$45 million trying to get people to come to this state, but we're gonna tell them when you buy a motor home and you want to go and travel the country, don't come to Illinois, we don't want you here. How ridiculous is that? This has nothing to do with safety. These vehicles are safer now

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than they ever have been. People spend a lot of money. Insurance companies, if they thought that they could raise rates based on length you better believe that they would. They don't because they recognize how safe they are. This is something that would help our state, not hurt our state, bring us in line with other states, bring it into conformity so that when you cross from the borders of Indiana and Wisconsin into Illinois that you know that you're legally going down the highway and that our manufacturers would have a fighting chance with other manufacturers in other states. And I urge an 'aye' vote."

Speaker Hannig: "Representative Tenhouse to close."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think Representative O'Brien did a great job of summing this Bill up on her own, right there. I do think there are three issues that we do need to clarify with everyone. And that's first of all is the licensure issue. You can't walk in with a passenger drivers license and legally operate a 42 or a 45 motor vehicle. I think people need to understand that. The other questions as far as the misinformation is... I see this handout from our friends at the Department of Transportation talk about the 65 foot length, they better be reading the Amendments because we took that out. And as far as the issue, as far as the nine foot width, we took that out. So if you want to go out and demagogue an issue then enjoy it, but I would certainly urge everyone to support this issue. I think it's just a case of fairness. We're gonna put ourselves in a parity situation where the states in the upper Midwest that surround us. I think it's no more than... I ask for your favorable 'yes' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in

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favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 78 voting 'yes', and 28 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Bost on House Resolution 177. Mr. Bost. Do you wish us to read the Resolution, Representative? Mr. Clerk, read the Resolution."

Clerk Rossi: "House Resolution 177, offered by Representative Bost.

HOUSE RESOLUTION 177

WHEREAS, The members of the Illinois House of Representatives are pleased to honor milestones in high school sports in the State of Illinois; and

WHEREAS, The Pinckneyville High School Boys Varsity Basketball Team, the Panthers, won the IHSA Class A Boys Basketball Championship held in the Carver Arena in Peoria, Illinois, on March 10, 2001; and

WHEREAS, The Panthers met the challenge by first defeating the Prairie Central Hawks in the quarterfinal game by the score of 71 to 44; they then went on to defeat the Westmont Sentinels in the semifinal game by the score of 77 to 61; finally they faced the Pana Panthers in the final game; the Pana Panthers were defeated by a final score of 61 to 40, and the Pinckneyville Panthers were going home with the schools third Class A Championship; and

WHEREAS, It was fitting that the Panthers faced Pana in the final game; the 2001 State Championship game between Pinckneyville and Pana was a rematch from the 1988 State Championship game in

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which the Pana Panthers were the victors; this year's Pinckneyville victory exorcised ghosts that had been haunting Pinckneyville since 1988; and

WHEREAS, The Panther teams consists of players Danny Siefert, Shane Hoffman, Jason Houghland, Josh Fisher, Kyle Smith, Haven Hicks, Nolan Kellerman, Zach Campbell, Tim Bauersachs, Jon Hicks, Michael McConachie, Darren McCombs, Wesley Epplin, Jordan Sutton, and Cody Majewski; their coach is Dick Corn; and the assistant coaches are Mike Cheek, Wes Choate, and Ryan Bruns; and

WHEREAS, The Pinckneyville Panthers basketball team returned to their southern Illinois hometown on March 11, 2001 to a hero's welcome; they were greeted home by fans as far away as Nashville as the team bus made its way along Illinois Route 127, where well-wishers stood along the highway waving and holding up banners in support of the region's new champions; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Panthers, the Pinckneyville High School Boys Varsity Basketball Team, on winning the 2001 IHSA State Class A Basketball Championship; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the principal of Pinckneyville High School, Don Smith, the coach of the Panthers, Dick Corn, the assistant coaches, Mike Cheek, Wes Choate, and Ryan Bruns, and to each member of the 2001 Pinckneyville Panthers Championship team as an expression of our esteem."

Speaker Hannig: "And on the Resolution, Representative Bost."

Bost: "Thank you, Mr. Speaker. I know that the House is kind of excited over the last Bill and... but if I can have their attention just for a moment. In the back of the chamber is

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the Class A Basketball Champions for 2001. They are from Pinckneyville, Illinois, right in my district. I think it's a... you know, the timing, Mr. Speaker, it's amazing that you're in the Chair and I know that Pana is in your district and though we're very glad that Pana made it as far as they did, we were even more happy that we were able to defeat them. This is a very special event because, you know, this is the third time that the Pinckneyville Panthers have won the state competition. It has a kind of a personal note to me because when they won the first time in 1948, my mother was a cheerleader for the Pinckneyville Panthers. And as you can well imagine, while this competition was going on you could not pull her away from the TV and watched our champions win. We want to... I want to just say thank you to Coach Corn and the team and wish them well for their great efforts and everything that they've done. Ladies and Gentlemen, one other thing to be mentioned about Coach Corn and the people of Pinckneyville. When there's problems around this state and we have the children and youth that don't have a lot to do and they get out and they get in trouble, in Pinckneyville, they work together and they keep their high school gym open year round to make sure someone's around and so they can focus all that energy into practicing basketball. And we want to thank them for all of their hard work and congratulate them. Welcome them if you can to Springfield today."

Speaker Hannig: "Congratulations. And on the Resolution, all in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Resolution is adopted. And we congratulate you. Representative Shirley Jones, for what reason do you rise?"

Jones, S.: "It's about time, Mr. Speaker, I've been standing here over an hour trying to get your attention. But I would

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like to for everybody to join with me wishing my best friend over here, Representative Lou Jones, on her 39th birthday and she is older."

Speaker Hannig: "Happy 39th birthday, Representative Jones. Representative Black."

Black: "Mr. Speaker, I rise for a point of personal privilege."

Speaker Hannig: "State your point."

Black: "I think we need to get out of the habit of mentioning people's names when we have birthdays because I know for a fact that Lou Jones just turned 32 and I think it's just a shame that somebody would inflate her age. She doesn't look a day over 30. Look at her over there. I'm telling you. And what does she giving away, cake, cookies, kisses, what is it?"

Speaker Hannig: "There's some cake down front."

Black: "All right."

Speaker Hannig: "Mr. Clerk, read House Bill 2091."

Clerk Rossi: "House Bill 2091, a Bill for an Act in relation to health. Third Reading of this House Bill."

Speaker Hannig: "Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. House Bill 2091 as amended, merely ask the Illinois Department of Public Health to include lead poisoning when it gives information about those issues that affect women's health. The Bill asks that the Department of Public Health will provide the summaries to... on the pamphlets. It also asks that hospitals, physicians, and those Departments of Public Health that get the information will provide to the Department the fact that they have been providing this information. The information includes the fact that health risks are associated with conditions when a mother is breast-feeding her child and the mother has tested positive

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for lead poisoning. It tells that it is very important that a mother will get treated for lead poisoning if she's going to breast-feed her baby, in order that the child not have this transferred to him or her. And then the Department will seek and obtain assurances from hospitals, public health centers, and physicians, to whom the summary is distributed that the summary is being provided to the women that they serve. And that's all the Bill does. And I just ask for a favorable vote. I will answer questions."

Speaker Hannig: "This Bill's on the Order of Short Debate. Does anyone stand in opposition? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'yes', and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Cowlshaw... excuse me, Representative Morrow, for what reason do you rise?"

Morrow: "Thank you Mr. Speaker. Point of personal privilege. Today is Representative Lovana Jones birthday and we have cake down at the front here and you can wish her a happy birthday. She's 39 years young."

Speaker Hannig: "Thank you. The Chair would like to announce that if you have a Bill on Second Reading, and the Amendment is out of Rules or was approved by a committee and you'd like to move that Bill to Third, to please come to the podium, we're developing a list that we're gonna work off of. So if you have a Bill on Second and you want it to move to Third, come to the podium and we'll develop a list on that. And now, Representative Cowlshaw, we're gonna call your House Bill 1277. Okay, Mr. Clerk, read the

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Bill."

Clerk Rossi: "House Bill 1277, a Bill for an Act in relation to taxes. Third Reading of this House Bill."

Speaker Hannig: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is a very simple Bill. The Amendment became the Bill yesterday. The Amendment was approved by the Revenue Committee by a unanimous vote. And all this does is to say that the form set forth in the statute that must be used by units of local government when they publish their tax notice in the newspapers shall be in substantially the same form as that required. This will help to prevent units of local government, school districts, park districts, municipalities from having to publish the notice twice because the first time there was some minor error such as a comma that was missing or a border that was a little wider than the statute says the border in that newspaper publication should be. There is no opposition to this Bill. It is endorsed by the Municipal League, the Illinois Association of School Boards and the Illinois Association of Park Districts. I will be glad to answer any questions."

Speaker Hannig: "This Bill's on the Order of Short Debate. Representative Lang, do you rise in opposition?"

Lang: "Just for a question, Mr. Speaker. Will the Sponsor yield?"

Speaker Hannig: "Yeah, she indicates she'll yield."

Lang: "Thank you. Representative, if I'm reading your Amendment correctly, we're just adding the word 'substantial'. So what you're trying to say here is instead of the form being exactly as it is in the statute, if it includes the same elements it would be acceptable, is that what the

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Amendment's trying to do?"

Cowlshaw: "That is correct, Sir."

Lang: "Why do we need that? Not that I object, but is it so hard just to prepare a form that looks just like the statute?"

Cowlshaw: "Representative, I, as a former newspaper person myself, I am reluctant to admit this. But the fact is that occasionally, there are things that are done in the setting of type for an ad in a newspaper that may not be precisely what was submitted in the first place. And sometimes it is a little too late to actually have somebody at the unit of government that submitted the ad, proofread it to make certain that there is not a comma missing, that there is not instead of in one situation, the law says there has to be a black border three-eighths of an inch wide. In one situation that border was half an inch wide. That notice is then declared invalid and the district has to pay to run the whole thing over again to take out one comma or increase the width of the border. So, we don't want to change in any way, and all these units of government understand that. We don't want to change in any way what they are required to publish, the information they're required to publish. But they don't want to have to publish it twice."

Lang: "So this isn't so much that the unit of local government can't comply with the exact language of the statute but that when it gets transmitted to the newspaper sometimes in the typesetting or printing it changes."

Cowlshaw: "Exactly. That's the point."

Lang: "I stand in support of your Bill."

Cowlshaw: "Thank you, Sir."

Speaker Hannig: "Representative Lyons, do you stand in opposition?"

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Lyons, J.: "No, just point of clarification, Speaker."

Speaker Hannig: "Yes, proceed."

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

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

Lyons, J.: "Just for the record, Representative, this passed out of Revenue Committee with no opposition with unanimous consent?"

Cowlishaw: "Yes, it did."

Lyons, J.: "Thank you for clarifying that, I appreciate it."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there 112 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Just to reiterate, if you have a Bill on Second Reading and you'd like to move it to Third and the Amendment came out of the Rules Committee yesterday or out of the Standing Committee today, you need to come to the podium and we'll try to accommodate you as the day goes on. Mr. Clerk, would you read House Bill 3137 for Representative McGuire."

Clerk Rossi: "House Bill 3137, a Bill for an Act regarding schools. Third Reading of this House Bill."

Speaker Hannig: "Representative McGuire."

McGuire: "Thank you, Mr. Speaker. What 3137 does by Amendment, it encourages rather than mandates that schools require... does not require, but that all teachers and other school personnel acquire, develop, and maintain the knowledge and skills necessary to properly administer lifesaving techniques. It allows the school board to use the services of nongovernmental entities whose personnel have expertise

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in lifesaving techniques to instruct teachers and other school personnel on these techniques. As I say, by Amendment we changed that to allows or encourages rather than mandates. So, the Bill is merely to have someone in the school encouraged to learn lifesaving techniques. And I would ask for your favorable vote and I'll try to answer any questions if you have any."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 109 voting 'yes', and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Righter, on House Bill 1006. Is the Gentleman prepared? Okay, out of the record. Representative Yarbrough, on House Bill 3327. Mr. Clerk, would you read the Bill? Representative Yarbrough."

Clerk Rossi: "House Bill 3327, a Bill for an Act in relation to insurance. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Cook, Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker and Members of the House. House Bill 3327 amends the Children's Health Insurance Program Act. It provides that the Department of Public Aid shall institute a childcare product giveaway program to promote the Children's Health Insurance Program. I'll entertain any questions."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there

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are 114 voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Bost, do you want to move House Bill 2534? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2534, a Bill for an Act in relation to vehicles. Third Reading of this House Bill."

Speaker Hannig: "Representative Bost."

Bost: "Thank you, Mr. Speaker, Members of the House. House Bill 2534 simply amends the Illinois Vehicle Code to allow IEMA, this is a Bill that was requested by IEMA and the Department of Nuclear Safety to allow them to use emergency... their vehicles as emergency response vehicles, using their lights the same in emergency cases with red and blue flashing lights and sirens when going to an emergency situation."

Speaker Hannig: "This Bill is on the order of Short Debate. Does anyone stand in opposition? Okay, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; TAPE MALFUNCTION-PER MINUTES CLERK'S NOTES opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1045, Representative Bradley. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1045, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hannig: "Introduction of Sponsor, Representative Bradley."

Bradley: "Opens the Bill."

Speaker Hannig: "Representative Parke."

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Parke: "(Yielded with Bradley)"

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 110 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3080. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3080, a Bill for an Act in relation to State employees. Third Reading of this House Bill."

Speaker Hannig: "Move that Bill to Second Reading. House Bill 418. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 418, a Bill for an Act concerning property transactions. Second Reading of this House Bill."

Speaker Hannig: "Third Reading. House Bill 1824. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1824, a Bill for an Act concerning the Health Cost Containment Council. Second Reading of this House Bill."

Speaker Hannig: "Third Reading. House Bill 829. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 829, a Bill for an Act concerning courts. Second Reading of this House Bill."

Speaker Hannig: "Third Reading. House Bill 2145. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2145, a Bill for an Act concerning tax increment financing. Second Reading of this House Bill."

Speaker Hannig: "Third Reading. House Bill 48. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 48, a Bill for an Act regarding regulation of surgical assistants. Second Reading of this

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House Bill."

Speaker Hannig: "Third Reading. House Bill 46. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 46, a Bill for an Act concerning window guards and guard rails in commercial and residential buildings. Second Reading of this House Bill."

Speaker Hannig: "Third Reading. House Bill 279. Mr. Clerk Read the Bill."

Clerk Bolin: "House Bill 279, a Bill for an Act concerning emergency medical dispatches."

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Clerk Bolin: "...Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Burke, has been approved for consideration."

Speaker Hannig: "Representative Burke."

Burke: "Mr. Speaker, was there an Amendment #3 filed? And I'd like to move to lay Amendment #3 on the table."

Speaker Hannig: "Do you want to withdraw Amendment #2..."

Burke: "Withdraw Amendment #2."

Speaker Hannig: "... and adopt Amendment #3 or vice ver... ?"

Burke: "No, I want to move on Amendment #2."

Speaker Hannig: "Okay. So, Mr. Clerk, on Amendment #2. He's read the Bill and the Amendment... would you explain the Amendment, Representative."

