

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

54th Legislative Day

May 9, 2001

Speaker Madigan: "The House shall come to the order. The Members shall be in their chairs. Good morning, Mr. Brady. We shall be led in prayer today by Pastor D. L. King, of the Parrish Missionary Baptist Church in Parrish, Illinois. Pastor King is the guest of Representative Forby. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Pastor King: "Would you bow your heads with me, please? Most Gracious and Heavenly Father, we come to You this morning in the name of the Lord Jesus Christ. Father, we pray this morning that our hearts and minds would seek Your will, in all the decisions that we make, that deem with the state and self. Help us, Heavenly Father, to be unconditionally to surrender to You, to Your will, that we would be blessed and united today. Keep Your hand upon us, Heavenly Father, and keep us from harm so that we would be free from the temptations of the evil one. Let us show mercy to all. Forgive us, Heavenly Father, for all of our sins, our sins of omission, and our sins of commission. We ask these things in the name of our Lord Jesus Christ and Savior. And Amen."

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

Forby - 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. Let the record reflect we have no excused absences to report today."

Speaker Madigan: "Mr. Poe."

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

Speaker Madigan: "The Clerk shall take the record. There being 114 Members responding to the Attendance Roll Call, there is a quorum present. The Chair recognizes Representative Garrett."

Garrett: "Thank you, Mr. Speaker. I would like to welcome the Child Care Coalition of Lake County. They're up in the gallery. Barbara Haley, the Project Director, is here, as well as Mary Kay Dasse, who resides in my district in Lake County. So, I hope the General Assembly gives them a very warm Springfield welcome. Thank you."

Speaker Madigan: "On page 6 of the Calendar, on the Order of Senate Bills-Third Reading there appears Senate Bill 3, Mr. Dart. Is Mr. Dart in the chamber? Senate Bill 5, Representative O'Connor. Mr. O'Connor. Is Mr. O'Connor in the chamber? Senate Bill 8, Mr. Hoffman. Is Mr. Hoffman in the chamber? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 8, a Bill for an Act concerning street light districts. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Hartke in the Chair."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. All Senate Bill 8 would do is, it would allow street lighting district trustees to pay themselves a thousand dollars a year, instead of \$300 a year. They would have to... They would actually have to do it. This is an initiative of Senator Bowles over in the Senate. That's my Senator. And it's my understanding, that they have not had any type of increase since 1955. This does not require an increase for compensation, only allows it, and it would be up to the local governmental entity."

Speaker Hartke: "Is there any discussion? Representative Hartke

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in the Chair. Seeing that no one is seeking recognition, the question is, 'Shall... Representative Black, is your light on?'

Black: "Well, it was. I don't know whether it burned out, or what."

Speaker Hartke: "Oh. Okay."

Black: "Would the Speaker yield?"

Speaker Hartke: "The Chair recognizes Representative Black."

Black: "Thank you."

Speaker Hartke: "Yes, the Speaker will yield."

Black: "Thank you. And the Sponsor will yield, as well? Thank you. Representative Hoffman, our analysis says there are 25 street light districts in the State of Illinois. Are they concentrated in one area of the state, or are they all over? Now, to be very honest with you I've never heard of this."

Hoffman: "It's my understanding they're all over the state, and they are traditional governmental entities that run these districts."

Black: "Are they creatures of the General Assembly? I mean, did we create these at one time?"

Hoffman: "Well, I think we created the Street Lighting District Act, that allowed them to be created."

Black: "We don't make the appointments to these commissions. Are they administered by townships, counties, municipalities, or a combination thereof?"

Hoffman: "They're an independent political entity, and I'm trying to find out exactly how they're appointed under the Act."

Black: "Jay, are they a separate unit of government? I mean, a hybrid, not part of a...?"

Hoffman: "Yes."

Black: "So, they are a separate unit of government. Do they have

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taxing authority?"

Hoffman: "Yes. It's my understanding that the authority traditionally given, under the Street Lighting District Act, was to be able to tax and provide street lights. And I think it was done... Representative, I would assume, I wasn't here then, but it was done many, many years ago, back in 1953, is what my analysis shows, that these were created. Because there were certain areas of the state that were not municipalities, that are unincorporated areas that still the local entities or the local people, wanted to have street lights. And they had no means of doing it. So, we allowed this to happen. They traditionally created 'em. They still exist out there. And they still provide the services."

Black: "Okay. Do these districts levy a property tax to install and maintain the street lights, or do they just contract with a utility?"

Hoffman: "I believe that they have the ability to levy property taxes, yes."

Black: "All right. And then the last and most obvious question, is their salary dependent upon an action by the General Assembly, or could they address their salary issue within their district?"

Hoffman: "They... Currently, the General Assembly... When we wrote the Act back in... It actually... I said 1955, I believe it's 1953. We allowed them... Each district can say, these trustees can serve without compensation. Or they could currently, under current law, pay up to \$300 per annum. This would just raise that, and allow them... would allow the trustees to be paid up to \$1 thousand per annum."

Black: "All right. Now, Jay, what I don't... what I'm having a hard time understanding, do we appropriate the money from

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state General Revenue Funds to pay their salary, or is this paid from revenues they generate within their district?"

Hoffman: "We would not appropriate it. This would allow the trustees to receive up to \$1 thousand per annum. They would have to vote it in themselves."

Black: "Okay. And then, the only thing that I couldn't hear... I want to make sure that I understand. Their revenue would come from a property tax, or a fee on the street lights, or... I'm not sure how these districts get the money to pay the trustees. That's what I don't understand."

Hoffman: "It would be their existing revenue source which... I don't have the entire Street Lighting District Act in front of me. I apologize. It's my understanding that it is a local property tax issue, like any other local governmental entity."

Black: "Okay. All right. Fine. Thank you very much."

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

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Street lighting districts, mosquito abatement districts, and many other special purpose districts contribute to the dubious distinction that the State of Illinois has. In our state we have the largest number of units of local government per capita of any state in the nation. Many of us have done some studies of the history of these special purpose units of local government. However they came to be, the fact is they are not particularly efficient. And rather than increasing the salaries, or authorizing the increase for trustees of street lighting districts, we ought to be trying to determine ways to encourage that function to be taken over by municipalities and counties. Now, although, I realize

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the street lighting districts may have seemed like a very desirable thing to create in very rural areas of Illinois the fact is everybody in the state lives in a county. And there really is no longer any reason why a county could not absorb this function, and simply include in its tax rate, whatever funding is necessary, either to build street lighting systems or to maintain them. And consequently, Mr. Speaker, although I have the greatest respect for the Sponsor of this legislation, I really do not believe that this Bill is good public policy. I believe we ought to be going in the other direction. We ought to be trying to determine ways to discourage the continuation of special purpose units of local government. We ought to do that, not only because it would be more reasonable and more efficient, but because it would be a real favor to the taxpayers. I stand in opposition to this Bill."

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

Hoffman: "Thank you, Mr. Speaker. I certainly do understand the comments of the previous speaker. And let me just say that, I would join her in attempting to get rid of some of the more tenuous areas in local governments or local governmental entities that may have run their course. The problem is, is that's not the issue before us. The problem is, is that, currently, the street lighting districts do exist. And if we want to talk about attempting to eventually get rid of 'em, I would certainly be willing to discuss that. However, there are trustees who serve, currently, in those districts. And right now, they are living under a 1953 law that only allows them to receive up to \$300 in compensation per year, not per month, per year. They, many times, have expenses. They are away from their

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family. All this says is they could... it would allow them... they don't have to allow them to receive up to a thousand dollars... I think that it makes sense for people who are giving of their time to their community. And I ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 8?' 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... Hannig, would you care to vote on this legislation? Thank you. Mr. Clerk, take the record. On Senate Bill 8, there are 44 Members voting 'yes', 67 Members voting 'no', and 1 Member voting 'present'. And this Bill, having failed to reach a Constitutional Majority, is hereby declared lost. On page 14 of the Calendar, on Second Reading appears Senate Bill 608. Representative Franks. Representative Franks. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 608, a Bill for an Act in relation to public aid. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Page 6 on the Calendar, on Third Reading appears Senate Bill 15. Representative Dart. Out of the record. Senate Bill 20, Representative Coulson. Representative Coulson. Out of the record. Senate Bill 31, Representative Daniels. Out of the record. Senate Bill 32, Representative Smith. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 32, a Bill for an Act concerning sanitary districts. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Smith."

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

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House. This is an initiative of the Sanitary Districts' Association of the state. This would change the current threshold for competitive bidding for general purposes and for emergency purposes. This would change it from a flat dollar amount to a percentage. A very small percentage, I might add, of the general fixed assets of the district. I know of no opposition. And it passed out of committee, unanimously. I'd be glad to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Lady from Cook, Representative Davis."

Davis, M.: "Will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Davis, M.: "Representative, you're asking to be able to do what?"

Smith: "This changes the threshold for competitive bidding for sanitary districts from a flat dollar amount to a percentage of their fixed assets."

Davis, M.: "You said competitive billing... I'm sorry, I can't hear. You're doing what with the competitive bidding?"

Smith: "This changes the threshold from when the sanitary district would have to go to competitive bidding."

Davis, M.: "Oh. I think that's a good idea. For any amount?"

Smith: "No. This changes it. Currently, for projects over \$10 thousand they have to be competitively bid."

Davis, M.: "And right now, they don't have to competitively bid any contracts?"

Smith: "No. No, they do for projects over \$10 thousand. This would change that threshold to make it a percentage of their fixed assets. So, it depends on the sanitary district. It could be more than \$10 thousand as the threshold to which they would have to have a competitive bid."

Davis, M.: "And they support this?"

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Smith: "Yes, they do."

Davis, M.: "Okay. Thank you. Thank you very much, Mr. Speaker."

Smith: "Thank you."

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

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, I apologize. There's nothing more embarrassing than to ask you a question that I'm sure the previous Representative asked you. But you can't hear anything in this chamber. All I'm trying to get clear. If I understand it correctly, the minimum threshold today, where you must go out and competitively bid a project, is \$10 thousand. Correct?"

Smith: "That is correct."

Black: "Your Bill would raise that limit to a hundred thousand dollars?"

Smith: "No, the Bill would change it to a percentage of the fixed assets of the district. So, you know, if you're a small district it could keep that at \$10 thousand. It really depends on the assets of the district. But it would be no greater than 40 thousand."

Black: "So, the largest district, the MWRD, what would be the figure where competitive bids must kick in?"

Smith: "Well, if it's a general bid, there is a difference between general and emergency projects. It would be, probably, 40 thousand. They would be at that top limit, I would imagine."

Black: "All right. So, they... That's what I'm trying to get at."

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Smith: "Right."

Black: "It is not going to be possible, because I don't know what the MWRD budget is. I would assume it's rather large. You're not allowing them to just simply pick up the phone, call a contractor, to do a job that would cost a quarter of a million dollars?"

Smith: "That's right."

Black: "If the job were to cost more than \$40 thousand, then they would have to seek competitive bids for that project. Correct?"

Smith: "That is correct."

Black: "Then, what would the emergency exemption be?"

Smith: "Currently, that's 75 thousand, and that would go up to a hundred thousand."

Black: "All right. Fine. Thank you very much, Representative."

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

Smith: "Thank you, Mr. Speaker. As I said, I don't know of any opposition to this. It simply is keeping pace with inflation, realizing that sanitary districts, among other units of government, need to have a higher threshold for competitive bidding. I'd ask for a favorable Roll Call."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 32?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? All voted who wish? Mr. Clerk, take the record. On Senate Bill 32, there are 85 Members voting 'yes', 25 Members voting 'no', and 2 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Biggins, the Gentleman from DuPage. For what reason do you seek

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recognition?"

Biggins: "Well, thank you, Mr. Speaker. I rise on purpose of making an announcement."

Speaker Hartke: "State your..."

Biggins: "Representative Tom Berns became a grandfather last night. Now, it's the first time for him, and it was the second time for him, and then it was the third time for him. I think the sequence was, it's a boy; then they yelled, it's a girl; and then it's another boy. So, Tom Berns is a first-time grandfather, three grandchildren, one night. Tom Berns. Representative Tom Berns."

Speaker Hartke: "Congratulations, Representative Berns. Representative Berns."

Berns: "Thank you, Mr. Speaker. I'm pleased to announce that the 104th District gained three constituents last night, at 7:00. They are Braden, Brogan, and Brenna Berns and there are chocolate cigars in the well of the House. And congratulations for those children. Thank you very much, Mr. Speaker."

Speaker Hartke: "Thank you very much, Representative Berns. The Chair recognizes Representative O'Connor. For what reason do you seek recognition?"

O'Connor: "Thank you, Mr. Speaker. On a point of personal privilege."

Speaker Hartke: "State your point."

O'Connor: "I would ask that the House commiserate with me and celebrate with me, the appointment of my seatmate, John W. Turner, as Appellate Justice for the Fourth Appellate Court."

Speaker Hartke: "Congratulations, Judge Turner. Quite an honor. Mr. Turner, would you like to make a statement?"

Turner, J.: "For right now, Mr. Speaker, just thank you very

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much, and thank you to all of my colleagues. And I will have more comments. I am gonna be here for the end of Session, assuming we get out by May 25, and certainly, will exercise a point of personal privilege, if you will grant me one, and make some final comments to the House Members. Thank you, though, for recognizing me this morning. It's very kind of you."

Speaker Hartke: "Your Honor, it's always a pleasure. On page 6 in the Calendar appears Senate Bill 38, Representative Lang. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 38, a Bill for an Act to amend the Property Tax Code. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This, I think, is an Agreed Bill that came out of the Senate pretty easily, and even got out of the Revenue Committee. It deals with apartment buildings owned and operated as co-ops, or buildings that are life care facilities. And it adjusts how the taxes are calculated and gives appropriate credits to those living there. I would ask for your support."

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

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, I apologize for this question and I will vote for your Bill. I am not trying to throw you any curve ball. I meant to get to you before you called this Bill. I don't know whether you'd be willing to take it back to Second? Let me... And I would only ask you that because I have an Amendment that I'm trying to find a home for, to

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increase the general homestead exemption for real estate taxpayers that has never been increased since the day we passed it. It's \$35 hundred in all counties other than Cook, and it's been that for about 17 years. Cook is 45 hundred. My Bill would raise the other 101 counties to \$45 hundred for the general homestead exemption. I realize that may be controversial. I, in no way, want to endanger your Bill. But I should have talked to you before that and I apologize. If you'd be willing to take it back to Second for the Amendment, I would be appreciative. If you can't, I understand that, as well."

Lang: "Mr. Black, I support what you're doing and would certainly join you in a new Bill to do that, but I promised Senator Silverstein we would pass this Bill and I do not want to send it back to the Senate."

Black: "No. I understand that and I thank you for your indulgence, in even entertaining the question, and will continue to look for a home for my Amendment. And thank you."

Lang: "Thank you."

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

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

Speaker Hartke: "Sponsor will yield."

Parke: "Representative, could you share a little bit more depth of what you're trying to accomplish and where this is good public policy? Because I'm not... I think this is a good idea, but I'm not sure I understand the overall impact."

