

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

52nd Legislative Day

May 3, 2001

Speaker Madigan: "The House shall come to order. The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Pastor David Bartleman of the Life in Christ Church in Chicago Ridge. Pastor Bartleman is the guest of Representative Crotty. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance.

Pastor Bartleman: "Heavenly Father, baruch atah adoshem adonai, blessed is he who comes in the name of the Lord. I come in thy name, Oh Lord to bring this Session, this gathering of Legislators, before you to bless and sanctify for Your glory. I ask that Your spirit minister to the hearts and minds of these men and women. May their hearts have peace. May their thoughts and decisions they will make here, this day, be to enrich and uphold the foundation of this great nation. May the laws they write and pass, on this day, be not only for our society of this generation, but for our children and grandchildren and for all generations to come, as long as Jesus tarries. Father, they need Your wisdom and blessing to carry out this great task that has been placed upon their shoulders. For Thou are omnipotent and omniscient in power, thought, and deed. Let Your merciful hand hold their hearts and turn them whichsoever way You will. May all they do bring glory and honor unto You. May these men and women, these Legislators, set standards in Illinois that other states of this great nation will see as a light in a darkened world, and join Illinois to uphold and stand as one nation under God. Heavenly Father, You declare, in Your Holy Word, blessed is the nation whose God is the Lord. Illinois is only one of a united body of states that declare our Lord as God. And we uphold the action of our forefathers who have set this day aside, the

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National Day of Prayer, for a perpetual reminder to Americans that we are governed by the one true God in his holy written word. May Your son, Jesus Christ, be glorified in all that we do this day, I pray. Amen."

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

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

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

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

Speaker Madigan: "Mr. Poe."

Poe: "Mr. Speaker, let the record show that Representative Stephens, Representative Saviano, and Representative Sommer are excused today."

Speaker Madigan: "Mr. Clerk, take the record. There being 114 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Schoenberg, Chairperson from the Committee on Appropriations-General Services, to which the following measure/s was/were referred, action taken on Wednesday, May 2nd, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 275. Representative McCarthy, Chairperson from the Committee on Child Support Enforcement, to which the following measure/s was/were referred, action taken on Wednesday, May 2nd, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 661; 'do pass as amended

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Short Debate' Senate Bill 993 and Senate Bill 1033. Representative Reitz, Chairperson from the Committee on Cities & Villages, to which the following measure/s was/were referred, action taken on Wednesday, May 2nd, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 755; 'do pass as amended Short Debate' Senate Bill 754. Representative Scully, Chairperson from the Committee on Commerce & Business Development, to which the following measure/s was/were referred, action taken on Wednesday, May 2nd, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 845, Senate Bill 846, and Senate Bill 1522. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on Wednesday, May 2nd, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 8, Senate Bill 32, Senate Bill 530, Senate Bill 571, Senate Bill 1047, Senate Bill 1506, and Senate Bill 991; 'do pass as amended Short Debate' Senate Bill 42, Senate Bill 76, Senate Bill 93, Senate Bill 162, Senate Bill 163, Senate Bill 616, Senate Bill 643, Senate Bill 663, Senate Bill 832, Senate Bill 847, Senate Bill 887, Senate Bill 900, Senate Bill 930, Senate Bill 975, Senate Bill 1011, Senate Bill 1190, Senate Bill 1234, Senate Bill 1301, and Senate Bill 1504; 'do pass as amended Standard Debate' Senate Bill 118, Senate Bill 151, Senate Bill 161, Senate Bill 1069, Senate Bill 1128, Senate Bill 1174, Senate Bill 1259, Senate Bill 1282, and Senate Bill 1283. Representative Erwin, Chairperson from the Committee on Higher Education, to which the following measure/s was/were referred, action taken on Wednesday, May 1st, 2001,