Burke: "Thank you, Mr. Speaker. Amendment #2 would amend the existing Emergency Medical Services Act to install annual recertification requirements for medical dispatchers licensed in Illinois. This new requirement would include at least 12 hours of continuing education each year. And it would allow the department to modify or waive recertification requirements based upon previously attended dispatcher training programs already completed that

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certification year. And, basically, what this does would insure our constituents protection with respect to call to 9-1-1 ensuring that those individuals that are answering emergency calls would be certified, trained, and prepared to respond to emergency situations. And I would ask for the Body's favorable consideration."

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

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

Speaker Hannig: "He indicates he'll yield."

Parke: "Representative, it's my understanding in committee there were a number of concerns expressed by the Department of Public Health and 9-1-1 agencies. And can you tell us if they've been addressed by Amendment #2?"

Burke: "Yes, Representative Parke, all those concerns have been addressed in Amendment #2."

Parke: "So, they've signed off now and they're not in opposition with this Amendment?"

Burke: "They have, indeed, signed off and consented to endorse this initiative."

Parke: "Thank you."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "Floor Amendment #3, offered by Representative Burke has been approved for consideration."

Speaker Hannig: "Representative Burke."

Burke: "I would move to withdraw Amendment #3."

Speaker Hannig: "Okay. So the Gentleman withdraws the Amendment. Are there any further Amendments?"

Clerk Bolin: "No further Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House

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Bill... excuse me, Representative Burke? For what reason do you rise?"

Burke: "Yes, Speaker, I'd like this matter to remain on the Order of Second Reading."

Speaker Hannig: "Excuse me, Representative. So, Mr. Clerk, let's hold House Bill 279 on the Order of Second Reading. Mr. Clerk, read House Bill 3147."

Clerk Bolin: "House Bill 3147, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Hannig: "Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen, House Bill 3147 is concerned with the use of error detection devices for voting in Illinois. Current law provides that jurisdictions using optical scan with in-precinct counting which means direct voter insertion are required to use error detection technology that rejects any ballot with an over vote and any ballot that cannot be read in it's entirety. Punch card jurisdictions are not authorized to use error detection devices. Currently, there are no requirements or provisions in either optical scan or punch card jurisdictions for the use of error detection devices to detect an uninitialed ballot. The Bill places punch card voting equipment on an equal footing with optical scanning equipment with regard to the use of direct voter insertion in error detection devices. The Bill is not a mandate. It is entirely permissive. The Bill further provides that for jurisdictions using either optical scan or punch card equipment with in-precinct counting, the error detection technology must include rejection of any over voted, under voted, uninitialed or damaged, or defective ballot. However, the under vote requirement only applies to the extent that the equipment is capable of

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detecting an under vote for a particular office. Voters are permitted to correct ballots containing a voting defect or voters may choose to submit ballots containing an under vote or and over vote. The Bill provides a grant program for the cost of equipment and training with up to 100% reimbursement, subject to appropriation. Grants are available to election jurisdictions that have purchased, leased, or upgraded or will do so in the future, vote counting equipment with the aforementioned error detection technology. If appropriations are insufficient to fully fund grants in the first year, the State Board should give each approved applicant a pro rata share of the funds appropriated that fiscal year. In subsequent years the State Board of Elections would use that year's appropriation first to award grants to applicants from previous years. To the extent that any of the appropriation remains the State Board would distribute to each of the current year's approved applicants a pro rata share of the remaining appropriation."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 3147. This issue is on the Order of Short Debate. Representative Parke, do you stand in opposition?"

Parke: "Well, I'd like to clarify for the Body, so I'm not sure."

Speaker Hannig: "Proceed, Representative."

Parke: "Is this the same Bill that you put into committee two weeks ago and was discussed there?"

Madigan: "The answer is 'yes' and there was a Floor Amendment adopted yesterday."

Parke: "It was on yesterday and the Floor Amendment does what to clarify what?"

Madigan: "It responds to questions raised in the committee. Number two, it sets out the details on how the

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reimbursement program will function at the State Board of Elections. And lastly, it provides the training at the local level, to train the judges of election in the use of the technology will be included in the reimbursement from the State Board of Elections."

Parke: "In committee, you estimated it would cost over \$200 million. Is that still your estimate?"

Madigan: "I believe the number's around 50 million, 50 million."

Parke: "I'm sorry. Yeah, you're right. 50 million. I'm sorry. You estimated it was 50 million. Is that still correct?"

Madigan: "In that neighborhood. The number they give us is around \$50 thousand a machine, 50 to \$52 thousand a machine. Excuse me, \$5 thousand a machine."

Parke: "And it's voluntary, it's not mandatory. If a county decides not to do this, they don't have to take part in it?"

Madigan: "That's correct."

Parke: "Do you see that the major counties... the collar counties are going to go to this right away, if it's offered?"

Madigan: "Some have already. So, it's my understanding that DuPage County and Lake County and Will County have all gone to optical scan. Well, I'm advised that in the case of Will, they may be considering it. But my understanding is, that Lake and DuPage have either bought this equipment or they voted at their county boards to buy the equipment."

Parke: "Now, if they've already purchased it with the taxpayer's money of those counties, is there anything built in to reimburse them? Because if other counties are gonna get it done on the behalf of the taxpayers of the state, is there any provision to reimburse those counties that have already spent the money to do this?"

Madigan: "The answer is 'yes'. They're included in the

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reimbursement program."

Parke: "Okay. And this, again, is to address the inconsistencies of a punch ballot that we've seen around the United States and was a concern that we saw in the presidential election. Is that the idea, that we're trying to alleviate that in Illinois?"

Madigan: "The answer is 'yes' in part. But fully, to deal with any errors in voting under any system."

Parke: "Okay."

Madigan: "Our goal is to move the state in the direction of providing error detection devices in all precincts, without regard to the type of jurisdiction the precinct is in."

Parke: "The other thing that was expressed in committee and I don't know if you've come up with a solution, is how do we not embarrass the voter when they overcount or undercount? Is there any provision in there to make sure that, if there's an overcount or undercount, that there's a way of notifying the voter that they, in fact, may have erred, but yet they may choose to vote that way, regardless? How do we solve that problem?"

Madigan: "The Bill does not deal with that, directly. However, in our conversations with the agents of the State Board of Elections, that agency is already contemplating how it could issue some directives to the local election authorities so that the notification could be handled in such a way that it would not become intimidating or embarrassing to the voter."

Parke: "And this has been tried in other parts of this... in the country and with success? Do you know if it was successful in the other counties like DeKalb or the other counties you mentioned? Is it... Was it met with uniform acceptance or were there problems with it, also?"

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Madigan: "Well, Mr. Parke, to the best of my knowledge, in the collar counties, the technology was well received. I know that in the recent aldermanic runoff elections in Chicago, which were only a few weeks ago, the reports were very good that there were no problems in the polling places, that the number of ballots cast in error was significantly reduced. We got the same reports from the Cook County suburban areas that had elections on that particular Election Day."

Parke: "Is there any thought, since this is... Do you think this'd make election judges' jobs easier, or the same, or harder, do you think, with this system?"

Madigan: "To the extent that we detect the errors during the day, You eliminate that workload at the end of the day."

Speaker Hannig: "Representative Parke, could you bring your remarks to a close, please?"

Parke: "I certainly will. Is there any thought, because there's some more sophistication required here, to increase the judges' salaries, or do you think that the salaries now is adequate to address the changeover? Do you think that there's any concern that we should be looking at?"

Madigan: "I'd be willing to support increases in the compensation level for judges. That's my view, generally. I think that it's a tough job. I know, in Chicago, we have a difficult time finding people to serve as election judges. And to the extent that the compensation would be improved, be easier to find people that serve in that capacity."

Parke: "Thank you. Mr. Speaker, to the Bill. I think that this a move in the right direction, it's a costly direction. I want to make sure that it's done. I would think that the Body does, as well as the Sponsor. I don't think this is the end-all, but I certainly think that it's gonna go a long way to reestablish the voter's confidence in the

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system. And if that's what we can achieve with it, then I will support this legislation."

Speaker Hannig: "Representative Black, do you stand in opposition, support? Could you help us?"

Black: "I was born at night, Mr. Speaker, but not last night. I don't stand in opposition to Speaker Madigan's Bills, but I usually question them."

Speaker Hannig: "Proceed, Representative."

Black: "Thank you. Representative, I read in the Tribune where the number of undervotes in Cook County was, I think, at a historic high. Now, I'm not familiar with the actual equipment that's used in Cook County. Is that the punch card system?"

Madigan: "Yes."

Black: "All right. And, of course, that was the root of many an article and much gnashing of teeth in Florida. And I... So, I would assume that this is a move away from that system so we don't have to get hung up on the intent of the voter, the hanging chad, the dangling chad, the pregnant chad, just to get rid of that issue. My concern, is that while your Bill is not a mandate, and I appreciate that fact, it would appear that we might be moving towards three distinctly different systems of voting in the state. Some counties are certainly going to have the resources and will have the grant funds to move into the optical scan, other counties will be reluctant to do so. And do you see that that might be a bigger problem for the state on down the road?"

Madigan: "I think that's a reality of the nature of the state, today. So, early on, I contemplated offering a mandate. But we surveyed the county clerks in every county in the state to get their views concerning error detection

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devices. And the results came back mixed, even across party lines where many downstate counties would say, well, it would be nice to have it, but we don't want to pay for it. Other downstate counties would say, leave us alone, we don't have a problem here, the problem's somewhere else and why don't you just go solve the problem wherever the problem exists. My goal is, to the best of our ability, to provide that each precinct has the latest technology to detect errors in voting, whether it's on the paper ballot used at optical scan or whether it's on the punch card system used in Chicago and Cook County and other places."

Black: "All right. I noticed during... particularly during the presidential election years and I subscribe to the Chicago papers, believe it or not, I even read them. The sample ballot that appears in those papers, because of your judicial retention, the sheer number of people, you have obviously, several pages on a ballot. Can an optical scan equipment handle the sheer volume of names that would appear on a Cook County ballot?"

Madigan: "Mr. Black, the answer to your direct question is 'no'. And that's the reason why the Chicago Board of Election Commissioners and the Cook County Clerk chose to buy another set of punch card voting devices, rather than optical scan. Now, the further answer to your question is that you could use two pages. Okay. But those election jurisdictions gave very serious consideration to optical scan at the time that they bought the last set of voting devices and they chose to buy punch card voting devices."

Black: "Well, you could, perhaps, accept an Amendment that we could just appoint all those judges. Would you take that under consideration?"

Madigan: "Oh, the judge... the judicial judges..."

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Black: "Yes. Yes."

Madigan: "...not the judges of election?"

Black: "Just the judicial candidates, we could appoint those."

Madigan: "We've surveyed the people of Cook County and they don't like the idea of judicial appointees."

Black: "I understand that. Let me ask you a question about ballot integrity. I've only seen a demonstration of the optical scan one time and the... I asked the question, who prints these? I guess any printer can print a ballot. I didn't know that. I thought it would have to be a special printer. Is there a reasonable guarantee of ballot integrity on these printed ballots, or can somebody take in a blank ballot or, excuse me, fill one out, take it in in a file folder or something, run it through the machine, bring the blank ballot out, you know? And those things have happened in our state, from time to time."

Madigan: "I think that would only happen in a place like Vermilion County."

Black: "I see you've spent some time there. How does the machine work? I mean, if you have 600 registered voters, there's no way that, obviously, the machine will accept more than 600 ballots. Is there some programming system to ensure counting integrity?"

Madigan: "To the best of my knowledge, there's no restriction on the number of ballots that the machine can take..."

Black: "Okay."

Madigan: "...because of the number of people registered to vote in a precinct."

Black: "All right. So, the only other question I have... And again, in some precincts, even in my area, there's a line, and I'm sure in your area there are longer lines. Is this system... I don't know how many machines a precinct..."

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Speaker Hannig: "Representative Black, your five minutes have expired."

Black: "Yes."

Speaker Hannig: "Could you bring your remarks to a close?"

Black: "Just that one..."

Speaker Hannig: "Yes."

Black: "...question, Mr. Speaker."

Speaker Hannig: "Proceed."

Black: "I sometimes worry because people can get very frustrated when the lines are long. And I'd have no idea how quickly this machine would work, or would there be multiple machines in a precinct? Is this faster than the punch card? What I wouldn't want to do is to vote for something that would create longer lines, because the machine may not take the ballot, or may reject it, or you might have an error, and so forth and so on. I really don't know how that would work."

Madigan: "The best answer I can give you is that I went down and observed the optical scan machine that was on display just a few days ago and I watched them insert a ballot and waited for it come out, and it was only a matter of seconds."

Black: "Okay."

Madigan: "It goes in, comes out."

Black: "All right. Well, I also went to the demonstration and I want the record to reflect that I wrote in your name in a #2 pencil and the machine wouldn't take it, something we'd better look into. Thank you."

Speaker Hannig: "Representative Daniels."

Daniels: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. First, let me commend Speaker Madigan for bringing this to our attention and to explain to the Members of the

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House that I do intend to support this Bill because I think it's important that we continue the discussion as it relates to ballot integrity and to make sure that we have systems uniform throughout the State of Illinois that assures accurate voting and the easiest form of voting for the citizens of Illinois. We have a slight, and I mean slight, difference of opinion as to the best system to use. I, for one, think that the punch card has an inherent problem with the voting system. Even if you were to feed it through, you still have the possibility of hanging chads, or pregnant chads, or the like. However, I think that the speaker has brought to our attention an improved system that I want to continue the conversation on and be able to work in an effort to make sure that Illinois has a uniform system in every county, in every jurisdiction, in the State of Illinois. And for that reason, I thank you for bringing this to attention. I do intend to support it. But at the same time, on this side of the aisle, we are working to further advice the best optical scanning method which we think is a better method, but one that does need continued advice. So, thank you very much for bringing this attention. I intend to support the Bill."

Speaker Hannig: "Okay. We've now had three speak in op... in support. Does anyone speak in opposition? Does anyone wish to speak in opposition? Representative Osmond, do you wish to speak in opposition? Proceed."

Osmond: "Actually, I have a couple questions and then I'll decide whether it's an opposition, Mr. Speaker. Thank you. Will the Sponsor yield?"

Speaker Hannig: "Okay. The Sponsor will yield."

Osmond: "Yes, Sir. It's my understanding, in Lake County, we did have these optic scan machines and they've worked very

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well. But the question I have relates to the Amendment in which we talk about the error detection to the extent that the equipment is capable. And the question came up in the opti scan system that Lake County used actually could be specific if there was an overvote in a particular candidate. And the State Board of Election ruled that they could not use that feature of the plan. And I believe the ruling of it was, is that it would breach some confidentiality of the voter when the election judge would come back and see that the error would come up on, let's say, circuit clerk candidacy. And I thought that was a good feature of the plan because, if you only see... say in Cook County where you have the judges, if you adopted that, and if you get a ballot back because there is one overvote and you didn't know where that was at, the voter, you know, would be given a new ballot and they could go back in and vote all over again and maybe 100 or more different races and then submit it again and get another overvote. And you may not ever correct the problem. So, I think that the.. when we look at the extent possible for the equipment, technology is there now to show exactly where that overvote occurred. And I think it would be improvement to the system so that the voter knew where that was at. The voter still gets a choice whether or not they want to go back in and change anything. They can leave it alone if they want to. So, I'd like to see the extent of the equipment possible. I think that's a good feature to have and I'd like to see the Board of Election adopt that. And the second thing I have is that currently, I believe, in Illinois there's only one printer that's been approved to print the opti scan ballots. And then Lake County, for this primary, they had a ton of errors on it. And I think

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that we ought to be looking into the procedure whereby we approve who can print these ballots so that we might be able to give choices so that our whole election is not gonna be dependent upon a printer... one printer and one location delivering all the ballots. It could really throw our system in for a real monkey wrench."