Lang: "The Bill simply clarifies the law that if you live in a life care facility, you're still entitled to your Senior Citizens Homeowner's (sic-Homestead) Exemption. The law's not clear on that, today."

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Parke: "And this is... I've had some people in my office this morning from AARP, and they did not discuss this legislation with me. Does AARP support this? Are they in support of this legislation?"

Lang: "I haven't heard from them on the issue. This is not such an all-encompassing issue that I think AARP would be involved in. This involves small pockets of people, many of whom live in my district, who live in these life care facilities, apartment buildings that have been, basically, turned into mini nursing homes, if you will. And we don't want these people to lose their exemptions because they're paying significant dollars for their health care. So, we want to make sure they get their real estate exemptions."

Parke: "Well, I think, a goal that we all should have is to allow our seniors to live in their own facilities, or in facilities that provide a home-care atmosphere. Do you have any idea how much money we're talking here? What will this be to the budget of the State of Illinois?"

Lang: "This does not affect state revenues at all. The Department of Revenue is neutral."

Parke: "Say that is property tax distribution?"

Lang: "I'm sorry?"

Parke: "Did you say it's property tax distribution?"

Lang: "It doesn't affect state revenues at all. It could, conceivably, affect revenues received by local taxing districts, but does not affect state revenues at all. And I do not have any dollars about what it would cost local districts. But I don't think it's significant, because there was no opposition to this in committee, either in the Senate or in the House."

Parke: "So, you don't know if the Illinois Municipal Conference has taken a position at all?"

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Lang: "Well, they're very diligent about following legislation, Representative, and I believe if they were opposed to it, we'd have heard from them by now."

Parke: "Okay. Thank you, Representative."

Lang: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Lang to close. He seeks to ask your support for Senate Bill 38. The question is, 'Shall the House pass Senate Bill 38?' 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 38, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 39, Representative Lang. Mr. Clerk... Just a minute, Mr. Lang... Mr. Clerk. The Chair recognizes Representative Mulligan. For what reason do you seek recognition?"

Mulligan: "Thank you, Mr. Speaker. I rise to a point of personal privilege."

Speaker Hartke: "State your point."

Mulligan: "Two weeks ago I was privileged to be a speaker at the Illinois Federation of Business and Professional Women's Convention. And at that Convention Oakbrook BPW had T-shirts that they were selling as a fundraiser, but they asked, specifically, that I give one to Representative Lang for being a Sponsor of the ERA Resolution. So, it's an ERA-Illinois T-shirt that I proudly present him from BPW-Illinois."

Speaker Hartke: "Representative Lang, congratulations."

Lang: "Thank you."

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Speaker Hartke: "On page 6 of the Calendar appears Senate Bill 39, Representative Lang. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 39, a Bill for an Act in relation to civil procedure. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Lang."

Lang: "First, thanking Representative Mulligan. And of course, Representative Mulligan and I and others are still looking for more cosponsors for that ERA Bill, so come by here and we'll sign you up. Senate Bill 39 is a very technical Bill regarding revival of judgement procedures. The law in the State of Illinois has allowed for revival of judgement to be able to collect on a judgement past seven years, but there've really never been any procedures in place. This Bill will set up those procedures. As far as I know, there is no opposition to the Bill."

Speaker Hartke: "Is there any discussion? The Chair recognizes, the Gentleman from Kendall, Mr. Cross."

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

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

Cross: "Representative, is this an initiative of the Bar Association's?"

Lang: "This is not an initiative of the Bar Association directly, but is an initiative of some of the lawyers that I've talked to, particularly, in Cook County, who are people who try to collect bad debts for businesses all around the State of Illinois."

Cross: "What effect, if any, will a bankruptcy have on... filing of a bankruptcy case have on this piece of legislation?"

Lang: "There's a provision of the legislation that says that if a judgement debtor has filed for bankruptcy and failed to successfully adjudicate and remove a lien file by a judgement creditor, then the judgement may be revived only

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as to the property to which a lien attached before the filing of the bankruptcy action. Does that help you?"

Cross: "I can read that, too, Representative."

Lang: "Well, you don't have this analysis. This is my analysis."

Cross: "No, I'm actually... this is specific language from the Bill."

Lang: "Oh. What do you wanna know?"

Cross: "I want to know if the bankruptcy still releases the obligation or the debt? Does it discharge..."

Lang: "It does. It..."

Cross: "If it was discharged?"

Lang: "The answer to that question is 'yes', unless the bankrupt has unsuccessfully discharged that particular debt."

Cross: "All right. Thank you."

Lang: "Thank you."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 39?' 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 Senate Bill 39, there are 98 Members voting 'yes', 13 Members voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 6 of the Calendar, on Third Reading appears Senate Bill 48. Representative Hamos. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 48, a Bill for an Act concerning corporate fiduciaries. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Hamos."

Hamos: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is an Amendment to the Corporate Fiduciary Act. These are

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trusts... independent trusts, corporate fiduciaries, and trust departments of banks. And this Bill is, in large part, responding to a receivership of a company... the INTRUST receivership, which already has cost the state \$5 million. As a result of that receivership, the department is looking at some safeguards to build into the Act, including how many... the board of director composition. It includes that false filing of prohibitions that refer to applicants, and it also increases the receivership fund. And I'm available for any questions. As far as we know, there is no opposition."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Scully."

Scully: "Speaker, will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Scully: "Representative, does this Bill arise out of a certain specific set of facts that occurred recently?"

Hamos: "I'm sorry, I can't hear you, Representative."

Scully: "Does this Bill arise out of a certain receivership that occurred recently?"

Hamos: "Yes, in part... it's a receiver... Thank you, Mr. Speaker. In part... I mean, I'm sure the department has learned some safeguards that should be built into the law, anyway. But, I think, this receivership, which is the Independent Trust Company, or INTRUST receivership, is really what, I think, propelled some of these changes."

Scully: "Now, the fees that you're referring to, who pays these fees?"

Hamos: "These fees are paid by the industry itself. And it's money that is set aside for a receivership fund."

Scully: "And when these fees are paid, do they go to cover... Is that pool of funds used to cover the costs of

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receivership?"

Hamos: "Yes, that's exactly right, Representative Scully. What has happened here is, that since there never was a receivership prior to the INTRUST receivership, the \$350 thousand that had been set aside was thought to be adequate. However, as a result of the INTRUST receivership, the state and the shareholders have already incurred over \$5 million to pay for the cost of that receivership. This is a more adequate number, for that reason."

Scully: "So, without this pool of funds being created by your... by this Bill, the costs of the receivership would be borne by the State of Illinois and by the beneficiaries of these trusts?"

Hamos: "This is not about the INTRUST receivership. This is about potential future receiverships, and I think we're trying to protect both the state and the shareholders from not having to incur these kind of costs if there is another problem in the future. The current receivership is paid for, also, by the assets of the company and the account holders."

Scully: "Thank you, Representative. To the Bill."

Speaker Hartke: "To the Bill."

Scully: "I think this is an excellent piece of legislation. It does create a pool of funds, being funded by the industry itself, which would cover the costs of these disasters of managing these receiverships, thereby preventing those costs from being incurred by either the state, by the shareholders, or worse yet, possibly, by the beneficiaries. The Independent Trust Company receivership was a very unfortunate event in the State of Illinois and I'm happy to see positive legislation arising out of that. Thank you

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very much."

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

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, I want you just to walk me through this Corporate and Fiduciary Trust Company Fund, if you would. Currently, it's \$350 thousand. Your Bill will raise this fund to \$4 million. Now, see, I'm just an old country boy, but you're talking some serious money now."

Hamos: "Yes."

Black: "Now, how will that fund increase over the 10 years from its level of 350 thousand currently, to 10 million? In other words, who pays? How is that money generated?"

Hamos: "Thank you, Representative Black, for asking that question. And of course, all of our colleagues have asked that question. I, myself, asked the very same question. Currently, corporate fiduciaries are assessed on a quarterly basis over a two-year period and they pay \$37.50, quarterly for two years. And that amount has made up the \$350 thousand fund. Under this Bill, they've agreed to an increase of about \$50 over a 10-year period. Again, assessed on a quarterly basis. And that will, over a 10-year period, make up the \$4 million. So, with a very small increase that the industry has agreed to pay, they will be protecting themselves in case of any future problems."

Black: "Down where I come from that's like me trying to tell people that the gasoline companies are spending money to build a new refinery, and so, they have to raise the price of gasoline. I can't believe a corporate fiduciary is just

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gonna pay this increased amount out of the goodness of his or her heart. Where's that money come from? I mean, do they charge a fee for what they do? Let me back up. What is a corporate fiduciary?"

Hamos: "There are two types of corporate fiduciaries. One, are trust departments of banks..."

Black: "I thought they were exempt from this?"

Hamos: "No. Trust departments of banks and independent trust companies. And they really do operate like banks."

Speaker Hartke: "Mr. Black, are you..."

Black: "No... I'm trying to find it in the Bill. Staff tells me that trust departments of banks... trust department of a bank, savings bank, savings and loan, or foreign banking corporation issued a certificate of authority pursuant to the Foreign Banking Act the provisions of this Act will not apply."

Hamos: "Representative Black, I'm told that parts of this Bill apply only to independent trusts. But as to what we were talking about, which is the makeup of the receivership fund, both trust departments and independent corporate fiduciaries will be bearing the increase. And there's a slight difference in how much one pays over another."

Black: "All right. Now, to the issue at hand. The fiduciary, I assume, would charge the trust to pay his or her assessment. I mean, they're not gonna write a check out of their personal account because they're just good citizens. Somebody is generating the money to pay the assessment. Does it come from the interest or fees charged to manage the trust?"

Hamos: "Representative Black, we assume that since we're only talking about... even under this Bill, we're only talking about \$50 a quarter for all of the accounts that are being

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managed by that corporate fiduciary, we're assuming that that \$50 is just the cost of doing business and it's paid out of their profits."

Black: "Okay. That... I can agree with that. Forgive me, my cynicism grows with every year I'm down here. It's kinda like a bank telling me that a bounced check costs them \$25. I don't think so. But... and a transaction on a ATM should cost me \$5. Well, I have a problem with that, too. Is there any guarantee... now, you know you're in the business and with your law degree you're in a better position than I to track this. I wouldn't want somebody to come to me a year from now and say, you know, I'm responsible for a large trust account and those son of a guns are dunning me, or charging me \$20 per account that I have there, to pay this assessment. And the assessment's \$50 a quarter."

Hamos: "Well, Representative Black, I certainly, would not want to guarantee that all of those bank fees that we all pay for this, that, and the other, you know, that this Bill is going to prevent that from increasing. Really, I cannot guarantee that. However, under the current system with a very small receivership fund, \$350 thousand, it did turn out that the very first time there was a problem in creating a receivership, the account holders did have to end up paying over \$200 hundred each. So, we're trying to prevent a problem here, and that's why the industry has agreed to make a relatively small increase in what they will be paying as quarterly fees to the state."

Black: "And, I think, as Representative Scully pointed out, then without this fund the holders of the trust would be at some risk. Correct?"

Hamos: "Exactly."

Black: "Okay. Fine. I appreciate the patience that you've taken

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in walking me through it. If you can make this old country boy understand this, you should be a university professor. And I will see that we can get you an appointment to the university, effective Monday."

Hamos: "Are you trying to get rid of me?"

Black: "No, not at all."

Hamos: "Okay."

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

Hamos: "Thank you. And again, this is an industry Bill fully agreed to and I ask for your favorable support."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 48?' 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 48, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Rules announcement."

Clerk Bolin: "Rules Committee will meet immediately in the Speaker's Conference Room."

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

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

Speaker Hartke: "State your point."

Morrow: "Yes. Just for the Members' acknowledgement, we have joining with us today, the Chancellor of the City Colleges, Dr. Wayne Watson. He's standing back there with Representative 'Junior' Murphy. Wayne, welcome to Springfield."

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Speaker Hartke: "Welcome to your State Capitol. On page 55... excuse me. On page 6 of the Calendar appears Senate Bill 55. Representative Ryder. Out of the record. Senate Bill 60, Representative Holbrook. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 60, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Holbrook."

Holbrook: "Thank you, Speaker. Senate Bill 60 does nothing more than raise the amount for delinquent tax notices from the current 10 thousand to \$1 thousand. I don't know of any opposition to the Bill. Hopefully, we'll be able to collect some of our delinquent taxes a little quicker this way."

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

Black: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Black: "Representative, at what point can they put the debt out in the public realm? I mean, is there a time limit or is there x number of procedures they've had to go through to show good faith to collect it?"

Holbrook: "Absolutely. It mirrors the exact law. We haven't changed any of that. They have to... If they have a payment plan in place, it's already taken care of, they can't publish it. If they've gone before... or it's being adjudicated, they can't publish it. It's when no resolution can be made after six months, then they're allowed to, at that point."

Black: "So, the debtor would receive constructive notice. If you don't pay up, your name may be released to news entities, maybe posted on the Internet, whatever?"

Holbrook: "Absolutely. Under current practice, we're just

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lowering the threshold level to a thousand dollars from ten, trying to collect more money."

Black: "All right. Is... Has there been any case law on this about invasion of privacy that you're aware of?"

Holbrook: "I don't know of any and none was brought up in committee."

Black: "Well, you know, I have a... I'm not comfortable with it. I understand why you're carrying the Bill. I understand why the department wants to do it. I would just simply hope that the department not put somebody's name out in the public realm as owing the State of Illinois \$10 thousand, until they've given constructive notice and made every good effort and intent to collect. Because, I think, if they make a mistake, it will be a very embarrassing mistake that may very well end up as a civil action in a court of law. But, again, I understand what you're trying to do. There's an awful lot of money out there uncollected, that obviously, we're seeing in this budget year we could certainly use. So, I intend to vote for the Bill. I think it might have some potential to come back and haunt us, but then I'm not sure that there's anything we do here that doesn't have that potential. I thank you for answering the questions."

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

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

Speaker Hartke: "Sponsor will yield."

Moore: "Representative, I spoke to the Department of Revenue this morning about this Bill because, as you know, it went through committee and, as it was going through... finally through committee... and I'm reading the summary, it was occurring to me the controversy that we had regarding this

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Bill when it went through initially. One of my concerns that they were going to check on, I don't know if they've gotten to you with the answer is, if someone is in the process of protesting their taxes with the Department... I didn't see that on my analysis, so I don't know the answer to this. Would they then... I mean, if the Department says they owe the taxes, how long do they have to owe it before it actually gets on the shame list?"

Holbrook: "Well, it says, if it's unpaid taxes that are deemed delinquent and subject to disclosure, six months. But this is if they haven't set up a payment plan. If this is under adjudication, or review, or administrative hearing, they can't publish it under the current law and we didn't change any of that. Under Section (d)..."

Moore: "Okay. So, that they would have to owe it for six months or more?"

Holbrook: "Six months after they couldn't come to an agreement, either through administrative rule, through administrative review, administrative hearing, or judicial review. And that's the current law. We didn't change any of that."