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reported the same back with the following recommendation/s:
'do pass as amended Short Debate' Senate Bill 1152;
'recommends be adopted' House Resolution 250.
Representative Feigenholtz, Chairperson from the Committee
on Human Services, to which the following measure/s
was/were referred, action taken on Wednesday, May 2nd,
2001, reported the same back with the following
recommendation/s: 'do pass Short Debate' Senate Bill 165,
Senate Bill 518, Senate Bill 698, and Senate Bill 1304;
'recommends be adopted Short Debate' House Joint Resolution
25, House Resolution 168, and House Resolution 184; 'do
pass as amended Short Debate' Senate Bill 216, Senate Bill
371, Senate Bill 396, Senate Bill 461, Senate Bill 873,
Senate Bill 933, and Senate Bill 1305. Representative Dart,
Chairperson from the Committee on Judiciary I-Civil Law, to
which the following measure/s was/were referred, action
taken on Wednesday, May 2nd, 2001, reported the same back
with the following recommendation/s: 'do pass Short Debate'
Senate Bill 250, Senate Bill 879, and Senate Bill 978; 'do
pass as amended Short Debate' Senate Bill 3, Senate Bill
39, Senate Bill 48, Senate Bill 725, and Senate Bill 1175.
Representative Stroger, Chairperson from the Committee on
Labor, to which the following measure/s was/were referred,
action taken on Wednesday, May 2nd, 2001, reported the same
back with the following recommendation/s: 'do pass Short
Debate' Senate Bill 868, and Senate Bill 1241; 'do pass as
amended Short Debate' Senate Bill 252, Senate Bill 281,
Senate Bill 717, Senate Bill 795, Senate Bill 796, and
Senate Bill 969; 'do pass as amended Standard Debate'
Senate Bill 965; and 'recommends be adopted' House
Resolution 180. Representative Fritchey, Chairperson from
the Committee on Registration & Regulation, to which the

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following measure/s was/were referred, action taken on Wednesday, May 2nd, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 1089, and Senate Bill 1284; 'do pass Standard Debate' Senate Bill 857; 'do pass as amended Short Debate' Senate Bill 527, and Senate Bill 528; 'do pass as amended Standard Debate' Senate Bill 526. Representative Kenner, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on Wednesday, May 2nd, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 877; 'do pass as amended Short Debate' Senate Bill 989; 'recommends be adopted' House Resolution 176, House Resolution 196, and House Resolution 215. Representative Slone, Chairperson from the Committee on Conservation & Land Use, to which the following measure/s was/were referred, action taken on Thursday, May 3rd, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 726, and Senate Bill 871. Representative Monique Davis, Chairperson from the Committee on Appropriations-Human Services, to which the following measure/s was/were referred, action taken on Thursday, May 3rd, 2001, reported the same back with the following recommendation/s: Corrected Committee Report 'do pass as amended Standard Debate' House Bill 3456, House Bill 3458, House Bill 3459, House Bill 3460, House Bill 3461, House Bill 3462, House Bill 3464, House Bill 3465, House Bill 3466, House Bill 3467, House Bill 3468, and House Bill 3469. Representative O'Brien, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on Thursday, May 3rd, 2001, reported the same back with the

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following recommendation/s: 'recommends be adopted Short Debate' House Joint Resolution 21; 'do pass Short Debate' Senate Bill 5, Senate Bill 430, and Senate Bill 940; 'do pass as amended Short Debate' Senate Bill 629. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on Thursday, May 3rd, 2001, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 1262; 'do pass as amended Standard Debate' Senate Bill 1258. Representative McAuliffe, Chairperson from the Committee on Veterans' Affairs, to which the following measure/s was/were referred, action taken on Thursday, May 3rd, 2001, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 171. Representative Shirley Jones, Chairperson from the Committee on Telecommunications Rewrite, to which the following measure/s was/were referred, action taken on Thursday, May 3rd, 2001, reported the same back with the following recommendation/s: 'do pass Standard Debate' Senate Bill 10, and Senate Bill 71. Representative Murphy, Chairperson from the Committee on Personnel & Pensions, to which the following measure/s was/were referred, action taken on Thursday, May 3rd, 2001, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #3 to House Bill 2370; 'do pass Short Debate' Senate Bill 936; 'do pass as amended Short Debate' Senate Bill 479. Representative Lyons, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on Thursday, May 3rd, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 38,

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Senate Bill 52, Senate Bill 60, Senate Bill 164, Senate Bill 174, Senate Bill 208, Senate Bill 298, Senate Bill 496, Senate Bill 497, Senate Bill 508, Senate Bill 538, Senate Bill 573, Senate Bill 598, Senate Bill 617, Senate Bill 761, Senate Bill 829, Senate Bill 853, Senate Bill 854, Senate Bill 855, Senate Bill 856, Senate Bill 1116, and Senate Bill 1493; 'do pass as amended Standard Debate' Senate Bill 1285; recommends 'be adopted Short Debate' House Resolution 218; 'do pass as amended Short Debate' Senate Bill 15, Senate Bill 55, Senate Bill 75, Senate Bill 184, Senate Bill 449, Senate Bill 539, Senate Bill 574, Senate Bill 697, Senate Bill 713, Senate Bill 730, Senate Bill 984, Senate Bill 1117, Senate Bill 1135, Senate Bill 902, Senate Bill 1176, Senate Bill 1177, and Senate Bill 1276. Representative Novak, Chairperson from the Committee on Environment & Energy, to which the following measure/s was/were referred, action taken on Thursday, May 3rd, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 881; 'do pass Standard Debate' Senate Bill 356; 'do pass as amended Short Debate' Senate Bill 606; 'recommends be adopted Short Debate' House Resolution 169. Introduction of Resolutions. House Resolution 258, offered by Representative Mautino; House Resolution 259, offered by Representative Daniels; House Resolution 260, offered by Representative Daniels; House Resolution 261, offered by Representative Daniels; House Resolution 262, offered by Representative Monique Davis; House Resolution 263, offered by Representative Lang; House Resolution 264, offered by Representative Novak; and House Resolution 265, offered by Representative Dart. These Resolutions are referred to the House Rules Committee."