Madigan: "Mr. Osmond, our view is that this technology is still evolving. And our expectation and hope is that it could even get better in a very short period of time. I agree with you to the extent that it's more specific so much the better for the voter. And then, in regard to your second point, this is why we drafted the Bill as a permissive Bill rather than a mandatory Bill, recognizing the role that the State Board of Elections plays in approving systems and approving people, such as printers. Our goal is to continue to recognize the role of the State Board of Elections in all of these matters."

Osmond: "Would it be your intention that if a municipality could choose between different features or different vendors for the opti scan equipment, that one might buy model A that might have some features, but would be free to choose model B that would have different features, or would the State Board of Election have to approve the opti scan equipment the same for everybody?"

Madigan: "It's really difficult for me to comment on that because of my first point, which is the evolving nature of the technology. And then with the second point, our goal will leave the State Board of Elections in a position where it's the dominant agency on all of these things."

Osmond: "Okay. Well, I think the opti scan's gonna be a great improvement. It improved Lake County. It'll improve the efficiency. We'll get our results much quicker. I think,

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Mr. Speaker, though, that the... once you put your ballot in, I think the ballot stays in the opticon, I don't think you put it in and it comes back out. I think they accumulate the ballots in there, so..."

Madigan: "Well, it, stays in if there's no error."

Osmond: "Yes. If there's an error, it... Upon the election of the voter, if they want to correct it, then the ballot comes back out. But a voter is still free to say, no, I voted the way I want to, I know there's an undervote because I... perhaps, they don't have to tell anybody, but they may have chosen not to vote for somebody... so would acknowledge it... but they can just let it go."

Madigan: "That's correct."

Osmond: "Okay. Thank you very much."

Speaker Hannig: "Does anyone stand in opposition? Representative Giles, are you in opposition? Representative Gil..."

Giles: "Mr. Speaker, I'm not in opposition, but I think I can answer some of the questions that was asked."

Speaker Hannig: "Proceed."

Giles: "Thank you. Just one question to the Sponsor."

Speaker Hannig: "He indicates he will yield."

Giles: "This is not a mandate, correct?"

Madigan: "That's correct."

Giles: "And you have made provisions in the Bill for grant dollars for the various county clerks that would like to participate?"

Madigan: "There would be a grant program administered by the State Board of Elections."

Giles: "Okay. Thank you. To the Bill. Let me try to answer some of the questions, Mr. Speaker. I just went through a local election dealing with this equipment. And let me just... First of all, let me just say that the State of

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Illinois, we are very obsolete. We are obsolete because we refuse to tackle the problem and go into the 21st century when it comes to voting and dealing with our elections. This piece of election is state-of-the-art equipment. And if you would have been there on Election Day and to see exactly how this piece of equipment work, you would definitely run to your county clerks or to the Board of Election to make sure that you get the opportunity in your respective area to use this equipment. I think there was a question dealing with the length of time will a voter... potential voter have to stand in line after using this equipment stating that, well, I made a mistake, I would like to revote my ballot. Let me just say that this equipment is so efficient that it automatically, once again, detects if there is an error. But I think the most beneficial point that you will get in this equipment is the idea of the length of tabulation. I think after every election, each and every candidate wants to know what the final results. This equipment is so efficient that as soon as all of the absentees are counted and the last vote is counted in this equipment, it tabulates and is very efficient. I think that this is the way to go. I think this gives the election judges more confident (sic-confidence) knowing that they have a piece of equipment that will help them facilitate that day. And I think this is the way to go in our State of Illinois. And I just urge everyone to just give a small step towards progress. I think that's what this Bill does, give a small step towards progress. We still have a long way to go. And I would like for us to continue to have a open mind and to continue to support initiatives such as this. And I think that we will begin to address some of the errors that

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we have with our voting equipment and on Election Day.

Thank you."

Speaker Hannig: "Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker. Just a couple questions to the Sponsor. First of all..."

Speaker Hannig: "He indicates he will yield."

Wirsing: "...in 1998 when I voted, I voted on one of these machines, 'cause that was one of the test precincts in DeKalb County. And in last November's election, all of DeKalb County has.. they have 40 of these machines across the county. So, got... get that experience. Two questions that come from the... two of the counties in my district. The one is DeKalb County, which is now leasing those 40 machines. And I think they have a five-year or six-year lease. The question would be, if this legislation became a fact, are they compensated for that, do they... I mean, in other words, they've been leasing this equipment already one cycle and..."

Madigan: "The answer is 'yes', under the grant program administered by the State Board of Elections subject to appropriation."

Wirsing: "All right. And are you aware of when they lease, they get more than just the machine? They get the ballot... the printed ballots. They get technical advice on Election Day and prior to that actual... So, there... it isn't simply leasing the machine, but there's added features that go to the leasing process. I don't know if you were aware of that or not."

Madigan: "I wasn't, so thank you."

Wirsing: "Second question comes from a county that is not doing this, but has historically and is very proud of their efficiency in their voting cost. They're printing their own

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ballots. You know, under the current system. Their question is can they, in fact, continue to do that, print their own ballots if they can do it at a lesser cost, et cetera?"

Madigan: "The answer is 'yes'."

Wirsing: "Thank you very much."

Speaker Hannig: "Okay. We've deviated a bit from Short Debate, but we have one more speaker, Representative Boland, and then we're gonna close. So, Representative Boland."

Boland: "Thank you very much, Mr. Speaker. I rise in very strong support of this legislation. As all of us saw in the past presidential election, the tremendous problems that arose in the State of Florida, but really which were mirrored all across our great nation. To paraphrase Thomas Jefferson in his speech about the Missouri Compromise, Florida was our fire bell in the night. It woke us up across this country to the realization that our election machinery was very antiquated and needed to be updated. I'm very proud to say that we, in the Land of Lincoln, are now on the cutting edge and leading the way in updating our election machinery and providing the grants. That's the key thing, because everybody wants to upgrade their election machinery. In my county, our county clerk was quoted as saying that people have come up to him and even said they were willing to pay higher taxes to make sure that their vote counted, to make sure that they had the most up-to-date machinery and that everyone knew that there would be a fair account of the election. So, this is a very crucial point. The second crucial point in this legislation being good is that it provides for training of the judges. That is another point that we've seen talked about all across our great nation as one of the needs in our election system. So, we must move

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ahead here, Ladies and Gentlemen. The cost of \$50 million sounds like a tremendous amount of money and it is a lot of money. But when you think of it terms of almost a \$50 billion state budget, to say that we cannot spend money to ensure that our democracy and the people's faith in it is maintained would be a travesty. So, I... like some of the speaker's have had different types of systems demonstrated in my district office, the opti scan, the voice voting, which I believe is someday 20 years down the line may be the way that we will go. And this Bill provides for that in making sure that we will be able to keep up with changing technology. You know, I have seen the updated punch card system that is going to be used in Cook County... is being used, has been used in the recent local elections. And these are all good systems. It would be wonderful if we could all go to the opti scan, but unfortunately, due to the long judicial retention ballot in Cook County, this makes it very, very difficult. They would have to have multiple pages under the opti scan that would be very difficult. So, I think this is the best for this time that we can do. It is my feeling that the opti scan, over time, will be improved. We used it in Rock Island County 20 years ago and it was not fast enough and so we switched to the punch card system. Now, we would like to go to it because it is fast enough. So, with further technological improvements, perhaps even Cook County someday will be able to use the opti scan system and we'll all be on the same page. So, I would hope that we give this a very resounding yes, that we move ahead on this, and make sure that all of our people can have confidence that we're moving in the right direction, making sure that all of their votes count. Thank you."

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Speaker Hannig: "Representative Mulligan, for what reason do you rise?"

Mulligan: "I rise in support of the Bill."

Speaker Hannig: "Proceed, Representative."

Mulligan: "I rise in support of this Bill. As many of you know, in 1990, I lost a recount in the Supreme Court of Illinois that was sent back to the lower court. Because this Bill allows the ballot to be rejected if there's an undercount and then the voter knows there's an undercount and can say that they actually meant not to vote for someone and put the ballot back in, it would take away the effect of a very bad court decision. In Pullen v. Mulligan, the decision allowed voter intent to be determined by any number of people, which is a very bad court decision. I don't know how you can determine voter intent once the ballot has left the voter and has been handled by any number of people. So, if a ballot is rejected for an undercount and then the voter says, I meant not to vote for some of these people on this ballot, it then takes that decision and puts it back in the hands of the voters rather than in the courts. That decision was used in Florida. It was used around the country, and that case has been, probably, the law that is most cited in Illinois recount cases. So, I think that using this type of equipment would take that away and make sure that the voter, truly, if they do not intend to vote for someone, can have that counted. So, I would urge an 'aye' vote on this Bill."

Speaker Hannig: "Representative Madigan... Speaker Madigan to close."

Madigan: "Thank you, Mr. Speaker. I would simply ask for a 'yes' vote. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in

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favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Fritchey, for what reason do you rise?"

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

Speaker Hannig: "State your point."

Fritchey: "For over 70 years, the Shedd Aquarium has served as a... not only a place of education, but a tourist engine and an economic engine for the City of Chicago and actually the whole State of Illinois. This year, they are actually celebrating the tenth anniversary of the building and opening of their oceanarium. Since their opening, the oceanarium has seen over 4 million kids from across the city, from across the state, and, in deed, from around the world, come through those doors and be exposed to things that they have never seen and likely would never see otherwise. I would hope that everybody in this Body would welcome... join me in welcoming some members from the Shedd Aquarium they're down here for their annual Shedd Day. In addition, we have Ted Beattie, who is the President Director of the Shedd Aquarium and Deb Fassnacht, the Executive Vice President of the Shedd Aquarium. And in order to celebrate this, they have brought down, knowing that we could use a good sugar fix, a cake celebrating the tenth anniversary of the oceanarium. So, please everybody, join me on behalf of myself, Judy Erwin, whose constituents they are, and the whole State of Illinois, in welcoming the Shedd Aquarium to Springfield for Shedd Day."

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Speaker Hannig: "Welcome to Springfield. Representative Franks, for what reason do you rise?"

Franks: "Point of personal privilege."

Speaker Hannig: "State your point."

Franks: "We have, today, with us, Virginia Peschke, who is talking with Representative Kurtz right now. Virginia is a McHenry County board member coming down to visit with her grandson John, who's serving as my Page. And Virginia's also the Republican precinct committee person in my precinct and she beat me by 17 votes. So, glad to see you, Virginia."

Speaker Hannig: "Welcome to Springfield. Representative Righter, are you ready on House Bill 1006? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1006, a Bill for an Act in relation to timber. Third Reading of this House Bill."

Speaker Hannig: "Representative Righter."

Righter: "Thank you, Mr. Speaker and Ladies and Gentlemen of the chamber. House Bill 1006 is an initiative of the Department of Natural Resources. It is a Bill that amends the Timber Buyer Licensing Act and the Forest Products Transportation Act. There is no known opposition. The Illinois Forestry Development Council is in support of the Bill. It makes several changes among those, includes allowing people who are applying for a timber buyer's license to bond with an irrevocable letter of credit. It creates higher penalties for those who engage in illegal timber cutting and allows the department to suspend someone's timber buyer's license for illegal activity. I'm happy to answer any questions."

Speaker Hannig: "And on that question, Representative Hartke. This Bill's on the Order of Short Debate, do you stand in

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opposition?"

Hartke: "No, I'd just like to make a comment."

Speaker Hannig: "Proceed."

Hartke: "Or maybe I'd like to ask some questions."

Speaker Hannig: "Yeah. Proceed, Representative."

Hartke: "Mr. Righter, are you raising any fees or... in this Act?"

Righter: "No."

Hartke: "What is a buyer... What does a timber buyer's permit or license cost now?"

Righter: "Representative Hartke, the original Bill filed did have fee increases it. We filed Amendment #1, which became the Bill, which took those out. If you give me a moment, I can tell you what the application fee is."

Hartke: "How many licenses are there out there right now? How many licenses are there right now issued by the department?"

Righter: "I do not have that number, Representative Hartke."

Hartke: "Has there ever been a license revoked of a timber buyer?"

Righter: "Yes."

Hartke: "How many?"

Righter: "I do not know. I know of at least one, it was in my district."

Hartke: "For what purpose?"

Righter: "Why... was that happen? Illegal timber cutting, Representative."

Hartke: "Does that happen very often?"

Righter: "It does happen on occasion."

Hartke: "Okay. This came at the request of the department?"

Righter: "Yes."

Hartke: "Okay. Thank you."

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Righter: "Thank you, Representative."

Speaker Hannig: "Does anyone stand in opposition? Representative Black. Do you wish to ask a question, Representative?"

Black: "No, just a comment..."

Speaker Hannig: "Yeah. Proceed."

Black: "...Mr. Speaker. I wasn't sure where Representative Hartke was going, that's why I put my light on. Just to... for the edification of the Ladies and Gentlemen of the House, Representative Righter and I have adjoining districts and this started out to address a... I think an egregious wrong that was done to a constituent, I believe, lives in Representative Righter's district where... this Bill just had not been updated and there were loopholes. You go onto a piece of property, take the timber, sell the timber, and then the owners of the property notice and say what goes on and you could say, gee, I must have misread the plat, I'll be darned, I'm really sorry about that. And there was no remedy under law. So, I commend Representative Righter for the rewrite of this Act and thank the department for standing in support of it, because we do have personal experience in our district about some of the shenanigans that were being pulled and the law as on the books was extremely weak. So, I would hope that you could vote 'aye' on the Bill."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Saviano on House Bill 1994. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 1994, a Bill for an Act in relation to public employee benefits. Third Reading of this House Bill."

Speaker Hannig: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker and Members of the House. House Bill 1994 is an initiative of the Chicago Teachers Union Pension Fund. This matter has gone through pension laws, passed out of personnel pensions 11 to 0. What it does is allows a Chicago teacher to return to work for up to 150 days after they've retired without forfeiting the right to receive their pension. And I would ask for your favorable vote. Thank you."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall... Excuse me, Representative Black."

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

Speaker Hannig: "He indicates he'll yield."

Black: "Representative, this will put the Chicago Teachers Retirement System and the downstate ITRS System out of sync. Will you be amenable to an Amendment later on so that we can put downstate teachers on the same kind of number of days they could work without a forfeiture of pension check?"

Saviano: "Representative, this was just brought to my attention a couple of minutes ago and we found out there is a TRS Bill coming through..."

Black: "Okay."

Saviano: "...the system right now to address that."

Black: "Fine. Thank you very much."