Moore: "Right. Right. I know you only changed the amount."

Holbrook: "Yes."

Moore: "You know, I don't have the actual Bill in front of me, though, but you are confident that everybody will have gone through everything they need to go to and been given every opportunity to set up some kind of payment plan before they're going to be on this list? I mean, I see this being a disaster in the districts. That's what I see."

Holbrook: "It's actually in the Bill. It says, 'unpaid taxes shall not, not, be deemed delinquent and subject to disclosure if (1) a written agreement for payment exists without default between the taxpayer and the Department, or

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(2) the tax liability is the subject of an administrative hearing, administrative review, or judicial review.'" "

Moore: "So, unless somebody's actually ignoring the problem, they probably are not gonna get on this list?"

Holbrook: "Absolutely. We're just trying to collect our delinquent taxes."

Moore: "Okay. Thank you."

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

Holbrook: "I ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 60?' 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? All voted who wish? Clerk, take the record. On Senate Bill 60, there are 112 Members voting 'yes', 2 people voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Rules report?"

Clerk Rossi: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on May 9th, 2001, reported the same back with the following recommendation/s: 'to the floor for consideration' Floor Amendment #1 to House Resolution 190, Floor Amendment #5 to House Bill 1815, Floor Amendment #2 to House Bill 3363, Floor Amendment #2 to Senate Bill 28, Floor Amendment #1 to Senate Bill 64, Floor Amendment #2 to Senate Bill 115, Floor Amendment #3 to Senate Bill 213, Floor Amendment #2 to Senate Bill 265, Floor Amendment #1 to Senate Bill 333, Floor Amendment #2 to Senate Bill 373, Floor Amendment #1 to Senate Bill 435, Floor Amendment #1 to Senate Bill 493,

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Floor Amendment #1 to Senate Bill 504, Floor Amendment #2 to Senate Bill 797, Floor Amendment #1 to Senate Bill 825, Floor Amendment #1 to Senate Bill 869, Floor Amendments 1 and 2 to Senate Bill 885, Floor Amendment #3 to Senate Bill 887, Floor Amendment #1 to Senate Bill 915, Floor Amendment #1 to Senate Bill 950, Floor Amendment #2 to Senate Bill 1033, and Floor Amendment #2 to Senate Bill 1329."

Speaker Hartke: "Mr. Clerk, what is the status of Senate Bill 1276?"

Clerk Rossi: "Senate Bill 1276 is on the Order of Senate Bills-Third Reading."

Speaker Hartke: "Move that Bill back to Second Reading for the purposes of an Amendment. On page 6 of the Calendar appears Senate Bill 93. Representative Hoeft. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 93, a Bill for an Act concerning the Metropolitan Water Reclamation. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. This is the annual Metropolitan Water Reclamation District Boundary Bill. It is increasing the Water Reclamation District by a whopping 4/10ths of one acre. There is a second part of this, is an Amendment, which was Representative Burke's Bill, that says that the Water Reclamation District has the ability to bond out, rather than 20 years, 30 years. Their projects generally have a life expectancy of over 50 years and this just gives them an economic advantage in terms of spreading the payments out. I know of no opposition."

Speaker Hartke: "Is there any discussion on Senate Bill 93? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 93?' All those in favor

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will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 93, there are 113 Members voting 'yes', 1 person voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 98, Representative Hoffman. Out of the record. Senate Bill 116, Representative Winkel. Mr. Winkel. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 116, a Bill for an Act amending the School Code. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Winkel. Representative Winkel, would you like to present your Bill?"

Winkel: "Mr. Speaker, could we take that out of the record, momentarily?"

Speaker Hartke: "Out of the record. Senate Bill 153, Representative Granberg. Out of the record. Senate Bill 163, Representative Moore. Andrea Moore. Out of the record. Senate Bill 164, Representative Hoeft. Mr. Hoeft. Out of the record. Senate Bill 165, Representative Delgado. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 165, a Bill for an Act in relation to public aid. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the House. Senate Bill 165 amends the Public Aid Code in relation to the medical assistance program. Authorizes the Illinois Department of Public Aid, subject to appropriations, to execute a pilot project to examine patient outcomes for patients with certain chronic ailments associated with the use of disease management programs and services for chronic condition management. It was repealed 10 years after the

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effective date. And I'd ask for your 'aye' vote."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 165?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 165, there are 113 Members voting 'yes', 1 person voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Bill 164, Representative Hoeft. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 164, a Bill for an Act concerning taxation. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. Senate Bill 164 is a very important Bill for the state. It deals with creating a taxation system for the Internet businesses across the country. This is something that the states have had a major problem with because of the fact that there are business segments that are not paying taxes, when they have sales over Internet, and also some of the catalog companies. There's a three-step process being used to remediate this problem. This is the second step which is asking the Revenue Department with certain other individuals, to meet with all of the other states to come up with a plan to bring back to us for our consideration. This is an important Bill because we are estimating losing about \$400 million a year in revenue because of this. It hurts our cities. It hurts our state. So, I would ask that we consider Senate Bill 164 as one of..."

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

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the Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, I don't have any problem with what you're attempting to do. I think the Internet has put the Main Street merchant at a distinct disadvantage, particularly in smaller towns. But it was my understanding that the Federal Government has expressly prohibited states from even attempting to collect sales tax on Internet transactions."

Hoeft: "There was a federal case that says, that it is too complicated right now to do the taxation. That some states have taxes on prescription drugs, some on food, some have exemptions for elderly. It's just too complicated. That is what this is trying to address by making it a simplistic system, so that, in fact, it could be fed into a computer base that would not hurt businesses. This is the effort to try and simplify the taxing system in the states."

Black: "Then is the intent to position the State of Illinois to do this if the Federal Government relaxes its current... If I'm wrong, let me know. But, I thought the Federal Government said, 'states you cannot currently levy your sales tax on Internet sales.'"

Hoeft: "The court case was called Quill, and Quill said, that there is such diversity, state by state, that you cannot do this. So, what they're trying to do is to create a simplified system across the country that would meet the federal mandates as a doable tax system."

Black: "All right. I think it's a... you know, if the Federal Government will let us do it, I think it's a good idea. It'll certainly level the playing field. There's no

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question that in smaller communities where you don't have the population density and the traffic many of my merchants have indicated that this is simply not a level playing field when they have to collect a 6 3/4, or in some cases depending on local taxes, a 7% sales tax on items and that is exempt from an Internet transaction. I think they make a strong case that that's not fairness and it isn't equity. So, I applaud the effort that you're making. I hope it's successful."

Hoelt: "This morning I was reading the Springfield newspaper and there was a bookstore that closed its doors because of the fact that they were losing money. People are buying books over the Internet and are not paying taxes on that. It's unfair for those businesses that are paying the taxes and are struggling to try and meet that margin."

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

Novak: "Yes, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Novak: "Mr. Hoelt, is there currently a moratorium... I know Mr. Black had referred to a congressional action with respect to the imposition of a sales tax on Internet transactions. Doesn't the Federal Government, right now, have a moratorium by statute, on the states that prohibits them from imposing a sales tax on e-commerce?"

Hoelt: "I don't believe it is a statute. I believe it was a federal case called Quill."

Novak: "No. Mr. Hoelt, the Quill Case had nothing to do... As I recall, the Quill Case had nothing to do with Internet taxation. It had to do with the establishment of a nexus, dealing with whether you can tax out-of-state sales. It had nothing to do with the Internet issue."

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Hoelt: "You couldn't tax out-of-state sales because it was so complicated and this was an undue burden upon the individual."

Novak: "Right. Right. I understand and you're correct. And along comes the Internet with the burgeoning e-commerce trade over the... you know, over the Internet between businesses and individuals, and it just seems to compound the problem much more."

Hoelt: "Exactly."

Novak: "But, I thought that Federal Government has a... had a moratorium on any type of taxation that a state could impose on e-commerce. Is that..."

Hoelt: "This group... As I said, this is a three-tiered system. One, we have, as a state, committed to this system previously. Our officials have been meeting with 37 other states over a two-year period to come up with... The question is, is this doable? They have said, yes. Now, they're gonna come back and say, are you really serious about this, send your revenue people. And whatever they come up with will be brought back to this General Assembly for our consideration. So, this is the second of a three-tiered system."

Novak: "Okay. Let's assume this all goes by and they come back with a recommendation. What is the Federal Government's role in this, since you're talking about commerce going across state lines?"

Hoelt: "Quite frankly, this is a federal responsibility. The Federal Government should be taking this up because of the interstate commerce clause. They are not, so the states are sort of nudging the Federal Government. It is hoped, of this group, that once this second level is passed in a vast majority of the states the Federal Government will

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say, okay, they're serious about it let us be serious about it, and that they would then come up with their own solution. But until they do that, we're getting hurt, our cities are getting hurt, to the tune of \$400 million in this state."

Novak: "Well, I don't argue with that. But doesn't the Federal Government have the power to preempt states when it comes to taxation through interstate commerce?"

Hoelt: "If they do pass the legislation. Void of that, it is... we have then the capacity to do this on a state-by-state basis."

Novak: "All right. Thank you."

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

Schoenberg: "Thank you, Mr. Speaker. A question for the Sponsor. Will the Gentleman yield?"

Speaker Hartke: "Sponsor will yield. He will yield."

Schoenberg: "Mr. Hoelt, you used some figures earlier in the debate about what the financial impact would be on the state if, in fact, we did not engage in this agreement. Could you reiterate that, please?"

Hoelt: "There was a study done and I'll see if I can come up with it, it said that we were losing somewhere in the vicinity of \$10 billion a year. And the... actually, it was in the year 2003."

Schoenberg: "Is that nationally, or within Illinois?"

Hoelt: "Nationally. Nationally. And we are roughly 5% of the commerce in the United States. So, I just multiplied that in and came up... actually, the figure would be \$500 million, half a billion dollars, but I was trying to be conservative."

Schoenberg: "The reason I asked is because there have been

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competing studies that have been done on this issue. There have been other studies which have suggested that the actual impact has been far more minimal. And moreover, that when you factor in the economic activity of clicks and mortar business, such as the need for distribution facilities that's helped the commercial real estate markets, significantly. That actually, it's not... that we in Illinois aren't necessarily losing. In fact, I think you could probably make an argument that if we had a more favorable tax climate that it would provide additional impetus to the kind of investment that we're making through the Governor's Venture Tech Program. Mr. Hoeft, I wanted to ask you another question. I apologize if I missed... if somebody asked you this previously and if I missed the answer. I wanted to ask, Illinois has over 66 hundred jurisdictions, and there are already serious enforcement... getting the level of cooperation that we're looking for between all those many levels of government. It's already been a herculean task. How would we be able to get all these different jurisdictions in Illinois, which has... Illinois has... the only state that has more jurisdictions than Illinois is Pennsylvania. How would we be able to get all these jurisdictions to cooperate in this venture? It might be easier to get all 50 states to cooperate than it would be all 66 hundred local governmental units."

Hoeft: "Your question's a good one and I do not have an answer for that. That's why we need to go to the second step to see if it is possible. This might not be possible. We might be such a complex taxing system with the various groups and the various taxing bodies that we can't accomplish this. That we will learn. But this is not saying we're gonna do this, it's saying we're gonna

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continue down the road to see if, in fact, this is feasible."

Schoenberg: "The final question, Mr. Hoeft. I appreciate your patience. Is there a limit... a date that limits when an agreement has to be reached before this commitment expires, or is this an open... are we, by voting for Senate Bill 164, indicating an open-ended commitment towards favorably resolving a multistate tax system?"

Hoeft: "I can't answer that definitively. I believe that it is open-ended. I do not know of any particular date that is part of this, but..."

Schoenberg: "All right. So, there's no sunset date. So, this is forever."

Hoeft: "It is obvious that if, in fact, they try and get this accomplished and they can't, that the effort will cease."

Schoenberg: "Okay. Thank you very much."

Speaker Hartke: "Further discussion? The Chair recognizes Representative McGuire. Would you like to address this Bill?"

McGuire: "Thank you, Mr. Speaker. I just rise in support of Representative Hoeft's Bill. I've been a proponent of this type of measure for the last couple of years. And I had a Bill in for the Internet. And it did similar to what the Representative's Bill is doing, just to get dialogue started. I'm not a great proponent of the Internet but I am a proponent of maybe taxing the Internet sales. And I think this is what we should be looking into, and at this time, I'd like to at least support Representative Hoeft's Bill. Thank you."

Speaker Hartke: "Further discussion? Representative Hoeft to close."

Hoeft: "I think it's an important Bill. It hurts... The lack of

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resolution to this problem hurts our city's revenues, our state revenues, and also hurts those conscientious businesses that are paying it. This is the next step, I think, to resolving the problem. I'd ask for a 'yes' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 164?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 164, there are 99 Members voting 'yes', 13 Members voting 'no', 3 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 116, Representative Winkel. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 116, a Bill for an Act amending the School Code. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Winkel."

Winkel: "Thank you, Mr. Speaker. Senate Bill 116, as amended, amends the Childrens' Disabilities Article of the School Code. It provides that school social work services may include assisting in completing a functional behavioral assessment, as well as assisting in the development of nonaversive behavioral intervention strategies. It further provides that other certified professionals may provide those social work services for which they are appropriately trained. That's the extent of the Bill and I'd ask for your favorable vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 116?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open."

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Have all voted who wish? Have all voted who wish? All voted who wish? Mr. Clerk, take the record. On Senate Bill 116, 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. Senate Bill 208, Representative McGuire. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 208, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

Speaker Hartke: "Representative McGuire."

McGuire: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 208 creates the Korean War Veterans National Museum and Library Fund checkoff for taxable years ending on or after December 31 of 2001. What this Bill tries to do is create the Korean War Veterans National Museum and Library Fund as a special fund in the state treasury. And it also authorizes the Department of Veterans Affairs to make grants from the fund to private organizations for the benefit of the Korean War Veterans National Museum and Library. The effective date is immediate. Under current law, there is no Korean War Veterans Museum and Library Fund checkoff. I would like the House to support this Bill. I am a veteran of the Korean War era. I was not in Korea. I was fortunate to go to Europe, but I was in during the Korean War, so I don't want any media telling their people that I was a hero in the war, when I was not. But I am greatly in favor of this Bill. Thank you."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 208?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open."

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All voted who wish? Mr. Clerk, take the record. On Senate Bill 208, 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. Senate Bill 216, Representative Coulson. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 216, a Bill for an Act in relation to children. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Coulson."

Coulson: "Senate Bill 216 is identical to House Bill 632. We've basically... creates the Abandoned New Born Infant Protection Act. And the Amendments, that are slightly different, that we need to add here, are agreements with the Hospital Association and the state's attorney to make... so that we have no opposition on this Bill. And I'd encourage your support and I can answer any questions."

Speaker Hartke: "The Chair recognizes Representative Monique Davis."

Davis, M.: "Mr. Speaker, will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Davis, M.: "Representative, what happens if a person leaves their baby in a fire station?"