Speaker Madigan: "Representative Hartke in the Chair."

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Speaker Hartke: "... recognizes Representative Soto."

Soto: "I rise on a point of personal privilege. In honor of Cinco de Mayo, and we would like you to join us in the corridor for authentic Mexican food. Thank you."

Speaker Hartke: "Thank you very much, Representative Soto. Recognize Representative Parke."

Parke: "Thank you, Mr. Speaker. For the purpose of an announcement."

Speaker Hartke: "State your announcement."

Parke: "I just want to remind the Body that on Tuesday morning, 10 a.m., the Economic and Fiscal Commission will have a meeting with an update on the revenue. So, if you're interested it's Tuesday morning, 10 a.m."

Speaker Hartke: "Page Calendar of Senate Bills-Third Reading appears Senate Bill 979, Representative O'Brien. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 979, a Bill for an Act concerning schools. Third Reading of this Senate Bill."

Speaker Hartke: "Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. Today is Worldwide Asthma Awareness Day and in honor of that I'm presenting Senate Bill 979, which is meant to address a problem in a lot of schools because of our zero tolerance policy have taken the position that students can't bring their asthma inhalers to school and self-medicate. They're often locked in an administrator's office and we've actually had deaths in Illinois because students didn't have access to their asthma inhalers. This Bill simply says that students, as long as they have a prescription for the medication, a note from the doctor, can have that inhaler at school. And I'd be happy to answer any questions."

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

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, every time we get into one of these Bills, I just wanna make sure that we know what we're doing here. Sometimes, early in the day, no one pays attention. Anytime we get into a medication Bill in school there are always those who say 'yea', and there are several groups who say 'nay'. Now, this only involves students who would use a self-medication, in otherwords, an inhaler, correct?"

O'Brien: "Right. Right. Correct."

Black: "This is not legislation that mandates that a teacher have to give the medicine or the school nurse have to give the medicine or some of those things that our educational personnel always calls us later and say, look I'm not trained to do that, I don't wanna give out medicine."

O'Brien: "To give you a detailed explanation of that, no, it doesn't require any school personnel to administer the medication. Students will bring an asthma inhaler and right now they have to lock it up, usually in the administrator's office or the school nurse's office, and then to get to it during an asthma attack, ya know, it can be a long-drawn-out procedure that can often mean the difference between life and... or has meant the difference between life and death for some children."

Black: "So, Representative, this would get around... ya know, many schools have a zero tolerance policy on any kind of medication. I mean, I know you and I have both read a student gets caught with a aspirin and is expelled because of zero tolerance. This would make certain that an

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asthmatic who has an inhaler is not going to run afoul of the zero tolerance provision that many schools have on medication."

O'Brien: "That's right. And as a matter of fact, I worked with school superintendents and different education organizations here in Springfield, their concern has been, they've never wanted to deny children access to this but they didn't feel comfortable whether or not it violated the policy."

Black: "Okay."

O'Brien: "And just for the Members' edification, if a nonasthmatic uses that inhaler it doesn't have any adverse effect on them. So, there isn't a concern about somebody... about this inhaler falling into the wrong hands."

Black: "Okay. Thank you very much, Representative. We appreciate the work you've done."

O'Brien: "You're welcome."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Acevedo. He declines recognition. Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 979?' 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. Turner, would you like to vote? Would you like to vote? Mr. Turner, would you like to vote? Mr. Clerk, take the record. On Senate Bill 979, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Acevedo."

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

Speaker Hartke: "State your point."

Acevedo: "I'd like to introduce a gentleman who came down from Chicago to help us celebrate Cinco de Mayo and as the Counsel General of Mexico, Carlos M. Sada."

Speaker Hartke: "Welcome to the General Assembly, Sir. On page 7 of the Calendar, on Second Reading appears... Representative Acevedo."