Saviano: "Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have

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all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 497? Representative Hamos on the Order of Second Reading. This is on Supplemental Calendar #2. Mr. Clerk, do you have any announcements?"

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

Speaker Hannig: "And on Supplemental Calendar #2 is House Bill 497 for Representative Hamos. Would you read the Bill, Mr. Clerk?"

Clerk Bolin: "House Bill 497, a Bill for an Act concerning family leave. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Hamos, has been approved for consideration."

Speaker Hannig: "Representative Hamos on the Amendment. Representative Hamos."

Hamos: "Thank you, Mr. Speaker, Ladies and Gentlemen. I'd like to take this out of the record."

Speaker Hannig: "Okay. Out of the record at the request of the Sponsor. House Bill 843. Representative Granberg, are you ready on the Amendment? Okay. Out of the record. Representative Reitz on House Bill 2571. Representative Reitz, are you... Okay. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2571, a Bill for an Act concerning coal. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Reitz, has been approved for consideration."

Speaker Hannig: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. House Bill 2571 sets up \$500 million in bonding authority to finance new coal burning

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electric generating facilities located at a mine site."

Speaker Hannig: "Is there any discussion? Those in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Novak on House Bill 2575. Is the Gentleman prepared? Out of the record. Mr. Clerk, would you read House Bill 3521."

Clerk Bolin: "House Bill 3521, a Bill for an Act concerning school construction. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Okay. Third Reading. Mr. Clerk, read House Bill 3522."

Clerk Bolin: "House Bill 3522, a Bill for an Act concerning bonds. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 3523."

Clerk Bolin: "House Bill 3523, a Bill for an Act concerning bonds. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 3524."

Clerk Bolin: "House Bill 3524, a Bill for an Act concerning bonds. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Mitchell, we have Amendment #1 on House Bill 544. Representative Bill Mitchell, are you ready on 544, Amendment #1, the committee approved this morning? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 544, a Bill for an Act concerning

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recreation funding. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Bill Mitchell, has been approved for consideration."

Speaker Hannig: "Representative Mitchell on the Amendment."

Mitchell, B.: "Thank you. Thank you, Mr. Speaker. The Amendment becomes House... Floor Amendment becomes the Bill. This Amendment would allow individuals competing in an off-highway vehicle event to pay a \$5 fee rather than pay the \$30 sticker fee for individuals. And the \$30 sticker fee is good for 30 or, excuse me, 3 years. If a person races in 7 events, it would be more economical for the person to purchase a sticker rather than pay the \$5 fee. It's my understanding that DNR is neutral on the Amendment."

Speaker Hannig: "Is there any discussion? There being none, all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Zickus, we have House Bill 2566. Would you like to adopt the Amendment? Representative Zickus. Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 2566, a Bill for an Act concerning the regulation of professions. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Zickus, has been approved for consideration."

Speaker Hannig: "Representative Zickus."

Zickus: "Thank you, Mr. Speaker. Floor Amendment #1 was language to... putting in some definitions for the Bill that was

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passed out of committee a few weeks ago, just some clarifying language."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 1050 for Mr. Miller."

Clerk Bolin: "House Bill 1050, a Bill for an Act regarding schools. Third Reading of this House Bill."

Speaker Hannig: "Representative Miller."

Miller: "Thank you, Mr. Speaker and Members of the House. House Bill 1050, excuse me, provides that a confidentiality agreement between agencies in regards to enrolling children into the KidCare Program. It complements the Bill that we passed earlier, 1717, excuse me, in which a... Whenever requested by the Department of Public Aid agreed in writing with the Department to share information on applicants for free and reduced-price lunches, a school board... Excuse me. A school board shall also require, when requested by the Department of Public Aid, each of the schools in writing an agreement to the Department on applicants for free and reduced lunch. This sharing of information shall be for the sole purpose of helping the Department identify and enroll children in a health insurance program. Amendment 2 addresses that it could be with the additional... instead of just the individual schools, but also the schools' districts. And Amendment 3 added, is to add a confidentiality consent from the parents for the sharing of information. I would ask the Members to... an 'aye' vote on this Bill."

Speaker Hannig: "Is there any discussion? This Bill's on the

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Order of Short Debate. Representative Parke, do you stand in opposition?"

Parke: "I stand in asking a couple questions."

Speaker Hannig: "Yes. Please proceed."

Parke: "Now, was this requested by the State Board of Education to put this in writing, or did the Department of Public Aid ask for this?"

Miller: "It was put together with the help of the Department of Public Aid."

Parke: "Who requested it to be in writing? Was it the State Board or is it Department of Public Aid?"

Miller: "What occurs is that if your... Essentially, if you're eligible for free and reduced lunch program, you're gonna be eligible for the KidCare Program. And simply, this Bill really addresses if you're eligible, then those two departments can share the information that... to help streamline the eligibility with the parental consent."

Parke: "Oh, so this is a good parental consent issue. I see. So, if the parents didn't agree to share the information, then..."

Miller: "You can't do it."

Parke: "...they couldn't give 'em a free lunch?"

Miller: "No, no, no. No, they couldn't be eligi... They wouldn't... For the free lunch program, they couldn't share it with application to KidCare. And so, for instance, if you brought your child in and said, no, I don't want the... I know I'm eligible for free and reduced lunch, but I don't want this information shared. Then, no, they cannot share it. However, it's just to help streamline the eligibility process."

Parke: "All right. Who are you carrying this Bill for, Department of Public Aid or Department of Education?"

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Miller: "Well, actually, it was something that we researched during my campaign, and... but with the help of the Illinois Department of Public Health and also with the schools. And so, I've talked to the various agencies."

Parke: "And this is in the final form. In final form, with all the Amendments on here, is there anybody that you are aware of that is opposed to this, now?"

Miller: "No, I'm not aware of any opposition to it."

Parke: "And so, this, then, allows the Department of Public Aid to share information as to the ability of the student to receive a free lunch or a reduced lunch. Is that correct?"

Miller: "Right, with the sole purpose of them being enrolled into KidCare. So, for some other program, for some other way, they wouldn't be able to share that information."

Parke: "So, this is a way of encouraging children to come into KidsCare(sic-KidCare) Program?"

Miller: "Absolutely, Representative Parke."

Parke: "Okay. If there's no opposition and you know of no opposition to this now."

Miller: "I do not know of any opposition."

Parke: "Thank you."

Speaker Hannig: "Representative Miller to close."

Miller: "Thank you, Mr. Speaker and Members of the House. I believe this Bill here helps address the problem, excuse me, that we have here in Illinois. As you may know, that \$70 million was returned because we were not able to utilize and enroll children into the KidCare Program. And so, efforts across the country were to help streamline the eligibility process. This Bill addresses this problem. I would ask all the Members for a favorable vote. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in

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favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, we need to move House Bill 3521, which we just moved to Third. We need to return that Bill to the Order of Second Reading. So, Mr. Clerk, what is the status of House Bill 3521?"

Clerk Bolin: "House Bill 3521 is on the Order of House Bills-Third Reading."

Speaker Hannig: "Remove that or return that Bill to the Order of Second Reading at the request of the Sponsor. And now, Mr. Clerk, read House Bill 3061."

Clerk Bolin: "House Bill 3061, a Bill for an Act in relation to public aid. Third Reading of this House Bill."

Speaker Hannig: "Representative Lou Jones."

Jones, L.: "Thank you, Mr. Speaker and Members of the House. House Bill 3061 amends the Public Aid Code in relation to the grants amounts for income assistance programs. It requires the Department of Human Service to increase the TANF, which is the Temporary Assistance for Family... Needy Families Grant, in the amounts of 15% effective July 1, 2001. ... And there was an Amendment put on the Bill and it replaces... Oh, it would replace the provision for the 15% grant increase for the Fiscal Year 2003, with a provision that requires beginning July 1, 2002, an annual adjustment of grant levels based on an inflation index computed by the Bureau of Labor Statistics of the U.S. Department of Labor. The... There has not been a grant increase for public aid recipients in 11 years. And right now, a family of three gets a grant of \$377 a month plus

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approximately \$300 in food stamps. And I have researched surrounding states, bordering states to Illinois, and Michigan, Indiana, Wisconsin, and Ohio grants are much higher than ours. In fact, theirs... some of them are up as high, and Missouri, up as high as almost \$700. The Department has told me that the fiscal impact would be about, approximately \$61 million. Well, another thing is the State of Illinois has had a successful TANF Program moving people from welfare to work. And I think, after 11 years, for a family of three, that \$377 a month is not near enough for them to live on, plus it's below the federal standard and need. I'll answer any questions."

Speaker Hannig: "This Bill's on the Order of Short Debate. Representative Turner, do you stand in opposition?"

Turner, J.: "Mr. Speaker, I just have some questions. I'm not sure where I stand, yet."

Speaker Hannig: "Okay. Please proceed, Representative."

Turner, J.: "Representative, the Bill has been amended from its original version, is that correct?"

Jones, L.: "Yes."

Turner, J.: "And, as I understand it, the 15% increase provided for in the underlying Bill has been changed. What has that been changed to, now?"

Jones, L.: "The original Bill had a 15% effective July 1 this year and a 15% for next year. The one next year has been changed... is the one that's been changed. The 15% for July 1, 2002... 2001 is still there."

Turner, J.: "All right. So, what you've done, then, is take out the second phase being the second 15%, but left in the first 15% increase?"

Jones, L.: "Correct."

Turner, J.: "And how much is the 15% increase in dollar terms?"

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Jones, L.: "Approximately 52... \$54 and the second, the one for next year, which is a COLA, depends on... basically, on the economy next year. It could be 1%, 1 1/2%, it would never go higher than 3%."

Turner, J.: "All right. I'm not sure I follow that. What I was getting at, if we have the 15% increase, let's start with first, what would be the fiscal impact to the state?"

Jones, L.: "I was told it was \$61 million."

Turner, J.: "All right. And what was the \$54 number that you mentioned just a minute ago?"

Jones, L.: "That was a 15..."

Turner, J.: "I didn't understand that."

Jones, L.: "That was a 15% increase for July 1, a 15% for July 1. Approximately, that's what it is, am I correct? I was just told that it's \$61 million total, but half of that is federal funds."

Turner, J.: "Okay. So, of the \$60 million and change, then half of that comes from the Federal Government and half of it would be picked up by the state?"

Jones, L.: "Roughly, but I was told the Federal Government would pick up more than that."

Turner, J.: "Okay. So, you..."

Jones, L.: "The fiscal note now that I have now, Representative, says, 32 million... 32.4 million for FY'02 and an additional 37.3 million for FY'03."

Turner, J.: "All right."

Jones, L.: "So, that's a little bit more... The Federal Government pick up a little bit more than half. That's a little bit more than half, isn't it?"

Turner, J.: "The Department of Human Services, I know, was in opposition prior to the Amendment. Are they still in opposition after the Amendment was adopted?"

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Jones, L.: "Yes, they are."

Turner, J.: "All right. And it... What's the nature of their opposition? Is it strictly on the fiscal impact to the State of Illinois and their budget, or is there some other reason why they're opposed to the measure?"

Jones, L.: "They gave me... In a letter, they gave me several reasons. One of 'em was the fiscal impact on the state and the other one, you know, is not very clear to me. They kinda think that giving people an incentative (sic-incentive), and they think that's what this is, that it will slow down them actually looking for an employment."

Turner, J.: "All right. So, the Department has a concern that this may create a disincentive to get off of welfare for those who might be able to do so?"

Jones, L.: "That's what they told me."

Turner, J. "All right. I take it you don't share that concern?"

Jones, L.: "No, I don't, because what I said when I opened up with the Bill that the State of Illinois has been one of the states that I can say that their TANF Program has been very successful, they have... the rolls have dropped considerably moving people from welfare to work. I don't think, and I might be wrong, Representative, that \$377 a month for a family of three would be giving them an additional... raising them to a little over \$400 is in an incentative (sic-incentive) for them to stay on public aid. Also, we're almost at the end of this 60-month period from the welfare that we had for the welfare reform and to the Department of Human Services taking a good look at the people that are left on that and see if they have seriously made an attempt to move from welfare to work. And the ones that they don't feel that have done that will be cut off. And I think the ones that'll be left on there that have

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made..."

Speaker Hannig: "Representative Turner, your five minutes have expired, but would you like to bring your remarks to a close?"

Turner, J.: "I am finished, Mr. Speaker, thank you. And thank you to the Sponsor for answering my inquiries."

Speaker Hannig: "This Bill's on the Order of Short Debate. Does anyone rise in opposition? Representative Currie. No. Okay. Representative Lou Jones to close."

Jones, L.: "Thank you, Mr. Speaker. Again, I think, after 11 years and not having an increase and a family of three to live on \$377 a month plus food stamps in a state like... a wealthy state like Illinois, I think it's time for us to do some seriously thinking about the poor people here in Illinois. And I think that they at least deserve this 15% increase. And I ask for an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 96 voting 'yes', 18 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 2087?"

Clerk Rossi: "House Bill 2087 is on the Order of House Bills-Third Reading."

Speaker Hannig: "Move that... Return that Bill to the Order of Second Reading at the request of the Sponsor. Representative Novak, would you like to adopt the Amendment on House Bill 2575? Rules Committee approved the Amendment on 2575. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2575, a Bill for an Act in relation to

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environmental safety. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Novak, has been approved for consideration."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 becomes the Bill. And it is an initiative of the Illinois Petroleum Marketers. It is supported by the EPA, as well as the Governor's Office and the State Fire Marshal's Office. It simply extends the life of a funding program out to make sure that we have ample supplies of funds to deal with the Leaking Underground Storage Tank Program, commonly referred to as the LUST Program. And I'll be more than happy to entertain any questions."

Speaker Hannig: "Is there any discussion? Representative Righter."

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

Speaker Hannig: "He indicates he'll yield."

Righter: "Representative Novak, I didn't quite hear the end of your opening comments about the name of the program."

Novak: "It is the Leaking Underground Storage Tank Program, commonly referred to, in Springfield, as the LUST Program."

Righter: "Can you tell me... Now, does Amendment #1 become the Bill?"

Novak: "Yes, it does."

Righter: "Okay. And can you just, real briefly, tell me the differences between the Bill that was filed and Amendment #1? What changes did you make between those two?"

Novak: "I believe, Mr. Righter, that the Bill was a shell Bill."

Righter: "Well, that would mean there were a lot of changes, then. Is that right?"

Novak: "Pardon me?"

Righter: "That'd mean there were a lot of changes, right?"

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Novak: "Significant changes. The Amendment becomes the Bill. And this is a program that's been in effect in the state since the late 1980's. It started with a fraction gas tax. This is pursuant to a federal mandate that we had to address the serious public safety and health concerns for underground storage tanks, specifically tanks that are at your local gas stations and schools; as an example, in industry with gasoline, fuel oil, diesel fuel, all underground tanks. What this Bill does is continue the life of the tax to, I think, the year 2025, I believe, or a little further than that. I don't have the specific date in front of me. In order to keep enough money into the fund, because we have... over the years, we have suffered severe shortages of dollars that businesses needed and individual owners needed to do their cleanup administered by the EPA. It's a very, very good program. It's \$400 million of tanks have been cleaned up, sites have remediated over the life of this program. We want to make sure there's an ample supply of money in this program to continue the balance of the tanks and sites that have been approved by the EPA to be cleaned."