Coulson: "What happens? If a person chooses to leave their baby in a fire station, that fire station calls the adoption registry, the adop... no, DCFS takes the baby to the hospital, because the fire station is not able to evaluate whether the baby's healthy or not. They take the baby to a hospital. They're evaluated for their health and then they are put into the regular system of adoption within 72 hours of birth. If it's after 72 hours of birth, then this Bill does not matter... does not count."

Davis, M.: "What happens, Representative, if a person leaves

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their baby at a police station?"

Coulson: "Whatever hap... What happens now is what would happen if they leave them at a police station. The only safe havens in this Bill are fire stations, emergency medical centers, and hospitals."

Davis, M.: "So, if a person abandons their baby in a hospital, there are no criminal charges pressed against them. Is that correct?"

Coulson: "If there is no evidence of abuse or neglect and it's in the first 72 hours of life."

Davis, M.: "So, if a person leaves the hospital after giving birth, and there's no evidence of abuse of the child, there are no criminal charges against that person. Is that correct?"

Coulson: "If the baby was born outside the hospital, there are no criminal charges."

Davis, M.: "So, if the baby's born in the hospital, and you abandon the baby, criminal charges will be filed."

Coulson: "That... This Bill does not cover that situation. And as I've mentioned before on the House Floor, I'm happy to work on that situation. But because it's a different nonanonymous situation, we did not cover it in this Bill."

Davis, M.: "Well, I have to really ask this question, that if a woman leaves her child on a doorstep, or leaves her child in a police station, or a fire station, there are no criminal charges. But if she walks away from the hospital after giving birth, which is the safest place to have your child, having your child inside of a hospital is the safest place for that child. So, if she walks away after doing that, criminal charges can be filed?"

Coulson: "In current law, criminal charges would be filed on all of those cases. However, I have spoken to the state's

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attorneys office, and when a woman leaves a baby in a hospital, after delivering in the hospital, they do not usually file criminal charges."

Davis, M.: "They don't?"

Coulson: "They do not."

Davis, M.: "Even though the woman has abandoned her baby and this Bill has not passed?"

Coulson: "This Bill does not address that situation, and currently, they do not usually file charges."

Davis, M.: "What about the father's rights? Do we have any notification ability in this Bill for a father to know that he has fathered a child, and does he have an opportunity to take custody of that child before you put the child up for adoption?"

Coulson: "Yes. There is notification... optional notification and search of the punitive (sic-putative) father record in this Bill and he would..."

Davis, M.: "I'm sorry. I didn't hear your reply."

Coulson: "He would have the same rights as he would in any other adoption case."

Davis, M.: "How is he notified that a birth has occurred?"

Coulson: "As I said, there's a notification in the Bill, that if we can find the father under the Punitive (sic-Putative) Father Registry, then he would be notified. Those rules would, obviously, have to be written. But it is available and requested."

Davis, M.: "What period of time does he have? What's his period of time?"

Coulson: "Basically, it's 30 days following the birth."

Davis, M.: "Thirty days? Thirty days?"

Coulson: "And then after that, they go into the adoption system which is the way all adoptions would occur just as any

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other father would have the right."

Davis: "So, if he has not stepped forward in 30 days, he will lose his parental rights?"

Coulson: "Not necessarily. They then go into the adoption system and would have... I believe, it's up to 60 days to be in that... to petition the court. And they have one year to petition for return of custody."

Davis, M.: "So, if he finds out that whomever he had a relationship with had a baby and the baby was abandoned, if he finds out, and it's within one year. Is it a year and 30 days, or is the 30 days a part of the year? One year... Is it one year after the adoption process starts?"

Coulson: "It says 12 months after relinquishment, in the Bill."

Davis, M.: "After what?"

Coulson: "Twelve months after relinquishment, in the Bill. So, a total of 12 months."

Davis, M.: "So, it includes the 30 days."

Coulson: "Correct. Right."

Davis, M.: "So, Representative, do you think the father is being given ample opportunity to claim and support his child?"

Coulson: "Absolutely. He also had nine months while that mother was pregnant to also try to..."

Davis, M.: "He had nine months if he knew where she was. She could have left the state, as often does happen."

Coulson: "Well, I think that... I think it's plenty of time."

Davis, M.: "Representative, if the agency that is going to be the adopting agency will get paid, who is going to pay them?"

Coulson: "I'm sorry. I don't understand."

Davis, M.: "There's an agency involved, it's an adoption agency. Who is paying that agency?"

Coulson: "DCFS would be paying the agency."

Davis, M.: "So, the Department of Children and Family Services

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will now be in the business of paying a private adoption agency to adopt... to have kids adopted. Is that right?"

Coulson: "There is no change in what DCFS already does with children in the adoption process in this Bill. They already have that relationship."

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

Speaker Hartke: "To the Bill."

Davis, M.: "And I'm sure there will be many other speakers on this important piece of legislation. I know that the Representative has excellent intentions of saving the lives of children who are abandoned by their mothers. Children may be abandoned because the mother is going through postpartum depression. The mother could be temporarily deranged from this traumatic experience for which she was not prepared. And it is a noble gesture to say, you can lay your baby on the steps of a police station, you can lay your baby in a fire station, but if you go to the hospital and have that baby, giving that baby the opportunity for life with all the high technological equipment available, you're saying, then you're gonna be a criminal. So, in other words, this Bill is going to encourage women who don't want to be mothers to abandon their babies in unsafe places, unsafe places. Now, to make this a good piece of legislation we would say, wherever that child was abandoned, there would be no criminal charges, wherever that child is abandoned. It should not matter that it was in a hospital or a police station. They're all public... Well, not necessarily public... but I'm just very concerned that we're going to encourage women, young... especially teenagers, who don't want their children, to not go to a hospital and give birth which gives that child a 99% or

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more better chance at life. This Bill will encourage women to abandon these children in unsafe places and that causes me great concern. And with that, Mr. Speaker, I urge a 'no' vote."

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

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

Speaker Hartke: "You're welcome. Yes, the Sponsor will yield."

Feigenholtz: "Thank you. Representative Coulson, I have a couple of questions for you about this particular Bill. I know you've worked really hard on this Bill to try and contain the subgroup of women who would not go into a hospital and deliver, who are still under the onus of affirmative defense. These are women who deliver outside of a hospital. Is that correct?"

Coulson: "That's correct."

Feigenholtz: "And the sunset provision is still in this Bill. Is that correct?"

Coulson: "Yes. That's part of the Amendment."

Feigenholtz: "I think the previous speaker had some very valid points. I know that you, also, had a lot of concern about these issues, too. That one of the things that we do not want to do here is encourage women to use this as a venue for abandoning their children, and that, ultimately, what we want to do is try and help young mothers who are going through postpartum depression settle down and try and go home with these babies. Ultimately, that is your goal. Is that correct?"

Coulson: "I would never want to encourage abandonment. However, there are times when this will save a baby's life."

Feigenholtz: "Sadly, I agree with you and I appreciate what you've... how carefully you have tried to carve this Bill

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out. I recently read an article about a mother who abandoned a child and came back shortly thereafter to reclaim the child and the father did come back also to reclaim the child and they were having great difficulty because that child had been relinquished already. And I know that that's something that you also are concerned about. How many days is... Is this baby considered relinquished on the day it's abandoned?"

Coulson: "I believe they have 72 hours from the time of relinquishment to the time it would be considered relinquished."

Feigenholtz: "So, if a birth mother was to come back, like this situation that I just talked about, and wanted to take this baby home and has a change of heart, what procedures does she have to go through in order to do that?"

Coulson: "Basically, it would... Again, it would have to be within the first 72 hours after the relinquishment that she would be able to have the baby brought back, or given back to her. We'd like to make sure that she has a DNA test, so we know for sure it's her child."

Feigenholtz: "I thought that that was a piece of the Bill that the Senate found too difficult to craft, and therefore, it was not in the Bill. Is that true?"

Coulson: "And that's what... I'm just looking real quickly here to see, but for legislative intent, we would like to try to make sure that, obviously, that baby is that mother... that is the mother of that child. And then, they would be given back the baby. Otherwise, after 72 hours they would have to go through a...."

Feigenholtz: "A court hearing."

Coulson: "...court hearing."

Feigenholtz: "So, they would after... I'd like to clarify this

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'cause I think that it's a very, very important part of the Bill. I think that a lot of women... We read a letter from the Cradle where a lot of women who deliver babies at the last minute are brought to the Cradle, and after a lot of work with counselors and social workers, these women end up going home with those babies. And I think that that's something that we also want to look at. I mean... and I think that piece of the Bill is very, very important. And if you could clarify, 'cause I haven't had the time to read it, I'd appreciate that."

Coulson: "Can you... Which portion are you asking me to clarify, I guess?"

Feigenholtz: "The scenario is, is that a woman abandons a child, and within a week she wants to reclaim that child. What is the process that she has to go through in order to do this? Can she just show up at the hospital, or can she show up at... if she can find out what adoption agency the child is at? I'm assuming the child, if it's not abused, is going from a hospital into an adoption agency that DCFS appoints. Correct?"

Coulson: "Correct."

Feigenholtz: "Okay. So this mother, who left her child somewhere, goes to law enforcement and asks... and tells them that she abandoned a child on the porch of a church, and the police run through their system and they try and find out what happened to this baby after it went to the hospital and came out of the hospital. Correct?"

Coulson: "They... In this Bill, if she abandoned it at a church, this particular whole process would not kick in because we would not be giving her immunity from prosecution. So, it only occurs if the baby was relinquished at the three sites I mentioned before. Then, however, in the case of their

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relinquishing the baby at a fire station or a hospital, then the normal adoption process would be kicked in after 72 hours."

Feigenholtz: "Okay. Representative Coulson, you and I've spoken about this Bill ad nauseam and I... the previous speaker had some very interesting points. This is a Bill that is a work in progress. It's the type of thing that's going to have to test itself in the courts, test itself in the system. And I know that your heart's in the right place on this. And that if we need to come back and fix this because we've created bigger problems than repairing smaller ones, that you're going to be amenable to amending this Act. I think that your commitment to keeping the sunset in this. I think the commitment to data collection based on some other states, like the State of Virginia who... the State of Virginia's Supreme Court deemed a law like this unconstitutional, and that it did encourage abandonment, is a big step for you. And I appreciate what you and the Safe Baby people have been working on. It's not a perfect Bill. It's certainly not a perfect situation when women have to do this, and I know that you are gonna continue to fight for funding to prevent this kind of activity. That is another commitment that we talked about in Human Services. So, I encourage an 'aye' vote on this, under all of those conditions. And thank you very much for answering my question."

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

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Will the Lady yield, please?"

Speaker Hartke: "The Lady will yield."

Flowers: "Thank you. Representative Coulson, would you tell me

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once again where these babies can be abandoned."

Coulson: "A baby, in this particular Bill, who is relinquished or dropped off at a fire station, an emergency medical facility, or a hospital would then... the mother would then not be prosecuted for abandonment if that baby was not abused or neglected, in the first 72 hours of life."

Flowers: "At a fire station, at a hospital, and what other place?"

Coulson: "Emergency medical facility."

Flowers: "An emergency medical facility. Now, you just told the previous speaker that there will be a DNA test given to prove..."

Coulson: "No, that's not what I said, but..."

Flowers: "Okay. Would you please explain to me what you just said to the previous speaker in regards to a DNA test given to prove that this is actually the mother of this child."

Coulson: "If a mother, after 72 hours, wants to get the baby back, we want to make sure that that baby belongs to that mother and we may have to do testing to make sure of that."

Flowers: "Okay. Now..."

Coulson: "That is not in the Bill currently, but it's something that we might have to do."

Flowers: "Okay. How would you prove..."

Coulson: "I'm sorry. After 72 hours, it is in the Bill. Before 72 hours, it is not."

Flowers: "Excuse me. What's in the Bill before the 72 hours?"

Coulson: "There's nothing on the DNA testing, but after 72 hours they have to have DNA testing."

Flowers: "Okay. Representative, I, too, understand the intention behind this legislation. As you and I have spoken in the past, I have some concerns about it, mainly, the father. The father matters in this state. You told one of the

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previous speakers that the father should have known within the nine months. I don't..."

Coulson: "That's not what I said. I said that they're nine months..."

Flowers: "You alluded to the fact..."

Coulson: "...plus a year."

Flowers: "You alluded to the fact that the father should have known. The... One of the previous speakers said there's a possibility that the mother could have gone to another state. But that father only has 30 days, am I correct? To find out..."

Coulson: "They have one year from the date of relinquishment."

Flowers: "How is the father supposed to know that his child has been relinquished? Are... Will is... My question I should ask you is, will there be a diligent search for the father upon relinquishment? Because it appears to me that we are putting the onus on the father to find out if he is a father as opposed to you knowing that there is a father out there because you have a child. Should we not do a due diligent search to locate the father?"

Coulson: "There is the requirement to do due diligence to look at the Punitive (sic-Putative) Father Registry. So therefore, if there's a father..."

Flowers: "Is there not a..."

Coulson: "...who is out there..."

Flowers: "Is there not..."

Coulson: "Can I just finish this?"

Flowers: "No, I just... I need to ask because I need clarification."

Coulson: "I was gonna clarify."

Flowers: "Once you have this abandoned child in your possession, is it not incumbent upon you to try to seek out the father

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because the father has as much right to claim the child as the mother has the right to relinquish the child?"

Coulson: "That's what I was trying to explain to you. There is a requirement that the Putative Father Registry be checked. It is the father's duty to get on that Putative Child (sic-Father) Registry if he believes there may be a child out there that he has fathered."

Flowers: "My question again to you is that the father doesn't know that he fathered a child. Is it not incumbent upon you to try to seek out the father because maybe the baby would not be abandoned?"

Coulson: "I believe that in this law we are trying to save babies' lives. We are not trying to take babies from fathers or mothers. If a father wants to find his child in that year, after the baby has been relinquished, he has every opportunity to do that."

Flowers: "Representative, for the people downstate who... where hospitals, emergency rooms, or a firehouse is not readily acceptable or available for them and if they were to just abandon their baby by the barnyard, something to that effect, because they have no means of transportation because the closest hospital may be in another state, for instance, like Missouri. What would happen to that mother?"

Coulson: "It would depend on the state's attorney in that county. They could be prosecuted for abandonment and in many cases probably would be."

Flowers: "So, now, if I wanted to abandon my child I would have to go by the letter of the law. If I do anything other than... Now, remember, your objective is to save the child, not to prosecute the mother. But now..."

Coulson: "Correct."

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Flowers: "...the transportation for the city and the suburbs in the rural area is totally different. So, have you taken any type of consideration... have you taken that into consideration, I should ask?"

Coulson: "Absolutely. The fire stations and many of the volunteer firemen in rural areas have spoken to me and have said that they would be happy to be the site that a baby could be relinquished. And remember, most communities have a rural..."

Flowers: "No, that's already in your Bill."

Speaker Hartke: "Representative Flowers."

Flowers: "But let's assume that that mother can not get there. Yes, I will bring my remarks to a close, Sir. But I just need to ask..."

Speaker Hartke: "Thank you."