Acevedo: "Yes, Speaker. I just wanna... we have a Certificate of Recognition on behalf of Representative Willie Delgado, Susana Mendoza, Cynthia Soto, and myself, to Carlos M. Sada for the fine work he's done in appreciation of coming down here for Cinco de Mayo."

Speaker Hartke: "Thank you very much, Sir. On page 7 on the Calendar, on Senate Bills-Second Reading appears Senate Bill 28, Representative Brosnahan. Representative Brosnahan. Out of the record. Senate Bill 30, Representative Franks. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 30, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 95, Representative Mathias. Out of the record. Senate Bill 98, Representative Hoffman. Out of the record. Senate Bill 103, Representative Bost. Michael Bost. Out of the record. Senate Bill 116, Representative Winkel. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 116, a Bill for an Act to amend the School Code. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor

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Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 117, Representative Hamos. Julie Hamos. Mr. Clerk, read the Bill. Out of the record. Senate Bill 285, Representative Franks. Out of the record. Senate Bill 329, Representative Dart. Tom Dart. Out of the record. Senate Bill 382, Representative Osterman. Out of the record. Senate Bill 397, Representative Mathias. Out of the record. Senate Bill 403, Representative O'Brien. Mary Kay O'Brien. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 403, a Bill for an Act in relation to vehicles. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 487, Representative McGuire. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 487, a Bill for an Act concerning schools. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 489, Representative Dart. Mr. Dart. Out of the record. Senate Bill 510, Representative Mathias. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 510, a Bill for an Act in relation to vehicles. Second Reading of the Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 575, Representative Lyons. Joe Lyons. Mr. Lyons. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 575, a Bill for an Act concerning business transactions. Second Reading of this House (sic-Senate) Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Hartke: "Third Reading. Senate Bill 602, Representative Mendoza. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 602, a Bill for an Act in relation to vehicles. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Bost, would you like to call your Bill? Senate Bill 103. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 103, a Bill for an Act to amend the Downstate Public Transportation Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 635, Representative Garrett. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 635, a Bill for an Act regarding libraries. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 647, Representative Hamos. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 647, a Bill for an Act in relation to aeronautics. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 653, Mr. Jefferson. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 653, a Bill for an Act in relation to animals. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 699, Representative Hoffman. Jay Hoffman. Out of the record. Senate Bill

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721, Representative Turner. John Turner. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 721, a Bill for an Act concerning civil procedure. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 750, Representative Dart. Out of the record. Senate Bill 789, Representative Dart. Out of the record. Senate Bill 800, Representative Kurtz. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 800, a Bill for an Act concerning highways. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 875, Representative Meyer. Meyer. Take that Bill out of the record. Senate Bill 898, Representative Schoenberg. Representative Schoenberg. Mr. Clerk, out of the record. Senate Bill 899, Representative Crotty. Out of the record. Senate Bill 1058, Representative Myers. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1058, a Bill for an Act in relation to probation and pretrial service fees. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1081, Representative Yarbrough. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1081, a Bill for an Act in regarding child care. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1126, Representative

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Parke. Terry Parke. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1126, a Bill for an Act concerning insurance. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1306, Mr. Reitz. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1306, a Bill for an Act in relation to civil procedure. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1517, Mr. Winters. Dave Winters. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1517, a Bill for an Act concerning the Department of Corrections. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 28, Mr. Brosnahan. Out of the record. Is Mr. Hoffman in the chamber? Would you like to call Senate Bill 98? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 98, a Bill for an Act in relation to vehicles. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 368, Representative Acevedo. Representative Acevedo. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 368, a Bill for an Act concerning liability for debit card use. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Hartke: "Third Reading. The Chair recognizes Representative Acevedo, for what reason do you seek recognition?"

Acevedo: "Yeah. Mr. Speaker, 368, I've just been reminded that I did make a promise that I would add an Amendment, so if you could bring it back down to Second Reading."

Speaker Hartke: "Mr. Clerk, what is the status of Senate Bill 368?"

Clerk Bolin: "Senate Bill 368 is on the Order of Senate Bills-Third Reading."

Speaker Hartke: "Move that Bill back to Second Reading for the purpose of an Amendment at the request of the Sponsor. Page 5 of the Calendar of Senate Bill's appears Senate Bill 20, Representative Coulson. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 20, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Coulson."

Coulson: "I'm sorry, pull this out of the record, please."

Speaker Hartke: "Out of the record. Senate Bill 31, Representative Daniels. Out of the record. Senate Bill 37, Representative Parke, Terry Parke. Out of the record. Senate Bill 49, Representative Leitch. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 49, a Bill for an Act concerning home mortgages. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Leitch."