Righter: "How far behind is the EPA or the state in fulfilling the requests from owners for reimbursement?"

Novak: "Right now, they're up to date. Just a few short years ago, there was a tremendous backlog, an unbelievable backlog, where businesses... And you know, there's two types of insurance you buy in this program, there's a \$10 thousand deductible and a \$100 thousand deductible for participating in the program. And many of these businesses were waiting over a year to be reimbursed by the EPA for hundreds of thousands of dollars associated with mandated cleanup costs. So, right now, our fund is in pretty good

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shape, but the number of tanks that still need to be cleaned up that have been approved by the EPA far surpasses the amount of money that will be into this fund at... when it expires in 2013. So, what we're doing is we're extending it past 2013."

Righter: "Okay. This is not an increase on the fee that's currently charged?"

Novak: "No, it is not."

Righter: "Okay. This is simply moving back the sunset date on it."

Novak: "Correct."

Righter: "Okay. Thank you, Representative."

Novak: "You're welcome."

Righter: "Thank you, Mr. Speaker."

Speaker Hannig: "Is there any further discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments? Any further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative... If I could have your attention. The Clerk has given me a list of Bills that are on the Calendar, on the Order of Second Reading, that have Amendments that we believe can be adopted and the Bills can be moved at this time. So, we're gonna go through that list shortly. And we're gonna begin with House Bill 176, Representative Hoffman. Is the Gentleman in the chamber? Representative Hoffman. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 176, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hoffman, has been

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approved for consideration."

Speaker Hannig: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 came through the Consumer Protection Committee. What it is, it's the agreement between the various entities involved in this matter including AARP, the Direct Marketing Association, the Realtors Association, the insurance people, MCI, Verizon, which would provide for the no-call database and provides the specifics of the no-call database so that people could get on the no-call database under Secretary of State's Office in order to ensure that they don't get these telephone solicitation calls."

Speaker Hannig: "And on the Amendment, Representative Cross."

Cross: "Thank you, Mr. Speaker. And it may be an inquiry of the Chair, perhaps it's an inquiry of Representative Hoffman. I'll start with Representative Hoffman. Jay, it's our understanding there's a... you have an Amendment #2 that is in... is it still in Rules? Do you need to send... Maybe you need to send a letter to the Majority Leader?"

Hoffman: "I thought that Amendment #2 was out of Rules. If it's not, I don't want to call the Bill."

Speaker Hannig: "Okay. Out of the record."

Cross: "Sorry."

Speaker Hannig: "Representative Flowers on House Bill 246. Is the Lady in the chamber? Representative Flowers. Out of the record. Representative Monique Davis on House Bill 268. Representative Davis, would you like to adopt the Amendment? No. Out of the record. Representative Garrett on House Bill 282. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 282, the Bill has been a second time, previously. Amendment #1 was adopted in committee. Floor

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Amendment #2, offered by Representative Garrett, has been approved for consideration."

Speaker Hannig: "Representative Garrett."

Garrett: "Thank you, Mr. Speaker. We're adding a technical Amendment to House Bill 282. And the wording is, 'beginning in calendar year 2002 and until December 31, 2006, a total of five additional enterprise zones may be certified by the Department.'"

Speaker Hannig: "So, Representative, you have Amendments #2 and #3 on the floor."

Garrett: "We have adopted Amendments 1, 2, and 3, and this is Amendment #4, which we submitted. And we took the Bill out of the record yesterday..."

Speaker Hannig: "No, Representative, the Clerk informs me that we have Amendments #2 and 3 that are pending. I'm not..."

Garrett: "Those were amended and I did one in committee. And now, we have submitted a fourth one."

Speaker Hannig: "Mr. Clerk, what are the status of the Amendments that are pending on this Bill?"

Clerk Bolin: "Amendment #1 was adopted in committee. Floor Amendments 2 and 3 have been approved for consideration. Floor Amendment #4 has been referred to the Rules Committee."

Garrett: "Okay. Well, we'll wait 'til it comes out of Rules, then."

Speaker Hannig: "Okay. Out of the record. Representative Fritchey on House Bill 397. Representative Fritchey. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 397, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Fritchey, has been approved for consideration."

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Speaker Hannig: "Representative Fritchey."

Fritchey: "Thank you, Speaker, Members of this Body. Floor Amendment 1 is an attempt to add penalty provisions to the underlying Bill, which provides that electors would be required to vote in accordance with the majority wishes of the people of this state. Floor Amendment 1 provides for the outcome of what happens if they refuse to do that. We might take up the whole issue as a package together when the Bill's on Third Reading."

Speaker Hannig: "On that question, Representative Cross."

Cross: "Thank you, Mr. Speaker. Maybe there's some confusion, but could you tell us where Floor Amendment #2 is?"

Speaker Hannig: "Mr. Clerk, would you give us the status of the pending Amendments?"

Cross: "I may be asking about... Well, Representative Garrett had Floor Amendment 4 still in Rules. I may be on the wrong Bill. Where... Is there no... He didn't amend the Amendment, did he? We're still on... Is this the only Amendment, John? Okay. All right. So, you're not doing any other Amendments?"

Fritchey: "No."

Cross: "All right. Sorry about that."

Speaker Hannig: "Okay. So, on the Amendment, all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Lindner, are you prepared on House Bill 646? Out of the record. House Bill 661, Representative McGuire. 661, Mr. McGuire. Would you like to adopt the Amendment? Out of the record. Representative Hassert on House Bill 1147. Would you like to adopt the Amendment? Out of the record. Representative

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Wait on House Bill 1814. We'll get back to Representative Wait. Representative O'Brien on House Bill 1819. Would you like to adopt the Amendment? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1819, a Bill for an Act concerning nursing homes. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative O'Brien, has been approved for consideration."

Speaker Hannig: "Representative O'Brien."

O'Brien: "Mr. Speaker, I'd like this Bill taken out of the record. It's Floor Amendment #2, but it's still in the Rules Committee, as my understanding from Clerk Tony Rossi."

Speaker Hannig: "Okay. Out of the record. Representative Cross on House Bill 1820, Amendment #1. Do you want us to read the Bill?"

Cross: "Do I have any Bills... and Amendments in Rules that no one knows about?"

Speaker Hannig: "Mr. Clerk, what is the status of the Rules on House Bill 1820?"

Cross: "I don't want to create any false alarms, but..."

Clerk Bolin: "Floor Amendment #1 has been approved for consideration on House Bill 1820."

Speaker Hannig: "There are no further Amendments pending, Representative. So, this is it, Representative Cross. Okay. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1820, a Bill for an Act concerning emergency telephone services. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Cross, has been approved for consideration."

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Speaker Hannig: "Representative Cross."

Cross: "Thank you, Mr. Speaker. And thanks for clearing up that Amendment concern. This Amendment is one that was done at the request of the American Heart Association. And their... This Bill, the underlying Bill, deals with the whole issue of false alarms, calling 911, and the ability of a county board or the 911 board to enact ordinances to find people that abuse the 911 process or the 911 system. This Bill, though, or the Amendment, addresses concerns that the Heart Association has because they want people, in certain situations, to make 911 calls. And I agree with them. And this is an Amendment designed to help them. And I'm not aware of any opposition. I'd appreciate a 'yes' vote."

Speaker Hannig: "On the Amendment, all in favor say 'aye'; opposed 'nay'. The 'ayes' have it. Are there any further Amendments?"

Clerk Bolin: "No further Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Brosnahan on House Bill 2437. Are you ready on the Amendment? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2437, the Bill has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Brosnahan, has been approved for consideration."

Speaker Hannig: "Representative Brosnahan."

Brosnahan: "Thank you, Mr. Speaker. Floor Amendment #2 simply adds language that the Department of Human Services requested. They are now in complete support of this legislation. I'll be happy to answer any questions."

Speaker Hannig: "And on that question, Representative Hoffman."

Hoffman: "Will the Sponsor yield?"

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Speaker Hannig: "He indicates he'll yield."

Hoffman: "Representative, Amendment #1... did Amendment #1 become the Bill?"

Brosnahan: "Amendment #1 becomes the Bill, correct."

Hoffman: "Okay. So, what Floor Amendment #2 does is it simply amends Amendment #1 to address the Human Services concerns?"

Brosnahan: "That's correct."

Hoffman: "Okay. Thank you."

Speaker Hannig: "Any further discussion? Then the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, what is the status of House Bill 418?"

Clerk Bolin: "House Bill 418 is on the Order of House Bills-Third Reading."

Speaker Hannig: "Out of the record. Representative Rutherford on House Bill 3015. Out of the record."

Speaker Hartke: "Representative Hartke in the Chair. Mr. Clerk, what is... Clerk, what is the status of House Bill 1814?"

Clerk Bolin: "House Bill 1814 is on the Order of House Bills-Second Reading."

Speaker Hartke: "Representative Wait, would you like to run House Bill 1814, Amendment #1? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1814, a Bill for an Act concerning crime victims. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Parke, has been approved for consideration."

Speaker Hartke: "Representative Parke. Representative Wait, are you gonna present the Amendment?"

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Wait: "Yes, Representative Parke and I are working together on this. Basically, Amendment #1 simply allows... This is for the Victims Compensation Fund. This provides that emergency compensation up to \$2 thousand. We find, especially in cases of emergencies and other things like that, if they could pay it immediately, it would sure help these victims out. So, I'd ask for Amendment #1 to go on the Bill."

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 1814?' 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. Any further Amendments?"

Clerk Bolin: "No further Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Third Reading, on the Calendar appears House Bill 3584. Representative Moffitt. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3584, a Bill for an Act in relation to municipal government. Third Reading of this House Bill."

Speaker Hartke: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, Members of the House. House Bill 3584 is permissive, it... As I indicated when we put the Amendment on, municipalities that were under a special charter have elections. Usually, their mayor is elected to a one-year term and their council or village board members to a two-year. This would be permissive in that it would allow them, by resolution or ordinance, to be... join the rest of the state and have their elections at the same time. This would... actually, would allow government to be more efficient. They could become a part of the Consolidated General Election in counties. And they're..."

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We've checked again with Municipal League, and we believe there are about 60 municipalities across the State of Illinois that have special charter municipalities. Most of them are small ones. In fact, they thought all of them were small communities. If they were larger, of course, they'd be home rule and could have adopted the other length of terms. This would eliminate... If a local unit of government decides to adopt this, then the county would not have to hold that special election in the off year. So, it makes government more efficient, less cost. Be happy to entertain any questions."

Speaker Hartke: "Is there any discussion on House Bill 3584? Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3584?' 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 3584, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2472, Representative Rutherford. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2472, a Bill for an Act concerning schools. Third Reading of this House Bill."

Speaker Hartke: "Representative Mitchell. Jerry Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Thank you, Representative Rutherford. Ladies and Gentlemen of the House, 2472 is a Bill that we passed out of here last year. However, there was a problem with the Bill with Chapman and Cutler because we basically had a problem with how to go above the debt limit. This does not change the fact that it still has to

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be through a front-door referendum. Senator Clayborne had this Bill last year in the Senate, I ran it in the House. We thought we had it all straightened out, but then Chapman Cutler said, well, basically, steps one and two have to be accomplished in this before we can issue the bonds, instead of one and three. So, the only change in the entire Bill from last year, which passed out of here, I believe, unanimously, is steps one and two have to be accomplished instead of steps one and three. That's the only change in the Bill, doesn't change the premise that we have to have a front-door referendum. It's still the same Bill that it was before. And Senator Clayborne is waiting for this Bill in the Senate. I'd appreciate an 'aye' vote and be happy to answer any questions."

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

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

Speaker Hartke: "The Sponsor will yield."

Hoffman: "Representative, I don't think that there's a problem with the Bill, I just want to make sure that people understand what one and two and three are. It's my understanding that the main crux of this Bill is that you used to have to exhaust your bond capacity before you could apply through the State Board for approval for a referendum for school construction bonds. This indicates that you simply have to... you don't have to exhaust the current bond authority, only when you apply to the State Board, is that to apply to the State Board, but you must exhaust the amount after the referendum, is that your understanding?"

Mitchell, J.: "That's absolutely correct. And the problem..."

Hoffman: "So, we're not letting school districts double dip by issuing... having a bond issuance and then before they

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spend that money for that bond issuance, coming back to the voters and asking for more authority?"

Mitchell, J.: "That's correct. And they have to spell that out for the voters. One of the problems that we had, Jay, was that the State Board was afraid that districts could then go out and seek referendum without even explaining that to the voters, but that didn't turn out to be the case. State Board checked with Chapman and Cutler and decided there was nothing wrong with the Bill the way it's run."

Hoffman: "That's all I have."

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

Mitchell, J.: "Thank you, Mr. Speaker. I just request an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 2472?' 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. Mr. Clerk, take the record. On House Bill 2472, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2112, Representative Mulligan. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2112, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Hartke: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. House Bill 2112 amends the Illinois Insurance Code with respect to colorectal cancer examination. It provides that insurance coverage must provide coverage for colorectal cancer examinations according to the most recently published guidelines of the

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American Cancer Society. The American Cancer Society estimates that 6,100 new cases of colorectal cancer will be diagnosed among Illinois men and women in this year. Of these new cases, 2,600 Illinois men and women will die. For men, colorectal cancer follows prostate and lung cancer in frequency. African-American men are more likely than Caucasians to be diagnosed with this disease and are more likely to die from it. The sad irony of this is that colorectal cancer is probably the most treatable and survivable of all cancers. In 1997, Congress provided Medicare beneficiaries with colorectal cancer screening. That was landmark legislation. What we are doing is moving to cover those people over 50 before non-Medicare population and remove any barriers that may prevent them from access to regular screenings. Four in five women who are eligible to be screened for breast cancer or cervical cancer do this, but in colon cancer, screening rates among men and women are nowhere near that level. This Bill, we hope, would improve that by providing coverage for it. I would ask for your favorable vote and stand for any questions."

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

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

Speaker Hartke: "The Sponsor will yield."

Parke: "Representative, in committee, did anybody speak in opposition to this legislation?"

Mulligan: "No, Representative, it was actually presented with very little opposition."

Parke: "I'm sorry, you said nobody spoke in opposition?"

Mulligan: "No, it was right at the end of committee and no one spoke."

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Parke: "Well, I have no further questions."

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

Mulligan: "Thank you, Mr. Speaker. Although, Representative Parke, no one did speak against it, the Illinois Insurance Council, I think, did put a slip in against it, but I'm not positive about that. But I would certainly ask for your favorable vote. We have many sponsors on this. I think it's a really go... it's the second highest cancer that kills people in the United States. And I would hope that people would vote for this. Thank you very much."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 2112?' 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 2112, there were 115 Members voting 'yes', 1 person voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 37 of the Calendar appears in Motions in Writing, Representative Turner."

Turner, J.: "Thank you, Mr. Speaker."

Speaker Hartke: "Yes, your Motion is?"

Turner, J.: "Mr. Speaker, 511 was actually amended onto House Bill 512. I would, therefore, move to table 511."

Speaker Hartke: "You've heard the Gentleman's Motion. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and House Bill 511 is tabled. Representative O'Connor on your Motion on page 37."