Flowers: "You are assuming, Representative, that this mother has the capability of getting to the sites in which she needs to abandon her child. Mr. Speaker, Ladies and Gentlemen of the House, to the Bill."

Speaker Hartke: "To the Bill."

Flowers: "I understand the Lady's intent of this legislation. I, too, am very concerned about saving all the babies, not just some of them. I would encourage a 'no' vote on this Bill. And let me tell you the reason why. Oftentime, women who are scared or for whatever reason, may want to abandon their child or may be suffering from postpartum depression. When you're asking a woman to relinquish her child, this woman might be in need of some type of psychological counseling. She might be in need of some type of hospitalization. The child is... The woman is encouraged to leave her child or have her babies outside of the hospital. If it is our intent to not be punitive to

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the mother, if it is our intent to save the child, let us encourage these women to bring your babies or either have your babies in the hospital and if you so want to choose to, you can relinquish your child there. We should not encourage women to have their babies in the alley, in the barnyard, or someplace else where the child and the mother's life can be or will be in jeopardy. I would urge a 'no' vote and once again, Mr. Speaker and Ladies and Gentlemen of the House, I understand the intent of the Lady's legislation. But what she's doing is creating criminals out of women who would not ordinarily be so. And I would encourage you, Representative, to please pull this Bill out of the record, make it applicable so women who want to do so can do so in a healthy, clean environment. Thank you very much."

Speaker Hartke: "Ladies and Gentlemen, we've been on this Bill for about 30 minutes now. It's on Short Debate and there are still four people seeking recognition. Is it your desire to take this and put it on Standard Debate? The Chair recognizes Representative Lindner."

Lindner: "Thank you, Mr. Speaker. I rise in support of this Bill. And I think we ought to clear up several of the misconceptions. Certainly, the hospital procedure is no different than it is in the law now. There's been a lot that's been said about the father's parental rights. There are so many chances for the father to assume his parental rights under the various Acts that take effect under this Bill. First of all, even though there is a presumption that parental rights are relinquished, that is a rebuttable presumption. Then a petition for return of custody can be filed under this Act by either the mother or the father. DCFS has to search the Putative Father Registry. Also,

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then a petition for termination of parental rights, all those rights that the father has under that Act, would apply here also and then the petition for adoption. In all of those proceedings, a thorough search for the father is always done. So there certainly is plenty and ample time for a father to find his child if he has parented this child. This is responsible legislation because there is a sunset on this to see if this program works. As one of the previous speakers said, it is a work in progress and I'm sure the Sponsor will be willing to talk about anything that would improve this program. I hope everybody has looked at all the groups that support this Bill: the Catholic Conference, Voices for Illinois Children, Ounce of Prevention, Concerned Christians, Attorney Generals, certainly a variety of organizations that doesn't often come together to support one piece of legislation. This is about saving babies' lives. These are babies that are put in garbage dumps or left out in the cold to freeze. And this Bill will help save lives and I think that is the important thing that we have to think about. Thank you."

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

Younge: "Thank you, Mr. Speaker. I'm opposed to this Bill because I think it will encourage abandonment. I think that the Department of Family and Children Services (sic-Department of Children and Family Services) has a propensity to take babies or children away from mothers and I think that what this Bill does is facilitates the whole process of what will happen to the baby. I can imagine that the workers in Family and Children Service (sic-Children and Family Service) would be telling mothers that you don't have to worry about it, you can just go over

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to the hospital and then after you abandon your child, then the child will get TANF and you won't be charged with a crime and nobody'll say you abandoned it. And I know the policies of the Department of Children and Family Services. I know the policies of the Department of Public Aid. And I believe that these will be tools for them to separate children from their parents. And I think this is a very, very dangerous Bill and I think that it should be voted down as bad public policy."

Speaker Hartke: "Representative Coulson to close."

Coulson: "Thank you, Mr. Speaker. I want to assure everyone that this is not a Bill to encourage their abandonment of babies. This is a Bill to save babies' lives. In the intent Section, Illinois recognizes that there have been children, newborn infants, who've been abandoned to the environment. We're trying to save those babies' lives. That's the intent here. We do have a sunset. We do have reporting requirements. Representative Lindner spoke to the fathers' rights. This is a good Bill. It is a Bill to save babies' lives. In other states they've been able to save four or five babies' lives in a year. That is the whole intent here. And I am very happy to continue working on this to make sure that that intent remains part of the legislation. And I encourage your 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 216?' 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 216, there are 101 Members voting 'yes', 7 Members voting 'no', and 6 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby

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declared passed. The Chair recognizes Representative Black."

Black: "Mr. Speaker, not an inquiry of the Chair, a point of personal privilege."

Speaker Hartke: "State your point."

Black: "The House rules are very clear and I am not one to stifle debate. I've been in the Minority too many years and I know what can happen when you stifle debate. But our rules are rather clear. We debated that Bill for 40 minutes. It got a hundred and one votes and it was on Short Debate. If you want to take a Bill off Short Debate, the rules allow for that, prior to the beginning of debate. All I would ask the Members to do is to follow the House rules. If you want everything on Standard Debate, it's fine with me. But I think it's not in the best interests of the time of this chamber to take 40 minutes on a Bill on Short Debate that should have only taken five minutes and it gets a hundred and one votes to pass. With what we have on the Calendar, we simply can't afford to do that. The rules allow for Standard Debate. Just simply get up and ask that the Bill be taken off Short Debate. It'll certainly do wonders for my blood pressure, not to mention my ulcer."

Speaker Hartke: "Thank you, Representative Black. Representative Davis, for what reason do you seek recognition?"

Davis, M.: "Mr. Speaker, I just want to applaud your intellect in allowing an issue that certainly affects women's lives and the lives of children. And it is significantly important and I know sometimes we spend an inordinate amount of time on different, numerous events. So, the women Legislators want to applaud you on your courtesy and your intelligence. Thank you, Mr. Speaker."

Speaker Hartke: "The Chair recognizes Representative Black."

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Black: "All I would say to the Gentlewoman is that if you want to discuss something on Standard Debate, fine. I will second your Motion. Just simply get up and say so in accordance with the House rules. I made it very clear, I'm not here to stifle debate. I've been in the Minority all but two years that I've been here. But if you'd just read the rules and follow the Calendar, if you want to take any issue, women's issues, men's issues, god forbid, the people of the State of Illinois issues. Look at the Calendar, stand up, quote the rule and take it off Short Debate and I'll stay here with ya until midnight. But don't abuse the process by taking 40 minutes to debate something that this Body put on Short Debate. All it takes is a simple request of the Chair and every issue could be debated on full debate if that's what the chamber wants to do."

Speaker Hartke: "On page 7 of the Calendar appears Senate Bill 250, Representative Beaubien. Mr. Clerk, read the Bill. This Bill's on Short Debate."

Clerk Bolin: "Senate Bill 250, a Bill for an Act concerning trusts. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Beaubien."

Beaubien: "Yes, thank you, Mr. Speaker. This Bill amends the Trusts and Trustees Act. It provides that the receipt of an account is presumed by mailing or delivery by electronic means, provided two things occur. One is that the procedures in place for the sending of the materials electronically and that the beneficiary has consented to receiving the materials by the Internet. What in effect this does is bring the Trust and Trustees Act into the 21st century for electronic transfers. It passed the Senate 55-0 and was unanimous in the committee."

Speaker Hartke: "Is there any discussion on Senate Bill 250?"

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Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 250?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Mr. Clerk, take the record. On Senate Bill 250, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of Senate Bill 935?"

Clerk Bolin: "Senate Bill 935 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. Senate Bill 252, Representative Black. Representative Black. Would you like to hear Senate Bill 252? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 252, a Bill for an Act concerning unemployment insurance. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Black. This Bill's on Short Debate."

Black: "Yes. Thank you very much, Mr. Speaker. In anticipation of someone's delight, I'm joined by five Members on my side of the aisle to take this Bill off Short Debate."

Speaker Hartke: "I only counted three."

Black: "Well, whatever."

Speaker Hartke: "Okay, there's five."

Black: "Senate Bill 252, as amended, the Amendment becomes the Bill, amends the Unemployment Insurance Act. It provides the term 'employment' does not include service performed by a full-time student in the employ of an organized camp

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under certain conditions. This Bill has been around for ten years. It's been largely the initiative of the Jewish Federation and others who operate summer camps. Obviously, no unemployment Bill would advance to Third Reading in this House if it were not an Agreed Bill. The Speaker has looked at it. The technical review staff on your... on the Democrat side of the aisle has looked at it. The AFLCIO has signed off on it. I know of no opposition to the Bill. I'd be glad to answer questions that you have."

Speaker Hartke: "Is there any discussion on Senate Bill 252? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 252?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 252, 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. Senate Bill 265, Representative Hoffman. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 265, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Hoffman. This Bill's on Short Debate."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 265 simply changes the issue of voluntary intoxication as a defense. Essentially, it said that... says that you could no longer utilize as an affirmative defense the issue of voluntary intoxication if it was indeed done voluntarily. I would ask for an 'aye' vote."

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

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Representative Cross."

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

Speaker Hartke: "Sponsor will yield."

Cross: "Jay, I don't want to cause a problem for your Bill, but we have a note on here that you were gonna throw an Amendment on it. It was gonna be held on Second."

Hoffman: "It's my understanding Amendment #1 was put... it was in committee and it created a new offense pertaining to the presence of a person under 18 during the illegal delivery of a controlled, counterfeit, or look-alike substance. That Amendment, I believe, was done in committee and that was Representative O'Brien's."

Cross: "I see Floor Amendment 2 in our file, Jay, and again, I'm not trying to be... cause you a problem."

Hoffman: "Has that been... That has not been adopted. Mr. Speaker."

Speaker Hartke: "Yes."

Hoffman: "Could you give me the status of Floor Amendment #2?"

Speaker Hartke: "Mr. Clerk."

Clerk Bolin: "Floor Amendment #2 has been approved for consideration."

Hoffman: "Could we remove this from the record for a second?"

Speaker Hartke: "Out of the record. Senate Bill 298, Representative Granberg. Out of the record. Senate Bill 396, Representative Coulson. Out of the record. Senate Bill 400, Representative Mitchell, Jerry Mitchell. Out of the record. Senate Bill 433, Representative Mathias. Out of the record. Senate Bill 496, Representative Biggins. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 496, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Biggins."

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Biggins: "Yes. Mr. Speaker, thank you, Ladies and Gentlemen of the House. Senate Bill 496 allows the court to merge taxes from prior years that are, or that became delinquent when they are required to issue a tax deed. Be glad to answer any questions anybody may have."

Speaker Hartke: "Any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 496?' 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 Senate Bill 496, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 497, Representative Biggins. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 497, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Biggins."

Biggins: "Thank you, Mr. Speaker. Along the same lines of a tax bill Bill. This allows uncollectable and delinquent property taxes to be deemed abandoned and uncollectable after 20 years. Current law is... extends it out to 30 years. This accelerates that time and will better serve the taxpayers and taxing bodies. Be glad to answer any questions that any Members might have."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 497?' 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 497, there are 113 Members voting 'yes', 0 voting

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'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 508, Representative Biggins. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 508, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Biggins."

Biggins: "Thank you, Mr. Speaker. Again, Ladies and Gentlemen of the House, Senate Bill 508 deals with property tax sales in error and creates three new criteria under which a court is mandated to find that a sale in error is in fact a sale in error. Be glad to answer any questions that you may have."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 508?' 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 508, 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. Mr. Clerk, what is the status of Senate Bill 265?"

Clerk Bolin: "Senate Bill 265 is on the Order of Senate Bills-Third Reading."

Speaker Hartke: "Place that Bill back on the Order of Second Reading for the purpose of an Amendment at the request of the Sponsor. Senate Bill 526, Representative Saviano. Out of the record. Senate Bill 527, Representative Saviano. Out of the record. 528. Out of the record. Senate Bill 530, Representative Myers, Rich Myers. Out of the record. Senate Bill 538, Representative Franks. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 538, a Bill for an Act concerning

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taxes. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Myers."

Franks: "Thank you, Mr. Speaker."

Speaker Hartke: "Excuse me, Franks."

Franks: "Close enough. I knew who you meant. Senate Bill 538 amends the Property Tax Code and it allows taxing districts to abate taxes on property of historical societies qualifying as an exempt organization under Section 501(c)(3) of the Federal... Internal Revenue code. Right now, this goes on to the year 2000 and what this does is it extends the exemption to 2003. There are approximately 400 museums in the State of Illinois and 200 of them, or about half, are historical societies and there's smaller museums in our towns that really need this tax break. This passed the Senate unanimously, as well as subcommittee in Revenue and the full Revenue Committee. I'd be glad to answer any questions."

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

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, I haven't seen the new map yet, obviously, you have. Are you now representing part of McLean County?"

Franks: "Not that I'm aware of."

Black: "Oh. Does this only apply to the home referenced, in the analysis, in McLean County?"

Franks: "Oh, no. The analysis, I believe, is incorrect."

Black: "All right."

Franks: "This applies to all historical societies..."

Black: "Okay."

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Franks: "...throughout the State of Illinois."

Black: "Well, I thought in the spirit of bipartisanship the analysis says it exempts the boyhood home of Adlai Stevenson from property taxes. Do we do the same for Ronald Reagan's boyhood home in Dixon?"

Franks: "Absolutely."

Black: "And..."

Franks: "With pleasure."

Black: "And someday the home of..."

Franks: "Of Representative Black."

Black: "...Bill Black in Danville."

Franks: "I'll sponsor that Bill."

Black: "All right. So, it is for any building that is designated as a historic site and is a 501(c)(3), correct?"

Franks: "Exactly."

Black: "Okay. Fine. Thank you."

Franks: "Yeah. Thank you for clearing that up 'cause I read this analysis and I saw it was incorrect, as well."

Black: "Thank you."

Speaker Hartke: "This Bill's on Short Debate. The Chair recognizes Representative Garrett."

Garrett: "Representative Franks... Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Garrett: "Representative Franks, is there a time period, time frame, on this particular piece of legislation? Is there an ending date?"

Franks: "Yes, there is an ending date, Representative. And it would... we're asking for it to go to 2003 because it's due to sunset this year."

Garrett: "So you're really just extending this particular Bill for another two years?"

Franks: "Yes. Yes, Representative."

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Garrett: "Okay. Is there a reason that it is sunseting? I mean, should this not..."

Franks: "That's what the original legislation had done and it had a sunset provision, so we're just going a little bit farther."

Garrett: "Okay. I guess my question is, should there be a sunset on it? I mean, shouldn't this, if it applies to some of these residences or properties, shouldn't it apply not just for two years or five years, but for a longer period of time?"

Franks: "Yeah, I'd like to see that. Unfortunately, I don't think we'd be able to pass that Bill at this time because of budget restraints."

Garrett: "Okay."

Franks: "So, we'll take the incremental wins when we can get 'em."

Garrett: "Just try again next year. Thank you."

Franks: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 538?' 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 538, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 539, Representative Parke. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 539, a Bill for an Act regarding taxes. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Parke."