Leitch: "Thank you very much, Mr. Chairman, Ladies and Gentleman of the House. Senate Bill 49 extends to counties an authority that cities and villages throughout Illinois already have. It extends to counties the ability to use parts of their allocations for industrial revenue bonds for low-cost housing. It's a very, very successful program,

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and I know of no opposition. And I would ask for your approval."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Scully. Ladies and Gentlemen, would you please give your attention to the speaker there's Third Readings, please? Shh. Mr. Scully."

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

Speaker Hartke: "The Sponsor will yield."

Scully: "Representative, was there any thought given to accomplishing this goal through an Amendment to the County's Code as opposed to the way it was structured?"

Leitch: "Mr. Speaker, I can't hear the Gentleman's question."

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

Scully: "Representative, the Amendment that you proposed is an Amendment to the Illinois Municipal Code, is that correct?"

Leitch: "Well, it's legislation. It's not... I'm not sure what you're nuance would be?"

Scully: "Creating the Local Government's Housing Finance Act."

Leitch: "No, no, no, that's not there. What happens is when communities don't use all of their industrial bond allocation for some given project many of them elect to participate in a statewide bond program for a very effective program for helping first-time home buyers, called the Assist Bond Program. It's the most effective program in the state frankly, and perhaps, in the country. Right now, cities do it and other units of government do it. This just extends the ability for counties to do it, as well."

Scully: "Does this create a new Act?"

Leitch: "No, it just adds counties to those eligible to use the... their portion of the IRB's."

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Scully: "Representative, the draft of Senate Bill 0049 that I have in my hand says that it creates a new Act."

Leitch: "Well, it creates a new Act, but the effect of the Act is to do what is already being done throughout the state in other venues. This just relates to the counties."

Scully: "Was there any thought given to accomplishing this goal through an Amendment to the Counties Act... to the County Code as opposed to creating a new Act?"

Leitch: "I don't believe it would be appropriate to do it through the County Code. I think that this is the appropriate way that was recommended by bond counsel to do it."

Scully: "It's my understanding the state has only a limited amount of tax-free bonding authority, is that your understanding?"

Leitch: "Well, there's an allocation every year that is assigned to the state that's based on population, of that allocation a certain portion is designated to the state. Other portions of it are designated to various units of government throughout the state. Many times in our communities the allocations will be used for some economic development project within that community. In recent years, pieces of the allocation have been used to participate in a private-sector bond program for low-cost housing. It's the most effective low-cost housing program in the state for first-time home buyers 'cause it offers the cheapest rates, it offers FHA, and it offers an ability for home buyers to get money to put down for a down payment in the case of the first-time home buyer, 'cause as we all know very often that is the biggest hurdle to overcome. So, this is a new Act, yes, but it incorporates what is already occurring throughout the state and is a program that I am unaware of any opposition to."

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Scully: "Do you have any anticipation of the dollar amount that these bonds will be issued in?"

Leitch: "I couldn't hear your question."

Scully: "Okay. It's my understanding that these bonds will be drawing upon a limited amount of tax-free bonding authority that the state has."

Leitch: "They don't come from the state. They come from... "

Scully: "But, the state has a limited amount of tax-free bonding authorities, is that correct?"

Leitch: "You have to understand the state has an allocation by formula federally driven for this bonding authority. The other portion of that is allocated to various units of government. The units of government use their allocations for a series of local and community projects. One of those uses is the first-time home buyer program. So, that is the best way I know how to respond to your question. If you're saying you think the state should control all of the allocations, then I and virtually every community in this state will very, very strongly disagree with you."

Scully: "And, I'm not saying that at all, Representative."

Leitch: "Okay."

Scully: "I'm asking certain, specific questions so that I can have a better understanding at what you're trying to accomplish..."

Leitch: "Good."

Scully: "... and what the expense of this is to the state."

Leitch: "This is no expense, at all to the state. Zero. Nada. Nothing."

Scully: "I'd like to rephrase my questions. Does this proposal draw upon a limited amount of tax-free bonding authority available to the state?"

Leitch: "No. This is an alternative for the bonding authority

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that is delegated to the communities who have the right to decide how in their communities to allocate this bonding authority."

Scully: "Is there any dollar limitation on our ability to issue these types of bonds?"

Leitch: "Again, I could not hear your question, Sir."

Scully: "Is there any dollar limitation on the state's ability to issue these types of bonds through this proposal?"