O'Connor: "I move to table."

Speaker Hartke: "The Gentleman's Motion is to table House Bill

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2477. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And House Bill 2477 is tabled. Ladies and Gentlemen... On page 36 of the Calendar appears House Resolution 52. The Chair recognizes Representative Reitz."

Reitz: "Thank you, Mr. Speaker. House Resolution 52 requires the State Board of Education to look into requiring CPR to be taught to high school students. We had an Amendment on here that adds that the training must be according to the standards of the American Heart Association, the American Red Cross or other nationally recognized certifying organizations. There's a lot of obvious benefits that we could imagine. It could be taught here, but this simply requires the State Board to evaluate the economic effects and the logistics of implementing this requirement."

Speaker Hartke: "Is there any discussion? ... no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 52?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill or House Resolution 52, there were 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Resolution, having received a Constitutional Majority, is hereby declared passed. Representative Cross, for what reason do you seek recognition?"

Cross: "Inquiry of the Chair, Mr. Speaker."

Speaker Hartke: "State your inquiry."

Cross: "You guys just handed out a nice weekly House bulletin. Thank you. You are taking requests for Bills to be added to the Agreed Bill List #2, if I'm reading this correctly. Another Agreed Bill List? All right. Was great... If you

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get a Bill on the Agreed Bill List, the question is, will it count as toward our five? It does count. Has there been any consideration given at all to not counting it? But one of you... One of you go like this and one of you go like this. Will there be some consideration given?"

Speaker Hartke: "Representative Cross, there's always consideration."

Cross: "Is there considerable consideration on this issue? Will there be..."

Speaker Hartke: "Considerable..."

Cross: "... considerable consideration?"

Speaker Hartke: "... consideration."

Cross: "I'm sure I can't expect an answer in a... in the near future. Seems like, Mr. Speaker, that one of the reasons... Mr. Speaker, it seems like one of the reasons we're not moving along here is because people are trying to finesse and shuffle and figure out what they can do about their five Bills, give 'em to other people. That may be a way to expedite matters if we can... That may be a way to get things moving if we can throw some things on the Agreed Bill List that don't count."

Speaker Hartke: "Your advice will be taken under consideration."

Cross: "It's not advice, it's just a thought."

Speaker Hartke: "Considerable consideration."

Cross: "Thank you."

Speaker Hartke: "Mr. Winters."

Winters: "Thank you, Mr. Speaker. Inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Winters: "I wondered if we've any word from the coach of the House softball team as to the draft notices that are going out and any practice schedule that might be forthcoming from Representative Brunsvold, the coach of the House

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softball team?"

Speaker Hartke: "The Chair recognizes Representative Brunsvold for a response."

Winters: "The question Joel, is do you have your draft notices out and any practice schedule set for the softball team? And give me four."

Brunsvold: "We're preparing that right not and I want everybody to know we've cut the evening schedules down. I want everybody on a training diet. And we'll be working out starting in April for the softball game on May the 10th. So..."

Winters: "We are defending the championship that we now hold in the House chamber."

Brunsvold: "Absolutely."

Winters: "So, it's critical importance..."

Brunsvold: "There'll be a rigorous training schedule that will take place in April. So we need to cut back on our food consumption starting right now. Let's get into training."

Winters: "Thank you."

Speaker Hartke: "Representative Schmitz, for what reason do you seek recognition?"

Schmitz: "Thank you, Mr. Speaker. In an effort to clear up my portion of the Calendar, I'd like to make a Motion to Table two Bills of mine."

Speaker Hartke: "... Which Bills are those that you would like to table?"

Schmitz: "3089 and 1685."

Speaker Hartke: "Are you the prime Sponsor of those Bills?"

Schmitz: "I'm the prime."

Speaker Hartke: "Would you repeat those numbers for me? ... repeat those numbers for me?"

Schmitz: "3089, it's on Second Reading. 1685 is on Third

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Reading."

Speaker Hartke: "You've heard the Gentleman's Motion to Table House Bill 3089, as well as 1685. All those in favor will signify by saying 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And those two Bills, House Bill 3089 and 1685 are tabled. Clerk, what is the status of House Bill 300?"

Clerk Rossi: "House Bill 300 has been read a second time, previously. Amendments 1, 2, and 3 have been adopted to the Bill. No Motions have been filed. No Floor Amendments approved for consideration. The notes that were requested on the Bill have been filed."

Speaker Hartke: "Third Reading. Page 36 on Resolutions appears House Resolution 67. Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Resolution 67 was a Resolution which was brought to me by one of my schools in my district which attended a national conference. And they had suggested that we print the Bill of Rights and the Preamble on the back of a dollar bill. This is part of a project the school is involved in, acquainting themselves with the legislative process. And this Resolution urges Congress to consider the suggestion of redesigning the dollar bill. And I would ask for your approval."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 67?' All those in favor signify by saying 'yes'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 67 is adopted. On Second Reading appears House Bill 3346. Representative Hamos. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3346 has been read a second time,

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previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hamos, has been approved for consideration."

Speaker Hartke: "Representative Hamos."

Hamos: "Thank you, Mr. Speaker, Ladies and Gentlemen. I'm asking for adoption of Floor Amendment #1. Floor Amendment #1 was actually a language that was proposed by the commissioner of the Department of Insurance to institute into this program something that is being called in other states 'a safe harbor'. In other words, that the Department of Insurance commissioner, the director would be given the authority to waive some of the requirements under the underlying Bill if in fact there was compliance. At least, if in fact, there was some assessment being made by the director, that there was cooperation with an international process that is currently in place to identify Holocaust survivors and help them with their legitimate insurance claims. And I ask for adoption of this 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 3346?' All those in favor will 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. ... recognizes the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. If you're looking for something to do, HJR 13 is ready to be called."

Speaker Hartke: "On page 37 of the Calendar appears HJR 13. Representative Parke."

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Parke: "Thank you, Mr. Speaker. I appreciate the courtesy. This is brought to me by a Senator from New York who is trying to encourage the United States Postal Service to issue a stamp on behalf of all the men and women serving in the Armed Forces who have received a Purple Heart medal. All we're asking is a recommendation to the Postal Service that they do issue a Purple Heart medal of merit stamp. We think this is not unreasonable to recognize that. And I would ask the Body to support this Resolution."

Speaker Hartke: "Is there any discussion on HJR 13? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt House Joint Resolution 13?' All those in favor will signify by voting 'yes' or saying 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House Joint Resolution 13 is adopted. On page 36 of the Calendar appears House Resolution 126. Representative Forby."

Forby: "Thank you, Mr. Speaker and the Members. This is a House Resolution 126 urging the United States Postal Service to issue a postal stamp honoring our coal miners. Coal miners for their contributing to our nation."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 126?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. House Resolution 69, Representative Soto."

Soto: "Thank you, Speaker and Members of the House. House Resolution 69 creates a House Task Force on Hispanic Teenage Pregnancy prevention. The task force is designed to study the alarming rate of teenage pregnancies among Latinos at a time when the overall teen pregnancy rate in

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the State of Illinois and in the nation are decreasing, the rate of Latino teens is increasing. This disparity is significant and merits immediate attention. Teenage pregnancy presents a dangerous threat to our youth. Serious medical risks accompany each teenage pregnancy. Studied... studies show that teens are more susceptible to birth complications and both the child and the life of the mother are at risk. Pregnancy at an early age leads to high infant mortality rates, low birth weight, and a series of health problems. Furthermore, teenage pregnancy is reported to be the leading cause of school dropouts among teenagers. Lower levels of education leads to fewer opportunities later in life. More often, these adolescents do not marry and the number of single mothers and divided homes increase. This presents disadvantages to the children later and can lead to more kids living at poverty levels. This is a serious problem that merits immediate attention. Again, reports from the Census indicate that Illinois and the rest of the nation are increasingly Hispanic and many of you have Latinos constituencies. We cannot ignore this any longer. We need to rectify this matter now and provide our youth with better opportunities. I urge you to support this Resolution and will address any questions. In closing, I thank you for your 'aye' vote."

Speaker Hartke: "Is there any discussion on House Resolution 69? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Resolution 69?' All those in favor will vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Resolution 69, there are 116 Members

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voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Resolution, having received the Constitutional Majority, is hereby declared passed. ... Calendar, on Third Reading appears House Bill 2159. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2159, a Bill for an Act concerning state budget stabilization. Third Reading of this House Bill."

Speaker Hartke: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2159 is the major legislative initiative of Comptroller Dan Hynes. It's a new and improved version over similar legislation which this House has passed overwhelmingly in previous years. To briefly outline its highlights and provisions, the Bill authorizes the use of a Rainy Day Fund to address cash flow emergencies. It does so for times when the Legislature is in Session and those when we're not present here at the Capitol. It provides for an automatic deposit into that fund equal to 1% of the projected general funds estimated by a newly created Revenue Council that consists of the Bureau of the Budget, Economic and Fiscal Commission, the Comptroller. And perhaps, most importantly, it requires our bills to be paid within the fiscal year, if a bill is received and approved by June 30th to prevent any delay of payment. Now, you may want to a... you may ask why this is necessary if as has been projected the state has a cash balance of over \$1.5 billion. The reality is that the accounting system which all the bond agencies and account... and major accounting firms use actually show us with an end-of-year projected deficit of \$315 million. Why is that? It's because money is getting deferred from one fiscal year to the next to circumvent the constitutional

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provision that we have a balanced budget. This, as I said, a similar version of what passed overwhelmingly last year. And I'd be happy to answer any questions."

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

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

Speaker Hartke: "The Sponsor will yield."

Righter: "Representative Schoenberg, I want to touch briefly on a couple points that are covered in the Bill that have to do with withdrawal or appropriations from the Rainy Day Fund or the Budget Stabilization Fund. My understanding of the Bill is..."

Schoenberg: "Mr. Speaker, I'm sorry, I can't hear the question."

Speaker Hartke: "Shhh. Ladies and Gentlemen, please. Thank you. Mr. Righter."

Righter: "Thank you, Mr. Speaker. Representative Schoenberg, I want to discuss with you, as I understand it in the Bill, the three scenarios under which appropriations can be made from the Budget Stabilization Fund to cover shortfalls in the current budget year. My understanding is those three scenarios, the first two enact legislation that it deems necessary to appropriate or transfer funds, enact legislation it deems necessary to transfer funds from the Budget Stabilization Fund. The third is the one that I want to ask some questions about and that is that the Governor can be authorized by the President of the Senate and the Speaker of the House to direct the Comptroller to make transfers from the Budget Stabilization Fund to general funds to then pay for whatever shortfalls. Now, the Budget Stabilization Fund is a fund in legal terms, similar to the Common School Fund or the Road Fund or

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anything else like that, is it not?"

Schoenberg: "Correct."

Righter: "Okay. So, moving money out of the Budget Stabilization Fund into the General Fund would be an appropriation not unlike appropriating money from the General Fund to the Common School Fund which we do every year. Is that fair to say?"

Schoenberg: "Yes."

Righter: "Okay. The appropriation of monies out of the General Fund and into the, let's say, the Common School Fund it requires an act of the General Assembly to do so... to transfer the money and to dictate how much money is gonna be transferred. Do you think that it is constitutional to have the Governor's Office directing the Comptroller how much money to appropriate out of the Stabilization Fund and into the General Revenue Fund?"

Schoenberg: "Mr. Righter, I would answer that question in two parts. The first part is that you raised similar concerns about a prior version of this Bill and to address tho... that prior version of the Bill had the Comptroller and the Treasurer making the determination. I agree with you that legislative prerogative should not be relinquished in this area and that's why there are several... three different scenarios. Admittedly, under the scenario that you outlined, the third option, we are authorizing this to occur only in the most extenuating circumstances. Having witnessed far more severe economic times in the state than we're seeing now, where considerable debt was accumulated into subsequent fiscal years and I think you would agree that only the most... under the most extenuating circumstances would it be appropriate that this third option be used. As a matter of fact, my immediate reaction

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is that it's probably far more likely that the Governor would summon the General Assembly into a Special Session to address an emergency situation rather than act unilaterally."

Righter: "Well, Representative Schoenberg, the Bill, however, does not require the Governor to utilize one of the three. It gives him that option, does it not?"

Schoenberg: "It does provide three options. But as a practical matter of course, I would say that this third outline... option which you've raised would only be exercised in the most extenuating emergency circumstances. And even so, I think we could probably envision a situation as we have with other emergency situations where the Governor would take the necessary steps... take other necessary steps before exercising this option."

Righter: "Well, the Bill does not define what those emergency or extenuating circumstances may be though, does it?"

Schoenberg: "Well, it does... As a matter of fact, it does on page 3 of the Bill, line 8. It clearly articulates that if the General Assembly is not in Regular Session to enact legislation, as provided in subsection (a), then the President of the Senate and Speaker of the House may certify, it doesn't mandate them to do so, it says they may certify that the Senate and the House of Representatives are not in Regular Session and approve of the Governor's request to transfer funds from the Budget Stabilization Fund to the General Funds in order to address cash flow emergency. This is only if we are... if the General Assembly is not in Session."

Righter: "Well, I understand that, but the question was whether or not these extenuating circumstances which you referred to earlier or cash flow emergencies, those are not defined

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in the legislation are they?"

Schoenberg: "Mr. Righter, if you read a little further down in Section 20, particularly, if you go to line 26. It expressively states that this would be quote, 'in response to failures in revenue when collections are not anticipated to meet projections in the current fiscal year or in response to a casual deficit in revenue where collections are expected to meet projections in the current fiscal year.' Obviously, these are very extenuating circumstances and from a politically, practical standpoint it would seem, as I said before, more likely that if we did reach such a critical crises situation that another course of action would be a preferred course of action, even a Special Session of the Legislature."

Righter: "Of course, now the Governor has already at his disposal the ability to deal with a situation of an emergency in a cash flow by... through short-term borrowing, does he not?"

Schoenberg: "That's correct."

Righter: "Okay. So, any fiscal emergency that arises so quickly that a Special Session of the Legislature could not be convened so that the General Assembly fulfills its constitutional role with regarding the passage of an appropriation, the Governor could and I don't know, maybe there in a case of history, the Governor could handle that through the short-term borrowing powers that he has. Is that fair to say?"

Schoenberg: "It's fair to say, but if talking about an extenuating set of circumstances, we saw under the Edgar administration where disaster situations precipitated emergency expenditures when the Legislature was not in Session and this mechanism mirrors what that does so that we're not breaking any new ground here."

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Righter: "Well, okay. Explain that... explain what happened to me during that time, Representative Schoenberg, 'cause I'm not as familiar as it sounds like you are with that."

Schoenberg: "Well, first of all, Mr. Righter, I'd like to say that the casual short-term borrowing requires those funds to be repaid during that fiscal year. And in fact, as I indicated during my opening remarks, personally, I think one of the most attractive elements of this fiscally-responsible reform package is the fact that it insures that expenditures incurred whether they are anticipated or emergency are actually covered within that fiscal year. I think... I don't know if you served in the Legislature in the... I think this predates your service. I know that when I was sworn in and Governor Edgar first became Governor there was an accumulated debt of \$1.2 billion, but we technically had a balanced budget. And not only that, but in probably one of the most obscene acts that I've seen in recent memory, much of that debt was the result of unpaid Medicaid bills. The state actually had a program where it lent money to pharmacists who were waiting to be paid by the state, charged them interest to wait... while they were waiting to get paid by the state until they actually got their money, so that it actually cost them even more to wait than they had originally hoped."