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Parke: "Mr. Speaker, Ladies and Gentlemen of the House. This Bill provides that special fuels sold or used for nonhighway purposes must contain red dye and must be transported only with conspicuous notice. The Bill also creates new penalties for using red dye, off-road diesel in vehicles used on highways. It has numerous other changes that were made in the way the Act applied to the use of diesel fuel, provides the writing of administrative rules, several issues rose that need to be corrected. This Bill is supported by the Illinois Fertilizer and Chemical Association, the Chemical Industry Council of Illinois, Caterpillar, Petroleum Marketers, Illinois Petroleum Council, the Illinois Manufacturers' Association, and the Illinois Farm Bureau. I stand ready to answer any questions."

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

Mautino: "The Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Mautino: "Representative, when this Bill first started out, I'd asked you a couple of questions. Would this apply to, for example, a crane which was hauled... driven down the road, but... so it had some road use miles and you know, as an example, a company that would have a piece of equipment that would travel on its own on the road system, but predominantly the gas used would be used on-site for construction?"

Parke: "I believe that that's incidental, to wit, the purpose is just to move that product and we have exemptions for farm equipment being moved along the highways."

Mautino: "Correct."

Parke: "So, I'd imagine..."

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Mautino: "Would this then qualify like a... for example, a tractor?"

Parke: "I would think..."

Mautino: "Using something to go to the..."

Parke: "I would think..."

Mautino: "...to a field on the other side."

Parke: "Yeah. I would think that that would be covered because the common sense... what we're trying to do is solve some discrepancies that were brought about on the Act that we passed a couple years ago. And common sense would dictate that that's not used for the purpose of skirting motor fuel taxes. That was not brought up in committee. That was not shared with us. So, I don't really have a definitive answer for you, but it logically would be that it's not... The purpose is to stop people from using fuel that they didn't pay taxes on, so that there's motor fuel taxes that can be used for the repair and the upgrade of roads."

Mautino: "Okay. So, if they're using the clear diesel... Currently, they're not using the red dye, but the clear diesel... Would that tax credit apply as well, or is it strictly..."

Parke: "I cannot answer your question."

Mautino: "Okay."

Parke: "I do not know that answer."

Mautino: "Okay. Well, I'll discuss that with the Department of Revenue. I do believe, in talking with the Manufacturers' Association and the Feed and Chemical Association who had an interest in the Bill, that their intention was that those situations be covered."

Parke: "I would think that that would be true."

Mautino: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is

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seeking recognition, Representative Parke to close."

Parke: "Thank you, Ladies and Gentlemen. I look forward to seeing positive votes on this legislation."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 539?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 539, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 544, Representative Hamos. Out of the record. Senate Bill 573, Representative Currie. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 573, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is an initiative of the Illinois Municipal League. It deals with a situation where there's been a special assessment and after the purpose for the special assessment has been accomplished, it turns out there is extra money available. All the Bill does then is set up a mechanism so taxpayers can be refunded the overage. I'd be happy to answer your questions. And I'd appreciate your support for this good housekeeping measure."

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

Black: "I'm sorry, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Black: "Representative, does the special service district disappear as well, or just the levy and the fund?"

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Currie: "I think what happens is that there's... you create a special service area to accomplish a particular purpose, usually, a building purpose of some sort and you assess separately for that purpose and then when the project is finished, what do you do if there's extra money still left in the account. And this Bill establishes a mechanism so the taxpayers can get a refund."

Black: "It sounds like an excellent idea to me. Are you aware... Is there, in existing law, the ability for them to transfer those surplus funds to another account?"

Currie: "I don't believe so. So..."

Black: "So, it just kinda sits there."

Currie: "Exactly. That's why I call this a good housekeeping Bill."

Black: "This should get the Good Housekeeping award and I commend you for sponsoring it."

Currie: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 573?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 573, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 606, Representative Novak. Out of the record. Senate Bill 617, Representative Holbrook. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 617, a Bill for an Act in relation to taxes. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Holbrook."

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Holbrook: "Thank you, Speaker. Senate Bill 617 just continues the tax exemption on sales tax for leases going to governmental bodies and for high item equipment to hospitals that are being used for diagnostic. This is... It sunsetted January 1 and this is just a reinstatement of it. There are several facilities waiting for purchases at this time. I'd be glad to take any questions."

Speaker Hartke: "Is there any discussion? Seeing no one's seeking recognition, the question is, 'Shall the House pass Senate Bill 617?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 617, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 55, Representative Ryder. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 55, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. The current status of this Bill is that it is not in the shape that we wish it to be. We've been asked to send it to the Senate. It deals with a tax rebate issue for those folks who have private label credit cards. We have been unable to come to an agreement with the Department of Revenue and as a result, we're going to send it back to the Senate. We hope to have a Conference Committee. If we receive an agreement, we're gonna bring it to you. If we don't, then we're not likely to be able to accomplish that, but I would appreciate your assistance to send it back to the Senate in its current form."

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Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 55?' All those in favor signify by saying 'aye'; opposed... voting 'aye'; 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 55, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 606, Representative Novak. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 606, a Bill for an Act concerning energy efficiency. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Novak. This Bill's on Short Debate."

Novak: "Thank you, Mr. Speaker, for putting it on Short Debate. Thank you, Ladies and Gentlemen of the House of Representatives. I present to you Senate Bill 606 as amended. This is a unique concept working with Senator Rauschenberger in the Senate and the Center for Neighborhood Technology. It deals with one of the components that we're gonna be discussing this year dealing with adopting a comprehensive energy policy in this state. There's been a lot of discussion about new generation, new coal-fired plants, efficiency renewables. This is a program that would not cost the State of Illinois any money. It would be run by the Illinois Development Finance Authority Act to provide for low-interest loans for energy efficiency programs. There wasn't any opposition to the Bill in the committee. DCCA supports the Bill. They would help in conjunction in coordinating this Bill. The national debate on energy on an energy policy in this

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country, as well as the Governor's summit that we recently attended last week, talks about, as I indicated, new generation, new transmission lines, making sure we have enough capacity to meet our future needs, making sure that we do everything within the power of the State of Illinois to avoid any type of a situation that is currently occurring in the State of California. And in light of the deregulation law that we passed, that was a prudent and reasonable law that we passed four years ago, energy efficiency should stand as a significant component to the entire question of adopting a comprehensive energy Act. And I'd be more than happy to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Garrett. Representative Garrett. Representative Garrett, would you like to stand in opposition to this Bill?"

Garrett: "No. I'm something else, sorry."

Speaker Hartke: "Thank you. Further discussions? No one's seeking recognition, the question is, 'Shall the House... Representative Younger, do you stand in opposition?'"

Younger: "No. Would the Speaker..."

Speaker Hartke: "You can stand in support."

Younger: "Would the Sponsor yield for..."

Speaker Hartke: "Speaker (sic-Sponsor) will yield."

Younger: "Are individual residences included in the Bill?"

Novak: "Can you repeat that, Representative."

Younger: "Are individual residential units included in the Bill?"

Novak: "I believe that they will be. I believe that, like apartment houses, condo complexes, and other eligible entities would be available for this low-interest loan funding."

Younger: "You think individual units, residential units are..."

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pending the subject matter of the loan?"

Novak: "Well, Representative, I don't... I know it refers to larger buildings, like apartment buildings or small businesses or apartment complexes. But I don't see any reference here to an individual home. We do have that program through our statewide DCCA-sponsored community action groups that provide for weatherization, home heating assistance, window efficiencies, and furnace upgrades. That's already in effect."

Younge: "All right. Thank you."

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

Novak: "Yes. Mr. Speaker, thank you. Just simply ask for an 'aye' vote from my colleagues."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 606?' 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 606, there were 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Garrett, for what reason do you seek recognition?"

Garrett: "Thank you, Mr. Speaker. I would... on a point of personal privilege..."

Speaker Hartke: "State your point."

Garrett: "...I would like to welcome the Junior League of Chicago. They are visiting Springfield. And I would hope that the General Assembly would give them a warm welcome and thank them for coming."

Speaker Hartke: "Welcome to the State Capitol. Representative

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Ryder, for what reason do you seek recognition?"

Ryder: "Thank you, Mr. Speaker. I would also like to rise in a point of personal privilege. We are joined today in the gallery by some representatives of the AARP from the district that I represent, as well as Senator Demuzio. We had a chance to answer their questions earlier. I would ask them to rise, please. And I would indicate that these folks can sing a very good version of Happy Birthday as they did to Senator Demuzio on his birthday, belatedly. His birthday was yesterday. Please welcome, if you will, these retired persons."

Speaker Hartke: "Welcome to the Illinois State Capitol. Mr. Ryder, Demuzio's birthday was Monday."

Ryder: "Excuse me, Mr. Speaker."

Speaker Hartke: "His birthday was Monday."

Ryder: "Oh, that's right. It was your birthday yesterday."

Speaker Hartke: "Oh, it was my birthday Monday, too."

Ryder: "Happy birthday."

Speaker Hartke: "Thank you. On page 8 of the Calendar appears Senate Bill 627, Representative Daniels. Out of the record. Senate Bill 647, Representative Hamos. Out of the record. Senate Bill 653, Representative Jefferson. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 653, a Bill for an Act in relation to animals. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Hamos (sic-Jefferson)."

Jefferson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill, Senate Bill 653, is an Amendment to Animal Rights Act. And this Bill simply says that... adds a new requirement to the Bill. It also establishes new penalties. In addition to that is stricter existing penalties related to the Vicious Dog Act. I would urge a

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'yes' vote on this, being this is my first Bill. It's a good Bill. There's no opposition to the Bill. It's supported by the Humane Society. Thank you."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Black. This Bill is on Short Debate."

Black: "Thank you very much, Mr. Speaker. Pursuant to the rules of the House, I'm joined by five Members on my side of the aisle to take this Bill off Short Debate. Thank you very much. Representative..."

Speaker Hartke: "The Bill is off Short Debate."

Black: "You're from up north, aren't you, the northern part of the state?"

Jefferson: "Yes."

Black: "I'm from downstate and I'll tell ya, we take dogs seriously down there. Why are ya kickin' my dog around in this Bill? I don't understand it. I got a little old hound dog. Dog loves me, I love the dog. What are you pickin' on dogs for?"

Jefferson: "Well, basically, I'm not doin' the kickin'. This was something that came to us as far as the people are askin' for this, to give it strength to be able to prosecute dog owners that have these vicious dogs that run loose freely. This is teeth, if you will, in the Bill to give the courts the ability to punish these individual owners."

Black: "Well, I assume the people would ask you for this Bill. I sure didn't think the dogs would come to ya and ask you to sponsor it. I know my dog didn't. What is the definition of a dangerous dog?"

Jefferson: "Definition of dangerous dog. Let me find it for you. Current law defines a dangerous dog as, 'any individual dog which when either unmuzzled, unleashed, or unattended by its owner or member of the owner's family, in a vicious or

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terrifying manner, approaches any person in an apparent attack... attitude of attack upon streets, sidewalks, or any public grounds or places.'"

Black: "Well, now, who determines whether that dog is a dangerous dog? I mean, the neighbor, somebody that walks down the street... Seriously, I have a little old hound dog, doesn't weigh 14 pounds. It'll bark like a son of a gun if you walk by my house. But... I mean, what... Who determines... My little old dog wouldn't hurt a flea, but it'll bark and it'll act likes it's going to, especially if you're the UPS man, loves to bark at the UPS man. But, I mean, I don't think it's a dangerous dog. I'm trying to get at the definition here. Who determines that my poor little old hound dog would be classified a dangerous dog?"

Jefferson: "Thank you, Representative Black. That's a good question. I guess you're right. The neighbors do define the dangerous dog, but also documentation as to whether the dog's been, at some point in time, documented to be a dangerous dog. The dog's actions, also the fact that maybe it's been through the penal system at some point, as far as documentation and its own record as being a dangerous and vicious dog."

Black: "Well, you know, this has got some interesting parts to this Bill, it really does. It provides that if the owner of a dog, subject to enclosure, fails to keep that dog enclosed or otherwise on a leash or muzzle, then my dog bites someone, I'm gonna be found guilty of a... I could be found guilty of a Class IV felony. I can just see me going to Joliet intake and they say, 'What are you in here for? I say, well, my dog bit somebody.' I'm here to do three to five 'cause my dog bit somebody. I don't think my roommate, who is in there for murder, is gonna be real..."

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take real kindly to his new cellmate being in there 'cause his dog bit somebody. I wanna know what right of due process I have to say to the judge, 'Judge, this dog wasn't vicious and I don't know why he bit the mailman. He's never bit anybody before.' I mean, I gotta have some due process here. I mean..."

Jefferson: "If, in fact, this dog is subject to be enclosed, it's defined as a vicious dog. And if, in fact, you don't take heed to enclose that dog or take the proper protection to muzzle or leash that dog and he becomes unleashed and bites an individual, then you are responsible."

Black: "Well... and I understand that the genesis of this Bill came out of the case in California, where the dog, obviously, was not only vicious, but ended up killing somebody. But I don't want... I'm not comfortable... I mean, I've had dogs most of my life. I'm not comfortable with a neighbor saying to the animal control or animal regulation, 'That little dog is vicious.' And then every time I take my little dog out, he's always on a leash. I never let my dog run loose. But then under the impact of this Bill, I'd have to have my dog muzzled. I mean, surely there's a court or an administrative hearing that would adjudicate my dog as a vicious dog rather than just somebody deciding, well, I don't like the way the dog barks, so I'm gonna file a complaint. Then you have to enclose and muzzle your dog."

Jefferson: "Okay. And I appreciate that. I guess the answer you're looking for is if they are found to be a vicious dog means that number one, the administrator or animal controls warden, a law enforcement officer, has conducted an investigation and made a finding in writing that the dog is a vicious dog as defined in paragraph 1 of subsection and

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based on that finding, the administrator or animal control warden or the director has declared in writing that the dog is a vicious dog and that the circuit court has found the dog to be a vicious dog."

Black: "What... Is there any provision in the Bill that would exempt a police dog?"

Jefferson: "Yes."

Black: "A canine?"

Jefferson: "Yes."

Black: "So, if the police officer sicced his canine on somebody and the dog bit somebody, that dog isn't vicious."

Jefferson: "It's in the line of duty."

Black: "In the line of law enforcement."

Jefferson: "Yes."