Leitch: "Well, the dollar limitation is a population number, perhaps... Do you have it? That is assigned by population from Washington. That allocation based on a per capita figure, and I don't remember the exact number, is the allocation that comes to the state. The state then allocates that portion, it keeps some for itself, and it allocates the rest to the communities, the counties and the units of government, municipalities throughout the state. So, if that is drawing upon the state's pool, if so, it is coming from the allocation assigned to the units of government."

Scully: "And that allocation does have a limitation on it."

Leitch: Yes. It's determined... every community's is different by virtue of the population within that community."

Scully: "What do you anticipate the dollar amount of bonds under this program to be?"

Leitch: "I couldn't hear your question."

Scully: "What do you anticipate the dollar amount of bonds under this program to be?"

Leitch: "Statewide, I'm not sure what that number is. I think it... when you total it all up it may be somewhere around, and I'm drawing on memory so don't hold me to this, but my memory is it's somewhere in the vicinity of between 12 and 16 million."

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Scully: "Is that \$17 million of bonds being issued annually, or 17 million outstanding under the program on an overall basis?"

Leitch: "Well, it depends on whatever total... every year this goes before various communities throughout the state. So to answer your question, it depends on whatever that community decides to allocate to the program. So, it's a number that changes from year to year, depending on whether the community is using that allocation for some other purpose. Sometimes, for example, I know in my community there have been water and sewer projects for industrial development, in some years most if not all of the money will go to that given project. In another year there may be not such a demand for, in this case, the water and sewer project and so in that case then they may give a larger amount to... allocate a larger amount to the bond program. It just depends year-to-year on what the allocation is, what the other communities' needs are, and how much they decide to allocate to the First-time Home Buyer Program."

Scully: "Okay. Thank you."

Leitch: "Thank you."

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

Leitch: "I would have simply asked for an 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 49?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 49, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the

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Constitutional Majority, is hereby declared passed. The Chair recognizes Representative McAuliffe. For what reason do you seek recognition?"

McAuliffe: "Point of personal privilege."

Speaker Hartke: "State your point."

McAuliffe: "I have down here from the seventh and eighth grade from Pennoyer Grade School and also, my former fifth grade teacher, Miss Debbie Wiegandt. I'd like to congratulate and welcome the seventh and eighth graders from Pennoyer School, up here in the gallery."

Speaker Hartke: "Welcome to your State Capitol, kids. On page 5 of the Calendar appears Senate Bill 37, Representative Parke. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 37, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. A couple weeks ago we sponsored legislation here to allow students to carry cell phones in schools. So now, whenever the effective date on that legislation, if the Governor signs it, our students will be carrying them. In the past, one of our TV stations carried a special in Europe where they're manufacturing small caliber, derringer-type cell phone weapons. And my Bill simply says that in Illinois you can not manufacture, sell, transfer, purchase, or possess, or carry a firearm in the shape of a wireless telephone. I would ask that the Body supports this Bill."

Speaker Hartke: "Is there any discussion? Seeing that no one's seeking recognition, the question is, 'Shall the House pass Senate Bill 37?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. 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 Senate Bill 37, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 114, Representative Mulligan. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 114, a Bill for an Act in relation to emergency medical services. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. Senate Bill 114 amends the Sexual Assault Survivors Emergency Treatment Act. It adds, as an additional criteria for the Department of Public Health, approval of a hospital's plan for emergency services for sexual assault survivors, that the plan must provide sufficient protections from the risk of pregnancy by the sexual assault... for the sexual assault survivor, requires that hospitals providing such services develop and implement a protocol that insures that each sexual assault survivor receives medically and factually accurate information about emergency contraception. It requires a hospital to implement the sexual assault survivors protocol upon approval by the Department of Public Health, and it requires that the Department... for the Department to set a minimum acceptable standard. It would be effective January 1st, 2002, although some hospitals, my understanding have... are put the protocol in place now. It is the result of a lot of negotiations over the last two years, and I would be ready to answer any questions, and seek your favorable vote."

Speaker Hartke: "Is there any discussion? The Chair recognizes,

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the Lady from Cook, Representative Lyons."

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

Speaker Hartke: "The Sponsor will yield."

Lyons, E.: "Representative Mulligan, is it true that Senate Bill 114 does not change or alter, in any way, the Health Care Right of Conscience Act?"

Mulligan: "Yes, that's correct, Representative Lyons. The Health Care Right of Conscience Act would continue to be as it is in the statute now, including this one. And health care facilities and professionals will still be able to exercise their right of conscience, under Senate Bill 114."

Lyons, E.: "And nothing in this Bill is required over a conscience objection?"

Mulligan: "I'm sorry. Say that again."

Lyons, E.: "Nothing in this Bill is required over a conscience objection?"