Righter: "Well, Representative, I understand all that and I think that most of the Members in the chamber agree that the state ought to pay its bills on time. The question that I... I guess I'm gonna ask you a different question now and that is do you know of another circumstance, another area in law, where a constitutional officer is allowed to appropriate money out of one fund to another in this manner without the approval of the General Assembly?"

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Schoenberg: "As I said and perhaps I should have been more succinct and clear before, but the precedent and the powers do exist when there is emergency borrowing as a result of a natural disaster."

Righter: "The emergen... and we talk... I think we talked about that last year, Representative Schoenberg."

Schoenberg: "Right."

Righter: "The emergency borrowing provisions you're referring to are not an appropriation out of one state fund into another, are they?"

Schoenberg: "No, no they're not."

Righter: "Okay. So, this is not... I mean, the short-term borrowing is not analogous to what this Bill calls for. Can you tell me what circumstances you think it would be necessary for the Governor's Office to exercise these appropriation powers when he or she, whoever the Governor is, could call a Special Session of the General Assembly and present the case there?"

Schoenberg: "Well, as I indicated earlier... I'm not going to speculate on a scenario that may occur that would prompt this. What I will say, again, is that there are three options available. Obviously, from a political standpoint, it would be requiring the most dire... the most extenuating circumstances for the Governor to exercise this third of the three options. From a political standpoint, it's obviously more palatable and advantageous to exercise one of the prior two options. But I think even you'll have to agree that this is a vast improvement over this provision of the Bill that we saw in the last Session which had the Comptroller and the Treasurer making that determination. Here the Legislature does, indeed, have a role in this."

Righter: "I agree, Representative, it is most certainly an

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improved Bill and I want to compliment you and the Speaker and the Comptroller for the work you've done, which, I guess, makes me all the more uncertain about why we feel it's necessary to put in what is likely an unconstitutional provision in the Bill that allows a constitutional officer to appropriate money when there is nowhere else in law that they are allowed to do that, there's nowhere in the Illinois Constitution says they're allowed to do that. The question that I have for you is, why is that third provision necessary?"

Schoenberg: "Mr. Righter, so that we are clear on this. It doesn't allow them to unilaterally appropriate money, it allows them to open the release mechanism that would allow the money that's been set aside through legislative prerogative to address some very extenuating needs. But it doesn't... It would not allow them to appropriate money. The determination on where the money would be appropriated... the determination to appropriate money, that will have already been made by the General Assembly."

Righter: "The General Assembly will have made no prior determination about appropriating money out of the Budget Stabilization Fund. So, there wasn't... there wouldn't have been any prior approval from the General Assembly, would there?"

Schoenberg: "The General Assembly would have... The General Assembly, when this Bill becomes law, will have provided the Governor with one of three... with three options, two of... some of those are obviously from both a fiscal and political standpoint more desirable than others. But as I said, we do have precedent in terms of dealing with extenuating circumstances. And Mr. Righter, my guess is, that if you were the Governor and you found yourself in

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this situation and Mr. Righter, it's nice to dream, but if you were the Governor..."

Righter: "Representative, could you repeat that question, Representative? The thunderous applause, I couldn't hear anything that you said."

Schoenberg: "I said... For your many fans in the gallery who didn't catch that. I said, if you were to find yourself one day as the Governor... We all have our fantasies, Mr. Righter."

Righter: "Or the Treasurer. Right, Representative Schoenberg?"

Schoenberg: "Pardon me?"

Righter: "Or the Treasurer."

Schoenberg: "If you were to find yourself... Well, I hope you'll help me make my dreams come true, Mr. Righter."

Righter: "Is that a declaration, Representative Schoenberg?"

Schoenberg: "No, I'm trying to answer your question as best I can. The... But if you were to find your... If you or I or one of the... were to find ourselves in a similar situation, from a practical standpoint as well I would anticipate that you would find... you would want to exercise one of the other options perhaps first and leave this under the most extenuating circumstances. I mean, this is already going to... this will be used, the transfer of the money, will be used to cover appropriations that are already made by the General Assembly. And if the bottom falls out on the revenue projections in a very sudden fashion, this is to insure that those obligations which have been made are covered and done so in a way that perhaps could head off some unforeseen and unfortunate circumstance like a sudden negative change in the state's bond rating."

Righter: "Thank you, Representative. To the Bill, Mr. Speaker."

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Speaker Hartke: "To the Bill."

Righter: "Mr. Speaker, first of all, again I want to applaud the Comptroller, the Speaker, Representative Schoenberg for their work on this concept which I supported. I voted for the Bill last year. I will vote for it again this year. But I think that we have a serious, serious problem with regards to giving constitutional officers the ability to appropriate funds from one fund in the state treasury to another. The other two options that are available under this Bill are clearly adequate to satisfy any shortfall or any cash flow emergency that we may have, if they are not, the borrowing power that the Governor has, under his authority, would certainly fill that gap. As such, I would urge an 'aye' vote on this and would also urge the parties who support this to work further on this Bill to make it an even better one. Thank you, Mr. Speaker."

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

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

Speaker Hartke: "The Sponsor will yield."

Fritchey: "In the anything can happen category, I find myself in agreement with the prior speaker. And I do think there's some significant issues raised because as I see this, technically, when we adjourn over the weekend, we are not in Regular Session, are we?"

Schoenberg: "When we adjourn for the weekend, Mr. Fritchey, we're frequently in perfunctory time. So, we are..."

Fritchey: "Over Saturdays and Sundays?"

Schoenberg: "No."

Fritchey: "When we adjourn for the Se... for the weekend we're not in Session? ..."

Schoenberg: "Well, when we... very rarely, as you know, come back

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on Mondays. More often than not when we do come back we come back on a Tuesday."

Fritchey: "More to the point even more so, the Bill leaves open the possibility that if there were a desire and none of us would hope that there would be such a desire, but if there were one, that the Governor and or whatever leaders may be in place at the time could very well do an end run around this Body to achieve any goals that they want to. You're nodding your head 'no', but a technical reading of this Bill and Jeff, I think you're gonna agree wi... I'm not trying to nitpick here. But, we can't talk about what is likely to happen or what would or wouldn't happen, you're talking about what's permitted under the Bill. And I think that the Gentleman from Coles was very right in saying that this Bill has... gives the authority for action to be taken that would completely circumvent the jurisdiction of this Body."

Schoenberg: "Mr. Fritchey, I'll address that in two parts. The first is that as I mentioned earlier, the money is already appropriated by the General Assembly. The issue is releasing the revenues to cover appropriations already made."

Fritchey: "Which..."

Schoenberg: "To address more directly the point that you made, we don't work... the state... we don't work and the state doesn't work and the state does not pay its bills on Saturdays, Sundays and legal holidays. So, in that regard, the clock is stopped as far as the time when there might be any mitigating circumstances."

Fritchey: "Check me if I'm wrong. It's not solely for bill payment purposes though. The Governor could declare any sufficient emergency reason to implement the transfer."

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Schoenberg: "The Bill specifically points to any time there are any... there are insufficient resources in the General Funds. So, the money has been approp... so, the appropriations have been made. But there is for some unforeseen reason the revenues are not sufficient in order to meet the commitments made through the appropriations, even though, we've taken the additional safeguard in this Bill to insure greater veracity in the revenue projections. As you know, currently we receive... there's currently... there's frequently a disparity between what the Bureau of the Budget projects and the Economic and Fiscal Commission projects. Sometimes that's bigger, like now when there's a, I believe, a \$115 million disparity between the two projections, sometimes that's smaller, but the money's already been appropriated. So, the issue is, how do we... in a sudden shortfall of projected revenues, what opens up the dam to insure that the money flows to pay the bills?"

Fritchey: "All right. Let me change gears."

Schoenberg: "Okay."

Fritchey: "The Budget Stabilization Fund already exists, does it not?"

Schoenberg: "Does."

Fritchey: "As of today, how much money is in that fund?"

Schoenberg: "About \$600 thousand."

Fritchey: "And what is our present budget surplus?"

Schoenberg: "Well..."

Fritchey: "Projected or estimated."

Schoenberg: "Well, there are those who would like to tell you that we... that our June 30th, 2000, surplus was in excess of \$1.5 billion, but the reality... the harsh reality is that the standards which the bond houses and the accounting firms use, that being generally accepted accounting

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principles, shows us with a projected \$315 million deficit. So, the standard that we use to proudly beat on our chests about what kind of surplus exists is really... we're in the distinct minority there. That's not how Wall Street views it."

Fritchey: "As of the end of June, how much money is going to be in the Budget Stabilization Fund?"

Schoenberg: "At the end... \$600 thousand. The transfer won't get made until July 1st."

Fritchey: "Okay. As of July 1st, how much money is going to be in the Budget Stabilization Fund?"

Schoenberg: "The most conservative estimate right now is about a hundred and sixty-five million which probably pays less than a week's worth of bills."

Fritchey: "And now we come to the crux, where's the hundred and sixty-five million dollars coming from?"

Schoenberg: "It would come from the tobacco settlement revenues from last year's legislation."

Fritchey: "And how... Do you know and I know that this is an issue that you have showed sincere concern and effort on. Do you have any idea how much money we spent out of the tobacco settlement on health-related purposes last year?"

Schoenberg: "It was very slight."

Fritchey: "So, we're..."

Schoenberg: "It was less than 50... less than a hundred million dollars, I believe."

Fritchey: "It was less than \$30 million."

Schoenberg: "All right."

Fritchey: "Unless you want to consider some bricks and mortar expenditures to be health related. And I'm not saying this obviously to attack you..."

Schoenberg: "Well, you know..."

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Fritchey: " ... or the Bill, per se..."

Schoenberg: " ... You know that figure that you mentioned I think that you're defining that narrowly. That's in the area of smoking cessation. I do believe that we... I agree with you that money that we've derived from the settlement proceeds should be spent primarily, if not exclusively, on public health. And I cannot discount the fact that we spend money on biotechnology, biomedical research, circuit breaker, those costs are directly, in my view, that those costs are more... directly related to addressing health care needs. Fish farms, I think we both agree, is a different story."

Fritchey: "Okay. I don't want to harangue you for something that was done in last year's legislation. Mr. Speaker, to the Bill. Ladies and Gentlemen, my concern and I realize it's becoming a broken record to many of you and I apologize. A hundred and eighty million dollars of the Tobacco Settlement Fund is going into fund the Budget Stabilization Fund, initially. I'd asked some questions of the Comptroller's Office a week ago, they had promised to get back to me, they never did. There was a legitimate concern that additional money that will go into this fund will be siphoned off the tobacco settlement dollars. If you're okay with that, you should have no problem with this. If you believe that that money should be going for health-related purposes which will save us money at the end of the day, then you should have some real concerns that this is going to hap... that the tobacco settlement dollars are probably going to become an irresistible source to continue to fund this Rainy Day Fund going forward. We're going to see it one way or another that the money is going to be siphoned off for various purposes. Having the Rainy

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Day Fund is an unassailable ideal. The way that it's going to be funded is very troubling to me. Thank you."

Speaker Hartke: "We've had two people speak in support of the Bill. Does anyone stand in opposition? Representative Johnson."

Johnson: "To the Bill."

Speaker Hartke: "To the Bill."

Johnson: "I'll try to make my remarks quick and to the point. I have always had a problem where we talk about setting aside money that is really not ours and saying we're gonna have a Rainy Day Fund. Now, I've been here in the worst of times, I think, and in the best of times. And over this period of time... And if one goes back in terms of revenues to the State of Illinois, even in the very, very worst of times in recessions the revenues to the State of Illinois have always increased. We, in essence, have a rainy fund set into our budgets every year in the sense that we appropriate 'x' amount of dollars and we have revenues coming. In the worst of times that I've been here, when we were very much behind the eight balls, we still ended up with cash surpluses at the end of the year of \$250 million in growth that went beyond that. Now, people, I believe that what we ought to be talking about... We try to make analogies to the private sector and we ought to set aside money for those rough times, which I hope I've just dispelled. Illinois has never had a rough time in terms of increasing its revenues. The problem is, in business, when I run a business, a private business, I project costs and I project revenues and they might not pan out because my product might not be that good and therefore, I might have to subsidize myself to keep me going. In this case, every dollar that the State of Illinois gets does not... is not

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created in one measly way by the State of Illinois. It is the people of the State of Illinois' money. Now, you know, here we're talking about setting aside a hundred and seventy-five million which is just a portion of the projected surplus into a Rainy Day Fund when we could not give back a hundred and thirty million of those dollars to the taxpayers to pay their utility tax bills this year, and in fact, it's their money. To the extent that this state receives surplus dollars, let's not forget whose it is. Let's focus on cutting spending and let's focus on giving back the dollars... excess dollars, to the people who earned it and sent it here in the first place. And when we have excess, let's get it back. Over these past few years, we have increased our spending in this state from \$37 billion to this year over \$50 billion. That's in two years. Yet, we cannot even give a hundred and thirty million dollars of our tax dollars back to the people to help pay their utility bills, their gas bills, their heating bills for this winter. But yet, we can give the Comptroller a hundred and seventy-five million dollars to invest in banks, as if they really need it. This money belongs to the people, let's get it back to 'em. Let's provide for their needs and after we've done what we've been sent here to do, let's not just turn around and bank surpluses. Let's get it back to the people who sent it here in the first place."

Speaker Hartke: "Further discussion? Also standing in opposition is Representative Bellock."

Bellock: "Yes, Mr. Speaker. Will the Speaker (sic-Sponsor) yield?"

Speaker Hartke: "Sponsor will yield."

Bellock: "Sponsor. Representative Schoenberg, I couldn't hear as

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well when Representative Fritchey was talking. But last year when we did all the tobacco settlement money and we gave the tax rebate back to the people, wasn't there a Rainy Day Fund created then and is this a second Rainy Day Fund? Maybe Representative Fritchey got that clear, but I couldn't hear."

Schoenberg: "This is not a second Rainy Day Fund and any fear that tobacco settlement proceeds would go into this fund in subsequent years should be put to rest."

Bellock: "No. What I'm trying to find out, to clarify. In that Bill last year, I am sure that there was described the talk of a Rainy Day Fund being set up."

Schoenberg: "We didn't really institutionalize that. That was money set aside, but if anything... this is why Comptroller Hynes is absolutely on the mark. We need to institutionalize this. We, in all... with all due respect to Mr. Johnson, who I have great regard for his views and for his intellect, we don't have a surplus. We need to get real to the fact that we... right now, if we use the same standard that the rest of the financial world uses to determine whether we're gonna have enough money to pay our bills within our fiscal year, we are \$315 million short, if the current revenue projections hold. We need to formalize this, not have it be a one-time set aside. We need to institutionalize this so that when revenues reach a certain point, money is automatically set aside and when there are precipitating circumstances which require addressing this problem, other than the benign neglect that we've seen in years past where money shifts merely gets deferred off to the next fiscal year and it builds up and it builds up and it builds up. That's the situation that we want to avoid. That's why this program is absolutely on the mark, in the

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right... establishing this into law and providing the necessary fiscal discipline for the state."