Black: "All right. Representative, I had a lot of Bills you could have sponsored for your first one rather than this Bill. This is a dog. Mr. Speaker, to the Bill. No one in this chamber is on record more than I, than standing up for the rights of animals. I passed a Bill out of this chamber that would have protected animals and you see what happened to it when it went over to the Senate. They wouldn't touch it with a ten foot leash. Now, here comes a freshman Legislator, hasn't been here two or three weeks... You know what this state needs is a good dog lobby. There's nobody down here lobbying for dogs. I'm gonna go home Thurs... tomorrow night and see my little old dog. The only person... he's gonna find out in this business, if he doesn't have a dog, the only person glad to see me every time I come home is my dog. And now, all it's gonna take is some political opportunist to name my... call my little old dog a vicious dog, have to be enclosed, have to be on a leash, have to be muzzled. That dog... That's not fair to

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that dog. It's bad enough my wife named the dog Emmy Lou and it's a him. He's never been the same since he got named. But this goes too far. There's no due process. My dog is not a vicious dog. He's a good dog. The dog is always glad to see me, wags its tail. He does bark at the UPS man. I don't know why. I've done everything I can talkin' to that dog. Don't bark at the UPS man, he's a really nice guy. He brings things from the Internet that Doug Hoeft is gonna tax here shortly, as I understand it, but the dog will bark. If he hears a noise at night, he barks and gets me up. That's why I like that dog. It's a watch dog. When you're in politics, you need a good dog, a good barkin' dog. And now, here he's gonna take this right away from me. I'm gonna tell ya, Mr. Speaker, we've gone too far. This dog won't hunt and I urge all of ya, who love animals, who have dogs, or who had a dog or who thinks you may have a dog or whoever liked a dog or who would rent a dog. This dog won't hunt. I think it's time. I think it's time to stand up, stand up, stand up on your hind legs, stand up on your hind legs, join with me. I'm sick and tired of you kickin' my dog around. No more, no. How far are we gonna go? I'm gonna tell ya something. You can tax me. You can regulate me. You can put me out of business. You can change my district to the City of Chicago. That's okay. But don't you fool with my dog."

Speaker Hartke: "The Chair recognizes Representative Lang. Dog gone it."

Lang: "Thank you. Now that Mr. Black has finished barking, we can move forward. Now, I'm glad we have some decorum in this chamber now because this is the Gentleman's first Bill. First question I have, Representative, is I noticed that this Bill was, at one time, Representative McKeon's

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Bill."

Jefferson: "Yes."

Lang: "Do you know why you have this now? It may be too difficult for a new Legislator."

Jefferson: "Well, I think maybe Representative McKeon is the same as Representative Black. Maybe he's a dog lover and he didn't feel that he wanted to put this Bill through, either, so..."

Lang: "Well, now, you didn't steal this Bill from him, did you?"

Jefferson: "Oh, no, no."

Lang: "We have rules about that, you know."

Jefferson: "Oh, no, no, no, no."

Lang: "Most of the people that have stolen Bills are now on that side of the aisle. You wouldn't want to be over there, would ya? No. Okay. So, you've got these definitions: dangerous dog, vicious dog. Now, to be a vicious dog the dog had to have bitten somebody twice while they were a dangerous dog. Is that correct?"

Jefferson: "Not necessarily. A vicious dog is defined as a dog that needs to be housed or confined. If, in fact, he's been documented at some point, not necessarily having bit someone, but to have attacked someone of whatever, if, in fact, he's defined, documentated, or otherwise by the courts or by the neighbors this dog has to be confined."

Lang: "If I'm your next-door neighbor and I have a dog and it's come over and bitten you twice on the leg, would you now assume that's a vicious dog?"

Jefferson: "I think it would be up to the courts at that point, but I think documentation would define that dog as a vicious dog, yes."

Lang: "But the Bill doesn't make it automatic. A court has to decide whether this dog is vicious or just dangerous?"

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Jefferson: "It goes to the circuit court. It's determined by the court system as to whether the dog becomes a vicious dog."

Lang: "So, do you expect that this hobbled person, this person that's been bitten on the leg twice by this dog, bleeding, gauze, stitches, to hobble into court and ask a judge for a ruling as to whether this dog is dangerous or vicious?"

Jefferson: "He could probably use a wheelchair."

Lang: "Is this a Bill for trial lawyers, Representative, because you won't get any votes over there, if this is a Bill for trial lawyers."

Jefferson: "No."

Lang: "Are you sure?"

Jefferson: "This is a Bill for..."

Lang: "Have they signed on to this Bill?"

Jefferson: "This is a Bill for peoples' rights, no."

Lang: "Peoples' rights?"

Jefferson: "Peoples' rights, being able to protect themselves from vicious dogs."

Lang: "You're not concerned about dogs' rights?"

Jefferson: "Dogs have rights, also."

Lang: "Well, let me ask you another question."

Jefferson: "Yes."

Lang: "Do you really think this should just be limited to dogs, what about other animals? What about, if I went to Representative Hartke's farm and pigs attacked me?"

Jefferson: "Then we'd need to come up with a pig ordinance, a pig law."

Lang: "Well, you want to... How about if you take this out of the record and we amend this to be dogs... vicious and dangerous dogs and pigs?"

Jefferson: "I would just as soon pass this as a Vicious Dog Act and we can work on the Vicious Pig Act later."

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Lang: "Well, you're sure?"

Jefferson: "Yes."

Lang: "What about... Wait, wait, my advisor's here. The Gentleman standing behind me wants to know if peoples' rights is a relative of his. Never mind. Anyway, what is this business about enclosures? I mean, what... If... So, does a dog have to be a vicious dog before we have to put it in an enclosure?"

Jefferson: "Yes."

Lang: "Yes, that's it. That's your whole answer, yes?"

Jefferson: "Yes. He has to be confined if, in fact, he's believed to be a vicious dog."

Lang: "Now, the gentleman next to you... Would you raise your hand, Sir. No, this gentleman. Your staff person. Your name is Fox, isn't it? Well, so why... did you exclude foxes from this Bill because he has a conflict of interest in this matter?"

Jefferson: "No. This was basically concentrated on dogs."

Lang: "Dogs."

Jefferson: "Dogs."

Lang: "Well, Mr. Speaker, to the Bill."

Speaker Hartke: "Dog gone it. Go ahead."

Lang: "The... Not good really, really. First, before I say anything else, I'm looking for a new roommate here in Springfield. Anyway, the Gentleman is a freshman. I don't think he knows really what everything's about here, but he has learned one thing. He's from Rockford, as you know, Mr. Speaker, and we had a famous Legislator from Rockford named Zeke Giorgi and when we asked him questions about a Bill, I never understood his answers either and Mr. Jefferson has gotten right into that, immediately. I don't know if he knew Zeke well, but I think everyone from

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Rockford did. Apparently, he's been listening to tapes and reading transcripts of Mr. Giorgi's explanations of Bills and I would just say that if he has the same kind of career here that Mr. Giorgi did, he'll be here a very long time and pass very meaningful Bills."

Speaker Hartke: "The Chair recognizes Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Bill Black, the reason why your dog is so vicious, what male dog would want to be called Emmy Lou? No wonder he's vicious. And Representative Lang, you took the words out of my mouth. Representative Jefferson, you have learned from Zeke Giorgi, 'cause I've been listening to you in debate and I haven't heard a damn word you said. And Zeke Giorgi had it down to a PHD. ... Bills passed 118-0. So, for all you Legislators that talk clearly, enunciate, learn from Representative Jefferson and you get your Bills passed. But in all seriousness, I'm glad this Bill is up 'cause Saturday I experienced a vicious dog attack on another dog, on another dog. It was a pit bull attacked a lab. And I hit that pit bull in the head three times with a billy club, it never flinched. We're gettin' that dog removed from our community because it was a dog yesterday and a kid tomorrow. I don't understand why people would get a dog and train a dog to be so vicious. I think a dog can be a very... I know I was in the newspaper last month about bisexuality (sic-bestiality) with animals. But there is no person that can lo... not person or animal that could love you more than a dog. I have a cat. I don't like the cat, but I sure would love a dog to be in my house. But a dog should not have to be vicious. Children should not have to live in fear of another dog. Adults should not have to live in fear of another dog. And to all you dog

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owners that raise your dogs to be mean and vicious, may a
pox be on your house. I urge 'green' votes on Senate Bill
**** (sic-653)."

Speaker Hartke: "The Chair recognizes Representative Miller."

Miller: "Thank you, Mr. Speaker and Members of the House. Will
the Sponsor yield?"

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

Miller: "Representative, what... in our analysis it says that you
have a definition of a vicious dog and in debate I've heard
that these dogs bite from time to time. Is that correct?"

Jefferson: "That's correct."

Miller: "Well, you know, sometimes these dogs travel in a pack
or, you know, a group of 'em. How do you know which dog is
which dog that has bitten? Is there any provisions in this
piece of legislation that will state that it was that
particular dog, coming from that house?"

Jefferson: "The court or the animal control just has to identify
those particular dogs."

Miller: "Well, I'm really want to focus on the identification of
the dogs. Do you know of any dental records that would
indicate that that would be that dog?"

Jefferson: "No, I don't."

Miller: "Would you consider amending your Bill to include all
avenues of which the dog that perpetrated that offense
could be identified, including dental records?"

Jefferson: "The penalty for that, if in fact the dog is found
guilty, is the dog has to be spayed or neutered within 30
days."

Miller: "I guess that is a bigger consequence. Anyway, to the
Bill."

Speaker Hartke: "To the Bill."

Miller: "I, too, Representative, have had... as a freshman rep,

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had to go through a similar type of hazing. And I stand and rise in support, just because of your spirit and trying to identify which dog through dental records or any other means which was perpetrating. And I would urge 'green' votes on this legislation. Thank you."

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

Davis, S.: "Mr. Speaker."

Speaker Hartke: "Yes, Sir."

Davis, S.: "Ladies and Gentlemen of the House. In the name of Benji, Rin Tin Tin, Old Yeller, Lassie, Scooby Doo, and Blue Clue, I urge you all to vote 'no' on this Bill. And I move the previous question."

Speaker Hartke: "The previous question's been put. All those in favor say 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and we go to the question. Representative Jefferson to close."

Jefferson: "Yes. I think this is, indeed, a good Bill. I would urge that your kindness and courtesy to me on the floor today is very much appreciated. I think it's a good Bill. It's an unopposed Bill. It has no opposition. I would encourage a passage on this Bill. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 653?' 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 Senate Bill 653, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 544, Representative Hamos. Representative Hamos. Out of the record. Senate Bill 724,

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Representative Murphy. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 724, a Bill for an Act concerning public utilities. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Murphy."

Murphy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. Senate Bill 724 passed the Senate unanimously, came over to the House and we put a Committee Amendment on it. After sitting down with the Department of Revenue and all interested people that we had to amend this Bill, all agreed. And as far as I know, there is no opposition to Senate Bill 724."

Speaker Hartke: "Is there any discussion? The Chair recognizes Mr. Mitchell, Jerry Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. I would just like to be recorded as an 'aye' vote on Senate Bill 653, as my button malfunctioned. Thank you."

Speaker Hartke: "The Journal will so reflect. Representative Eileen Lyons."

Lyons, E.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of Senate Bill 724. The Bill simply provides the Department of Revenue the authority to collect a small tax previously imposed on qualified solid waste facilities that receive a state subsidy. This specific grant of authority was recommended by the Department of Revenue. I also want to assure everyone that the revenue distributed from the Municipal Economic Development Fund cannot, I repeat, cannot be reused to help open or reopen any incinerator, nor to challenge the legality of our previous repeal of the Retail Rate Law. That prohibition is clearly specified in the statute. This truly is a technical Bill, one that merits bipartisan support. And I would urge your 'aye' vote."

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Speaker Hartke: "Further discussion? Seeing that no one's seeking recognition, the question is, 'Shall the House pass Senate Bill 724?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 724, there are 113 Members voting 'yes', 2 people voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 661, Representative Bellock. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 661, a Bill for an Act in relation to families. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Bellock."

Bellock: "Thank you, Mr. Speaker and Members of the House. Senate Bill 661 is an initiative that provides that the court does not lose the powers of contempt, license suspension, criminal prosecution, or other enforcement mechanisms upon the emancipation of a minor child. It would be effective immediately. This is to alleviate people putting off that owe money, when a child would be emancipated. That money that they owed, they would still owe to the court."

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

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, in committee there were some questions about case law as to whether or not contempt of court would be a valid means of going after someone who has not paid child support, after the child is emancipated. Did you

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have an opportunity to look at those... that case law?"

Bellock: "Yes, we did have an opportunity and there were two cases that did exist."

Black: "Did the case indicate that you could use contempt as a means of enforcing payment of child support or that you should not use contempt?"

Bellock: "It said contempt is not a proper means of enforcing payment of child support arrearage where children have reached their majority."

Black: "All right. So, if I understand it then, your Bill is an attempt to answer the appellate court decision, so that courts can continue to utilize all means at their disposal to recover child support."

Bellock: "Yes."

Black: "All right."

Bellock: "It would be to allow the courts to allow any mechanisms that they could to collect the arrearage."

Black: "All right. One last question. I can't remember the debate in committee. What's the safeguard? If a person goes to court and they use contempt and other legal devices, I want some assurance that the person in court is, in fact, in arrearage. Under the current system in Illinois, so many people that the Department holds out as being in arrearage, in fact, are not in arrearage, but it takes weeks or months or years to straighten out. I just... Is this pursuant to a court order or is it just simply from the current division of child support database or what determines how you end up in court on this issue?"

Bellock: "We looked into that issue 'cause I know that was of your concern. It is the judge's finding as to what it's. It is not just records from public aid. It is something that is pursuant to the court and the judge's finding."

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Black: "All right. So, the custodial parent would have counsel, go to court. The judge would issue the ruling. I assume then, the noncustodial parent or the parent allegedly in arrearage would have constructive notice and be able to defend himself or herself against a charge of arrearage, correct?"

Bellock: "Yes."

Black: "Okay. Because what if the order... Well, no, you answered this in committee. If the order says they pay until the child is emancipated. Obviously, when they're emancipated the order goes off, but arrearage does not."

Bellock: "Absolutely. This is not..."

Black: "All right. So, it would..."

Bellock: "After they're emancipated, it's what they have accrued..."

Black: "Okay."

Bellock: "...before emancipation."

Black: "So, it couldn't be used to enforce an order of support. It would only be used to enforce the arrearage."

Bellock: "Right."

Black: "All right. Thank you."

Bellock: "Thank you."

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

Bellock: "Thank you very much. This is an initiative of the DuPage County Child Support Assembly that's been working on child support laws for the two years. And I ask for your 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 661?' 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

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voted who wish? Mr. Clerk, take the record. On Senate Bill 661, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Speaker Madigan in the Chair."

Speaker Madigan: "Ladies and Gentlemen, we have a very special guest today. And so if the Members could take their seats and if the staff could retire to the rear of the chamber. The United States and the government of Japan have enjoyed a very long and harmonious relationship in terms of trade, investments, and social and cultural contacts. So, we're very honored to have the Japanese Ambassador to the United States of America join us today. He's been the Ambassador for about a year and a half. Prior to that time, he served in the Foreign Ministry in Tokyo where he was a Deputy Minister which is a very high level position in the Foreign Ministry in Tokyo and as I said earlier, he's now been the Ambassador for about a year and a half and he would like to offer some brief remarks. And so, it is my pleasure to introduce to you the Japanese Ambassador to the United States of America, Ambassador Yanai."