Mulligan: "No, it does not require it."

Lyons, E.: "I know that the Catholic hospitals have recently adopted, and are now implementing a protocol for the treating survivors of sexual assault in their emergency rooms. In relation to Senate Bill 114, is their protocol sufficient to meet the policy goals and legislative ends of Senate Bill 114?"

Mulligan: "Yes, you're right. The Illinois Catholic Hospital Association's protocol for the treatment of sexual assault survivors would satisfy the intent of Senate Bill 114. Protocols, like this model protocol, that was developed as a result of discussions of this proposal should be deemed sufficient by the Department of Public Health."

Lyons, E.: "Therefore, in establishing safe harbor sample protocols to give guidance on the proper implementation of this legislation, is it the duty of the Department of

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Public Health to accept the Illinois Catholic Hospitals Association's model protocol as it exists on this date?"

Mulligan: "Yes, the Department of Public Health must accept the Illinois Catholic Hospital Association's model protocol for the treatment of rape victims, as of this date, as one of the sample safe harbor protocols in their rules and regulations. This sample protocol, however, is not exclusive of other protocols. But it is an example of the kind of protocol that the Department should deem sufficient, under this legislation. Nor is it the purpose or the intent of the Act, safe harbor provision, to prevent the continued refinement and development of model protocols in the future."

Lyons, E.: "So, Representative Mulligan, is it correct, that physicians and health care personnel who provide health care services in a hospital with a protocol deemed sufficient under Senate Bill 114, are also providing sufficient care for the purpose of this statute?"

Mulligan: "Yes, Representative Lyons. That is correct. The intention and goal of this legislation are satisfied when physicians and health care personnel carry on their duties under a hospital's protocol deemed sufficient by the Department of Public Health. It is not the intent or the goal of Senate Bill 114 to force physicians or health care personnel to choose between the express provisions of this legislation on the one hand, and the variable provisions of a hospital's protocol on the other. So long as the hospital's protocol has been deemed sufficient by the Department of Public Health, those acting in furtherance of the protocol are also providing sufficient care under this Act."

Lyons, E.: "Thank you, Representative Mulligan. I really do want

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to commend you and the Senate Sponsor for working so hard in trying to come to an agreement on this legislation. It took a long time, and it took compromise, and I really appreciate your efforts and rise in strong support of this legislation. Thank you."

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

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

Speaker Hartke: "The Sponsor will yield."

Coulson: "Representative Mulligan, I've a few questions. Do rape victims, currently, receive emergency contraception in emergency rooms in Illinois?"

Mulligan: "Representative, as we've discussed, previously, sometimes they do, and sometimes they do not. And the law, currently, does not mandate that hospitals offer it. As a result, practices vary dramatically around Illinois. Some hospitals in Illinois do not receive... or do not receive services from rape crisis advocates who could inform victims about emergency contraception. And some hospitals simply choose not to offer it. However, many other hospitals already provide it as a standard of care for rape victims. So, it really is the luck of the draw that determines whether a woman who suffers a brutal rape will be informed about how to receive emergency contraceptives. Each year in Illinois, women who are raped face the added trauma of bearing a child resulting that rape. These pregnancies are avoidable, if rape victims are given the comprehensive health care they deserve, including timely access to emergency contraceptive. And that means within the first 72 hours."

Coulson: "Does emergency contraception cause an abortion?"

Mulligan: "No, it does not. It is not an abortifacient. All it

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is, is a double dose of birth control pills. Upon receiving approval, emergency contraceptive from the FDA found that it is safe and effective. It prevents pregnancy and it does not cause an abortion or interfere with an established pregnancy. Some religious groups may object to the use of emergency contraception in certain circumstances or on moral grounds. However, I am speaking to the medical aspects of emergency contraception. Major medical groups, including the American Medical Association, agree that emergency contraception is not abortion, and that it is an appropriate standard of care for rape victims."

Coulson: "Shouldn't religious hospitals have the right to refuse to provide a victim emergency contraception if they object to it on religious or moral grounds?"

Mulligan: "Representative Coulson, this Bill provides the flexibility now for a hospital to implement a protocol that addresses the needs of the hospital, while at the same time meeting the needs of the rape victim to be protected from the risk of a pregnancy."

Coulson: "I think this question may have been asked before, but I'll ask it again. Will this Bill change the current Health Care Right of Conscience Act?"

Mulligan: "No, this Bill does not amend or change anything in the Health Care Right of Conscience Act."

Coulson: "And then my last question was, how will the hospitals know what information they must provide to rape victims?"