Bellock: "Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Bellock: "In all respect to Representative Schoenberg, in my area when the constituents hear the term 'Rainy Day Fund' they write in letter after letter saying we would like the money sent back to us, we do not want the State of Illinois using a savings account of our money, give it back to us, we can understand paying money for roads, for human services, for medical needs. But they can't understand a Rainy Day Fund. Thank you."

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

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

Speaker Hartke: "Sponsor will yield."

Miller: "Representative, just want to be very clear. This is a one-time transfer of funds of the hundred eighty million from the tobacco settlement proceeds? I couldn't hear with some of the..."

Speaker Hartke: "Ladies and Gentlemen let's give the speakers your attention, please. Shhh, please."

Schoenberg: "Mr. Miller, that was last year's Bill. But as Standard and Poors points out, unlike Rainy Day Funds and quote, 'unlike Rainy Day Funds in many other states, Illinois' fund does not include an automatic mechanism that enables its reserve to increase in proportion to growth in the state's budget.' So, not only do we not set aside... have the money set aside in a fiscally responsible manner like over 43 other states, but we don't have a mechanism in place that insures that we're able to deal with extenuating circumstances. That was last year. This institutionalizes

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a process where we set aside money from other... from General Revenue Funds in order to have the money in unexpected shortfall of revenues."

Miller: "Okay. I guess I'm just a little confused here 'cause you have to bear with me 'cause I wasn't here last year and I appreciate the update. I, too, share the concern similar to Representative Fritchey in regards to the money coming out of the tobacco settlement which I believe should be used towards health care, too. In addition, I do have some concern in regards to that if money is used toward this, at some point there's gonna be a shortfall somewhere where there comes out of the General Revenue Fund or whether it comes out of Tobacco Settlement Fund proceeds. And so, you know, I guess that's what I'm not really clear on and I just want to make sure that we all understand implications of this. If you can help shed some light on that, I'd appreciate it."

Schoenberg: "Mr. Miller, last year's Bill set aside a pool of money to, as a reserve, but wasn't technically a Rainy Day Fund. None of the bond houses consider it a Rainy Day Fund. The mechanism that's put in place through this Bill is that... is to insure that at a certain threshold general funds will be set aside in order to provide in a Rainy Day Fund and then when a different threshold is arrived at, that would trigger the release of those funds. So, you should consider... I share your interest and concern, yours, Mr. Fritchey's, and others that we not be drawing regularly from tobacco settlement proceeds. That does not occur in this Bill."

Miller: "To the Bill."

Speaker Hartke: "To the Bill."

Miller: "Although I understand the importance of establishing a

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Rainy Day Fund and I still would like to hear if there are any other arguments with this. I share a great deal of concern of where those funds are being derived from. You know, when the tobacco settlement was to initially to help health care issues not just some pool of money to help. I think if we were really fiscally sound as the Governor said in his address, then in that case, that's where possibly we can start saving some of our money toward this fund. And so, I would urge my colleagues to continue to listen to these argument as I will. Thank you very much."

Speaker Hartke: "The Gentleman has presented the Bill. We've heard two individuals speak in support of the Bill and two people in opposition. Representative Mulligan, are you standing in opposition, as well?"

Mulligan: "I'm a Sponsor."

Speaker Hartke: "To the Bill, shortly."

Mulligan: "I rise in support of this Bill. In some shape or form over the last several years, whether it was Comptroller Loleta Didrickson who had a similar Bill where I was a chief Sponsor on or Comptroller Hynes who I've sponsored his Bills in the past, I've always believed that we ought to have some type of Rainy Day Fund. The will of the General Assembly sometimes if there was a downturn in the economy might be to help out, but it takes it so long to turn around that a Rainy Day Fund would cover the enormous obligations that the state has. In Human Services alone, probably a quarter or probably 40% of the budget, we have created entitlement programs and all kinds of funds that would certainly suffer if we were to have a sudden downturn in the economy. That may happen next year with the fall in the stock market, we don't know that. But we have less will to tax people or turn things around in tough times

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than we do when times are good and we're spending without thinking about it. People from my district don't question that so much as they do question that we spend the money well. I think we are under an obligation to put some money away and make sure that we have something to cover our obligations which are many. The entitlements that we incur are great. Whether it's the Federal Government that may cut a program such as they're talking once again about hampering us in reimbursements for Medicaid. Issues like that where we have to cover those programs, I feel that it behooves us to take a look at putting some money away. I think it's only the smart thing to do, even though we have a balanced budget. Things turn around quite quickly and we do not respond that fast in passing some kind of an increase. So, I strongly support always having some money put away. We can let that money raise interest, whether it's this form of a Bill or another. Unless the General Assembly shows some will to do that type of savings or to be responsible about long-term obligations that we have incurred, we will never get anything that puts away money that we save for a better day. It's always harder to save it than it is to spend it. And we seem to be able to spend it quite easily."

Speaker Hartke: "Representative Schoenberg to close."

Schoenberg: "Please vote for House Bill 2159."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 2159?' 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? ... Ryan? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2159, there are 103 Members voting 'yes', 11 Members voting 'no', 2 Members

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voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 264?"

Clerk Rossi: "House Bill 264, a Bill for an Act concerning managed care plans. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. House Bill 1019, Representative Black. Mr. Black. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1019, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Representative Black on House Bill 1019."

Black: "Mr. Speaker."

Speaker Hartke: "Yes, Sir."

Black: "Mr. Speaker."

Speaker Hartke: "Ladies and Gentlemen, please, let's have some quiet in the chamber. Shhh, please. Representative Black would like to present his Bill."

Black: "Mr. Speaker, there's entirely too much horsing around here. All right. Mr. Speaker and Ladies and Gentlemen of the House."

Speaker Hartke: "Quiet, please, Ladies and Gentlemen. We don't want to miss any of this, please."

Black: "Mr. Speaker and Ladies and Gentlemen of the House, thank you very much."

Speaker Hartke: "You said that already."

Black: "Let me first of all assure you that I will not portray this Bill as the most important Bill we will act on in the 92nd General Assembly. I think the sun will come up tomorrow whether this Bill passes or fails. This is not my idea. I didn't think of this... I didn't think this up."

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I'm not that creative, I wish I was. Like many of you, I was approached by a person who lobbies for the American Society for the Prevention of Cruelty to Animals and asked to carry this Bill for that organization. She was very up-front with me. She said most everybody in the chamber had turned her down and that I was the only one left. Seriously, I have long thought that this is to be a forum of ideas and that any group should have the right to at least have a committee hearing and we did that and the Bill passed committee. When I was approached to carry this Bill, my immediate reaction was, you can't be serious, this is already against the law. And I found out that it is not. That when we cleaned up, those who served before us back in the 70s cleaned up the criminal statutes between sexual... dealing with sexual contact between consenting adults to take out those laws on sodomy and what have you in the early 70s, they also cleaned out the statutes that would govern sexual contact with animals. Now, I grew up in the rural area... Thank you very much, I may need that. I have heard all of the barnyard humor about this for most of my life. So whatever we say here, you're not going to embarrass me, I hope I won't embarrass you. When all is said and done, I think most of us would agree that sexual contact with an animal should most likely be against the law. I have had people come to me and say, well, if the animal doesn't have a problem with it, what the heck. In all seriousness, an animal should not be considered as a person's chattel or private property and if you can tell me how an animal can consent, I may certainly be willing to amend the Bill. The American Society for the Prevention of Cruelty to Animals, let me see, under the Freedom of Information Act, they have heavily edited some police

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reports, there have been a few newspaper stories that I think some of you have seen. I have received letters from the Springfield Police Department for example with their investigation unit. Evidently this does occur and I think in all seriousness, that this law could well be put back on the books. The only current crime, it's my understanding, that you can charge a person with would be public indecency or disturbing the peace. Now, if a human can say to a court of law or a prosecutor, that I was forced to have sex with an animal by another person, that's covered. That can be prosecuted in a court of law. But if you indulge in this practice and I have in my file, you're welcome to read it if you'd like, where it has been done to small domesticated animals and the animal dies as a result, you can charge them with cruelty to animals, but that is generally considered to be a misdemeanor. This will carry the offense of a felony. So, when all is said and done... Someone asked me earlier today if this was responsible for the spread of mad cow disease or hoof and mouth, I don't think so, not that I know of. But when all is said and done and all of the jokes have been told and all of the nervous laughter exhausted, I think and I am not the least bit ashamed in bringing this Bill to you, this kind of contact should not be a legal and lawful act. And that's why I am sponsoring House Bill 1019. And will try to answer any questions to the very best of my ability."

Speaker Hartke: "The Chair recognizes Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Gentleman yield? Representative Black, in House Bill 1019 can you define 'sexual relations'?"

Black: "That's my second cousin, once removed."

Morrow: "Everyone's laughin'. I'm being very serious about this."

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Pardon me? I couldn't hear you."

Black: "It's my second cousin, once removed."

Morrow: "No, the reason why..."

Black: "No, I... Yes. Yes, it is defined in the Bill. Sexual molestation of an animal by a human includes a wide range of behaviors, such as vaginal, anal or oral penetration, fondling, oral genital contact, penetration using an inanimate object, and killing or injuring an animal for sexual gratification."

Morrow: "All right. The reason why I asked that question and was not in... to be funny or any kind of humor..."

Black: "I understand that."

Morrow: "But most pets are very fond of their owners and most pets lick their owners in the form of kissing. And I would not want someone to be charged with this offense because of an over affectionate animal kissing, or not kissing but licking their master. So, I just wanted to make sure, Representative Black, that that's not in your definition of sexual relations as far as this Bill. Everyone's making a joke out of this, but this is something serious. 'Cause of that's the case, there's no one in this world that has a pet that they're not fond of."

Black: "I absolutely agree with you, Representative, and I did not take your question to be one of a humorous nature. I had a dog... I have a dog now. I had a dog for 18 years that I brought down here when we were over in Room 300. I had that little dog here on the floor one day, very well-behaved little miniature poodle, set under my desk, no accidents, no problems, did bark on a couple of occasions when I asked it what it thought of a Bill, but... and I'm not being humorous, I loved that dog. The hardest thing I ever had to do, other than be at my mother's deathbed, was

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when I had to take that dog to the vet and have it put down because it was in such terrible shape. I loved that dog as much as I love my wife and children and I'm being... I'm not trying to be humorous. And is absolutely nothing in this Bill that would interfere in the relationship you or I or anybody would have with a pet. That dog slept with me for 16 of the 18 years of its life and I don't think that that behavior is covered in this Bill."

Morrow: "Representative Black, that's why I'm getting up to ask these questions for purpose of legislative intent, basically, because I've had pets that in their showing affection to me, licking me on the face, might have accidentally touched my lip. It's a form of ki... If that's an offense in this Bill, then you have a lot of pet owners that are in trouble. So, I'm just doing this for legislative intent. I don't need to barnyard humor and all that kind of crap on this Bill, okay. Thank you. Thank you, Representative Black."

Black: "Thank you."

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

Lang: "Thank you. Will the Sponsor yield?"

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

Lang: "Mr. Black, isn't this already against the law?"

Black: "No. I... As I said in my opening remarks, when I was approached by Ledy Vankavage my initial response was, this is already against the law. And evidently, as I said earlier, when we cleaned up the consenting adult criminal statutes in the early 70s, this was also removed. You can charge someone with cruelty to animals under certain conditions, but the only criminal offense is if a human can convince a jury or a prosecutor that they were forced to

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have sexual contact with an animal against their will. If a human inflicts sexual contact upon an animal, the animal dies, the only charge is... that would be levied today would be cruelty to animals."

Lang: "Mr. Speaker."

Speaker Hartke: "Yes, Sir."

Lang: "Parliamentary inquiry."

Speaker Hartke: "State your inquiry."

Lang: "Are you sure you should be sitting in the Chair during this. You do have this hog farm, Sir, that... and I'm wondering if there's a problem of conflict. No."

Speaker Hartke: "No, Sir. No problem."

Lang: "All right. Just checking, thank you."

Speaker Hartke: "The Chair recognizes Representative Black to close. Representative Hassert."

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

Speaker Hartke: "The Sponsor will yield."

Hassert: "Representative, what happens if the animal initiates the act?"

Black: "Well, I think that goes the heart of Representative Morrow's question and they often do. Within... No, I mean seriously, within reasonable limits. In fact, I've often said on this floor, if you want to be in politics and you want a friend, a true friend, who will give you unconditional acceptance and love, then you better buy a dog. Because there are times when you go home your spouse isn't gonna even be happy to see ya because of the votes that we make and the positions that we take. If the dog initiates or the animal initiates certain behaviors, I would assume that the human would, and I think we've all been there with our domesticated animals, the human would say or do something to indicate that that is not an

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accepted behavior on behalf of the animal. Now, if the animal persists, I think the Bill is silent on whether or not we can charge the animal, but I would rely on the good common sense of humans to perhaps limit or inhibit the intentions of the animal."

Hassert: "Representative, somebody had told me that there's an Amendment that was floating around... for that possibly a two-day-old calf is exempt out of your Bill. Are they still in it?"

Black: "I'm sorry, Representative, I didn't hear the question."

Hassert: "Well, that's... No more questions."

Black: "All right."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Bill has attracted a great deal more attention than it ever should have. It has been... I'm glad I have been able to bring some levity into the morning talk shows. Some of the morning disc jockeys that I've heard on my way into the Capitol, they have just had a whole lot of fun with this Bill. I'm glad I was able to bring some humor into their lives, but when all is said and done I think most of us understand that we thought this was against the law in the first place and I think most of us are ready to vote 'aye'."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 1019?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 1019, there 113 Members voting 'yes', 0 voting 'no', and 2 Members voting 'present'. And

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this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, committee schedules."

Clerk Rossi: "There is a committee schedule being passed out. The following committees will meet... the following committee will meet immediately after Session, the Labor Committee in Room 118. The following committees will meet tomorrow morning: from 8 to 10 a.m. in Room 118, the Appropriations-Higher Education Committee, from 8 to 10 a.m. in Room 114, the Appropriations-Human Services Committee, and at 9:30 a.m. in Room D-1, the Executive Committee."

Speaker Hartke: "Any Member have an announcement they would like to make for the good of the Body? Hearing none, allowing perfunctory time for the Clerk, Representative Lang now moves that the House stand adjourned until the hour of 10 a.m. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does stand adjourned."

Clerk Rossi: "House Perfunctory Session will come to order. Introduction and First Reading of Senate Bills. Senate Bill 101, offered by Representative Kurtz, a Bill for an Act concerning public funds. Senate Bill 829, offered by Representative Meyer, a Bill for an Act to amend the Unified Code of Corrections. Senate Bill 850, offered by Representative Pankau, a Bill for an Act in relation to State employees. Senate Bill 882, offered by Representative Durkin, a Bill for an Act in relation to public aid. Senate Bill 883, offered by Representative Ryder, a Bill for an Act concerning the executive branch. First Reading of these Senate Bills. Senate Bill 116, offered by Representative Winkel, a Bill for an Act to amend the School Code. First Reading of this Senate Bill. Being no

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further business, the House Perfunctory Session now stands
adjourned."