Mulligan: "Existing rules and regulations, under the Sexual Assault Survivors Treatment Act, require that hospitals offer the victim written information about sexual assault service. These rules and regulations would be amended to reflect that the victim will receive medically accurate and factual information about emergency contraception. These

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rules and regulations will provide guidance to hospitals regarding what this information will be."

Coulson: "To the Bill."

Speaker Hartke: "To the Bill."

Coulson: "I encourage everyone to vote 'yes'. This has been a well-negotiated Bill among lots of groups, and I commend the Sponsors for coming up with something that all of us can live with. Thank you."

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

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

Speaker Hartke: "The Sponsor will yield."

McCarthy: "Thank you. Representative, this Bill is exactly... the way it is today is the way it came over from the Senate. There's been no Amendments added since you picked up the Bill. Correct?"

Mulligan: "No, there have been no Amendments. It's exactly as passed in the Senate."

McCarthy: "Okay. So... and the... Actually, you know, in a roundabout way, we've already discussed this Bill at quite a length, earlier, under a House Bill. Correct?"

Mulligan: "Well, to some extent. I think this Bill is the result of the Catholic Hospitals putting forth a protocol that meets the standards of what the goal of the intentional Bill last year and the Bills this year have been and that's to provide information and a place to go, for a woman that's been raped, within the first 72 hours."

McCarthy: "Okay. Well, I could barely hear you, but I do appreciate you staying true to your pledge of keeping the Bill the way it was, as we discussed on the other Bill. And I'll stay true to my pledge when I said I would support that at that time. And I plan on supporting it today. So,

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thank you for that."

Mulligan: "I appreciate your support."

Speaker Hartke: "Representative Mulligan to close."

Mulligan: "Thank you, Mr. Speaker. I think the goals have been obtained here, that no woman in Illinois should be brought into an emergency room and not be told that there's such a thing as emergency contraceptives, and where to get them. And when we pass this Bill, we will be the first state in the country who has adequately provided for the women of our state to have these services. And I think it's a very well-negotiated Bill. And I'm pleased to say that everybody's come together on this. Thank you, and I would appreciate an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 114?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk,... Mr. Turner, would you like to vote? Mr. Art Turner. Clerk, take the record. On Senate Bill 114, there are 108 Members voting 'yes', 6 Members voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Resolutions?"

Clerk Bolin: "Agreed Resolutions. House Resolution 203, offered by Speaker Madigan; House Resolution 266, offered by Representative Granberg; House Resolution 267, offered by Representative Granberg; House Resolution 268, offered by Representative O'Brien; House Resolution 269, offered by Representative Johnson; House Resolution 274, offered by Representative Currie; House Resolution 277, offered by Representative Moore."

Speaker Hartke: "You've heard the Resolutions. All those in

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favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolutions are adopted. Mr. Clerk, Adjournment Resolution."

Clerk Bolin: "Senate Joint Resolution 31, offered by Representative Currie. RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, May 3, 2001, the Senate stands adjourned until Tuesday, May 8, 2001, at 12:00 noon; and the House of Representatives stands adjourned until Tuesday, May 8, 2001, at 1:00 p.m."

Speaker Hartke: "The Chair would like to take this opportunity to invite everyone to congratulate the Majority Leader Barb Currie on her birthday today. Congratulations, Barb. You've heard the Adjournment Resolution, all those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Adjournment Resolution is adopted. Is there anything else that should come before the Body? If not, Representative Currie now moves that the House stands adjourned, allowing perfunctory time for the Clerk, until the hour of 1 p.m. on Tuesday, May the 8th. 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 Bolin: "House Perfunctory Session will come to order. First Reading and Introduction of Senate Bills. Senate Bill 1357, offered by Representative Daniels, a Bill for an Act making appropriations. Senate Bill 1360, offered by Representative Daniels, a Bill for an Act making appropriations. Senate Bill 1361, offered by Representative Daniels, a Bill for an Act making appropriations. Senate

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Bill 1368, offered by Representative Daniels, a Bill for an Act making appropriations. Senate Bill 1369, offered by Representative Daniels, a Bill for an Act making appropriations. Senate Bill 1371, offered by Representative Daniels, a Bill for an Act making appropriations. Senate Bill 1372, offered by Representative Daniels, a Bill for an Act making appropriations. Senate Bill 1373, offered by Representative Daniels, a Bill for an Act making appropriations. Senate Bill 1381, offered by Representative Daniels, a Bill for an Act making appropriations. Senate Bill 1382, offered by Representative Daniels, a Bill for an Act making appropriations. First Reading of these Senate Bills. There being no further business, the House Perfunctory Session now stands adjourned."