Ambassador Yanai: "Thank you very much. Thank you, Speaker Madigan, Honorable Members of the House. I'm very honored and delighted to be here at the House of Representatives. I shall be brief. I want to talk to you this afternoon about how Japan is tending the ways it thinks about itself, its future, and its role in the world. You have seen evidence of that change in just the past couple of weeks with the election of our new prime minister. The cover of Business Week last week had a photo of Prime Minister Koizumi with the headline Japan's Reformer and then underneath was the question, 'The new prime minister has a

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radical plan to fix the economy. Does he have a fighting chance?' The answer is 'yes'. Not only does the prime minister enjoy a very high approval rating, approximately 80%, but as Business Week noted, much has changed in Japan making the moment right for a reformer like Koizumi. The prime minister believes that without basic structure reform there can be no rebirth of Japan. He has said in his first policy speech, 'I'm resolved to ceaselessly advance structure reforms including economic reforms, fiscal reforms, administrative reforms, social reforms, and political reforms to accomplish the restoration in the new century.' Mr. Koizumi has said that those activities of the government that can be accomplished by the private sector should be done by the private sector and those activities that can be delegated to local government should be delegated to them. This is really quite new thinking for a Japanese leader. His cabinet even looks different. Ignoring his party's traditional pecking order, he has tried to put the right person in the right position, resulting in five women and three nonpoliticians in his 17 member cabinet. Japan now has its first female foreign minister. In closing, I would like to say just a few words about Japan and Japan's bilateral relations with the State of Illinois. As you may have heard, there are about 700 Japanese companies that have invested in this great state and they hire about 50,000 American workers and Japan is the third biggest market for Illinois, only after Canada and Mexico. And also, in Japan there are many great companies of Illinois such as Abbott Laboratories, Motorola, Caterpillar, McDonald's, and many others doing business in Japan. I think there are still many opportunities for both... two states... two countries to

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increase business relations with your understanding and cooperation. And in addition to all that, we have also very good cultural relations between our two countries and especially between Illinois and Japan and that includes also exchange programs between the universities in Illinois and in Japan. And with this I would like to conclude my remarks and I would like to thank you very much again for inviting me this afternoon. Thank you."

Speaker Madigan: "Ambassador has said that he plans to be with us for a short time. And so, if there are any of you who would like to visit with him, he'll be right up here in the well. And so, thank you very, very much."

Speaker Hartke: "Representative Hartke in the Chair. Senate Bill 750, Representative Dart. Out of the record. Senate Bill 755, Representative Garrett. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 755, a Bill for an Act concerning recreational areas. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Garrett."

Garrett: "Thank you, Mr. Speaker. Senate Bill 755 authorizes the joint acquisition of real estate by gift, legacy, grant, or purchase for recreational programs for the handicapped by two or more park districts or, in counties with a population of 300,000 or less, by a park district and another unit of local government. This Bill simply gives those associations the power to acquire real estate by gift, legacy, grant, or purchase. And I'd be happy to answer any questions."

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

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

Speaker Hartke: "Sponsor will yield."

Cross: "Representative, why does the General Assembly need to

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take action to allow a park district to obtain property from a gift... from someone who wants to give it to them?"

Garrett: "From what I understand, they don't have the authority to do that right now."

Cross: "Who's they?"

Garrett: "The recreational park districts."

Cross: "So, if I wanted to donate 10 acres to the Downers Grove Park District, I couldn't do that right now?"

Garrett: "I don't know. If they receive that, you probably could donate it. But how they could use that donation... I don't think they could use it for doing what they need to do."

Cross: "I guess I'm puzzled on..."

Garrett: "Has to do with... They could use the donations for transportation, different programs. And before, they weren't allowed to do that. And this actually is a technical change. It passed the Senate unanimously."

Cross: "I guess I'm puzzled then of why we need to do it. It may be a good i... It may be okay, I don't know that I'm suggesting it's not."

Garrett: "They have asked that this be done."

Cross: "Who's they?"

Garrett: "It came from the North Suburban Special Recreation Association."

Cross: "All right. You're not aware of any opposition?"

Garrett: "No. It really is more less a technical change. It just allows them more authority to do the things that they need to do."

Cross: "Okay. Thanks."

Speaker Hartke: "Representative Garrett to close."

Garrett: "I would ask that the General Assembly provide a 'yes' vote. This is a very important Bill."

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

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Bill 755?' 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 Senate Bill 755, there are 112 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 761, Representative Burke. Representative Burke. Out of the record. Senate Bill 845, Representative O'Connor. Representative O'Connor. Out of the record. Senate Bill 853, Representative Moore. Representative Moore. Out of the record. 854, Representative Moore. Out of the record. Senate Bill 855, Representative Moore. Out of the record. Senate Bill 845, Representative O'Connor. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 845, a Bill for an Act concerning technology. Third Reading of this Senate Bill."

Speaker Hartke: "Representative O'Connor."

O'Connor: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 845 would create the High Technology School-to-Work Act. Its intent is to help students who are enter... to enter the areas of science, math, and advanced technology. It codifies an existing \$2 million program in the Department of Commerce and Community Affairs. It specifically mandates that DCCA... coordinate a technology-planning effort with other economic development initiatives like the Federal Workforce Investment Act. It allows for employer grants by DCCA to partnerships set up with local schools and employers to encourage technological careers, including science, math, advanced computers, and other technology. It all... This legislation also has a

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mechanism to monitor the success of the program by tracking which students remain in high-tech jobs after they've matriculated from them, from the program. It passed the Senate 52-1. I know of no opposition. I would appreciate an 'aye' vote. And I'm happy to answer any questions."

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

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

Speaker Hartke: "Sponsor will yield."

Scully: "Representative, do these programs currently exist?"

O'Connor: "There is an existing \$2 million appropriation within the Illinois Department of Commerce and Community Affairs. That program is being administered pursuant to the Department's general grant administration authority. This legislation would specify what the General Assembly anticipates from the program."

Scully: "Representative, does this... does codifying this program help us access any federal funds?"

O'Connor: "It mandates that the Department of Commerce and Community Affairs specifically attempt to coordinate the existing program to obtain federal funds. As I mentioned, one of them is the Workforce Investment Act."

Scully: "Hey, Representative, you mention that there's procedures within your Bill to measure the success of the program. What are some of those procedures?"

O'Connor: "The... If I said that, I misspoke. What I intended to say was that the General Assembly is mandating that the Department develop procedures to monitor the success of the program. So, it is the obligation of the Department of Commerce to, in essence, track the students in these programs to determine in the out years whether, in fact, they have pursued the high-tech careers which is the object

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and goal of the program."

Scully: "Thank you, Representative. As I said in committee, I think it's an excellent Bill. And I am strongly in support. I asked everyone else to support Senate Bill 845."

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

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

Speaker Hartke: "Sponsor will yield."

Howard: "Yes, Representative O'Connor, I'm certainly very happy to see that you're doing this. I just need to have a little bit of more clarity. Which individuals is this Bill designed to help?"

O'Connor: "I think it is focused on Illinois high school students that have voiced an interest or concern to enter into the high-tech field and need some assistance to get there. It is not... There are no geographic or means criteria within the Bill."

Howard: "So, it's a scholarship program?"

O'Connor: "Pardon me?"

Howard: "Is it a scholarship program?"

O'Connor: "No, it is not. It is a program... it is a grant program whereby local partnerships are set up between local schools and employers and then that partnership is funded by the Department of Commerce. The intention is to get students who otherwise would not be able to access these types of technological, if you will, careers through their existing education situation to get into the high-tech area."

Howard: "So, the funds are coming from the state, but you're saying partnerships are being developed. Exactly who is

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partnering with whom?"

O'Connor: "Local schools are partnering with local high-tech businesses. There is a... The object is to have a formal scholastic set of criteria curriculum, if you will, plus on-the-job training in high-tech job situations in Illinois."

Howard: "How many individuals are we targeting with this program?"

O'Connor: "I don't know, specifically. But the hope is is that it will develop over time. The program has been in the existence for one year. And I believe we're in the process of actually determining how many we will be able to access."

Howard: "Really sounds like a good program. And I appreciate the fact that you have decided to sponsor that. And I certainly wish you had let me know so that I could have been one of the five sponsors on this. But I certainly urge everyone to support it."

O'Connor: "Thank you, Representative."

Speaker Hartke: "Representative O'Connor to close."

O'Connor: "I'd urge an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 845?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 845, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 530, Representative Rich Myers. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 530, a Bill for an Act concerning

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emergency telephone systems. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Myers."

Myers: "Thank you, Mr. Speaker. Senate Bill 530 provides that in a county of less than 100,000 population, one member of the emergency telephone system board must, rather than may, be a county board member. This is an initiative that has been put forward because the county that has implemented this 911 board is also responsible for some of the financial obligations and it feels like that they should have a representation on that board."

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

Hoffman: "Yes, will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Hoffman: "I think maybe I read it wrong or maybe you misspoke. I think you said that they had to be a county board member. You're actually talking about a public member, is that right?"

Myers: "Actually, the legislation reads for both."

Hoffman: "Okay. So, explain to me exactly once again what the legisl..."

Myers: "I'm sorry."

Hoffman: "Explain to me exactly what the legislation would require that it doesn't require now."

Myers: "Well, the legislation requires that one member must be a public member from the local exchange service territory, which is included in the 911 area. And it must contain a county board member, that is the county in which the 911 service is located in."

Hoffman: "Okay. So, what we're doing is we're just... we're... instead of giving it... making it voluntary and

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discretionary, we're saying it has to happen?"

Myers: "Out of the five members, those two will be required now."

Hoffman: "Thank you."

Speaker Hartke: "Further discussion? Representative Myers to close."

Myers: "I just urge an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 530?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 530, 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. Senate Bill 877, Representative Winters. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 877, a Bill for an Act concerning military expenditures. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Winters."

Winters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 877 provides that money that is used from the Armory Rental Account will be distributed on a per capita basis with consideration given to each armory's generation of revenues to the account. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 877?' All those in favor signify by voting 'aye'; 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 Senate Bill 877, there are 106 Members

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voting 'yes', 9 Members voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 879, Representative Winters. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 879, a Bill for an Act concerning insurance. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Winters."

Winters: "Thank you, Mr. Speaker. Senate Bill 879 is an offshoot of the Insurance Fraud Task Force from last year. It will increase the reporting requirements from strictly property and casualty and include additional lines of insurance. It also creates a whistle-blower provision that would allow for civil suits and the incentives to go to insurance companies, individuals, state's attorney, or the attorney general who brings a civil suit against persons who seek to defraud insurance companies. Again, I am aware of no opposition to the Bill and would urge an 'aye' vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 879?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 879, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 902, Representative Wirsing. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 902, a Bill for an Act concerning finance. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker and Members of the House. What 902 does.. excuse me... simply, is allows an income

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deduction equal to the amount contributed to a College Savings Pool account during the taxable year. And this would begin in the tax year of 2002. The deductions are exempt from the sunset provision. And this is the Illinois State Treasurer's Office initiative."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 902?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 902, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Mitchell, for what reason do you seek recognition? Never mind. Senate Bill 900, Representative Klingler. Representative Klingler. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 900, a Bill for an Act in relation to real property. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Klingler."

Klingler: "Thank you very much, Mr. Speaker. This Bill is one which allows SIU School of Medicine to sell a small office building that it owns in Auburn, Illinois. It's... The medical school no longer needs that property. And the Amendment provided... that became part of the Bill provided that appraisal shall have to be done and it goes through appropriate bidding processes. And I would ask for favorable vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 900?' All those in favor signify by voting

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'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 900, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of Senate Bill 926?"

Clerk Bolin: "Senate Bill 926 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. Senate Bill 936, Representative Poe. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 936, a Bill for an Act concerning state employee health benefits. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Poe."

Poe: "Mr. Speaker and Ladies and Gentlemen of the House, what this would do is... We had a family constituent in our area where the family was insured under the same company with the state and the husband worked for the state, but he had a different policy. And when they had a transplant donation from one member of the family, they had to have two deductibles. And what this would do would correct that problem."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 936?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 936, there are 115 Members voting 'yes', 0 voting

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'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 969, Representative Holbrook. Mr. Clerk, read the Bill. 969."

Clerk Bolin: "...Bill 969, a Bill for an Act in relation to unemployment insurance. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Holbrook."

Holbrook: "Thank you, Speaker. Senate Bill 969 is the exact same Bill as House Bill 169. It allows our counties not to have to pay the unemployment insurance for our election judges. It's an exemption that's allowed with the U.S. Department of Labor. And it's been at the request of many of the county clerks, that it costs more to input the data of the names of the employees than actually what they pay in in unemployment. And I'd ask for its approval."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 969?' 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 Senate Bill 969, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. For what reason does the Gentleman from Lake, Mr. Osmond, seek recognition?"

Osmond: "Mr. Speaker, when Senate Bill 216 was voted on, I was out of the chambers talking to retired teachers. And I wish to reflect a 'yes' vote on that Bill."

Speaker Hartke: "The Journal will so reflect your wishes. Senate Bill 978, Representative Durkin. Mr. Clerk, read the

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Bill."

Clerk Bolin: "Senate Bill 978, a Bill for an Act concerning business transactions. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Durkin."

Durkin: "Thank you, Mr. Speaker. This is follow-up language from a Bill we passed last year, which is the revision of Article IX UCC, the Secured Transaction portion of the Uniform Commercial Code that deals with land trusts. Under this initiative, which is the... which came to me from the Illinois Bankers, we're allowing the perfection of a beneficial interest in a land trust to be by acceptance from the trustee from an authenticated record regarding the collateral assignment. ... we're doing is exempting beneficial land trust assignments from the perfection of priority, changes we made in last year's UCC revision."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 978?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 978, 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. Senate Bill 965, Representative Forby. Out of the record. Senate Bill 980, Representative Stroger. Out of the record. Senate Bill 993, Representative Hultgren. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 993, a Bill for an Act in relation to child support. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker, Members of the House. This is

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an Amendment. What this does... This Bill, in amended form, provides that a support obligation which becomes due and remains unpaid for 30 days or more shall accrue simple interest at the rate of 9% per year. Also, the Amendment provided that this notice of such interest payment must be included on any orders... support orders that are entered or modified after January 1, 2002. I'd be happy to answer any questions."

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

Franks: "I'm sorry, Randy, my analysis isn't working..."

Speaker Hartke: "Yes, the Sponsor will yield."

Franks: "...nor is the pop-ups. I wanted to ask you some questions. Will the speaker..."

Speaker Hartke: "Sponsor will yield."

Franks: "Thank you. I passed a Bill... Tell me, what does your Bill do?"

Hultgren: "Really, I think all my Bill does is provide for a uniform interest rate throughout the State of Illinois for delinquent child support payments. So, child support payments that are over 30 days late, there would be the ability for the judge to include a late interest fee on that. And then also, that on any support orders, a notice must be given that such late fees will be applied to the support obligation."

Franks: "How does it change existing law? Because last year, I passed that Bill that if they're 30 days late or more, 9% interest will accrue. What does this Bill do differently than our present law?"

Hultgren: "My understanding is, at that time, there is no provisions regarding the calculation of the interest were included in that. So, all this does is clarify calculation

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of the interest. So, it builds... I don't think it does anything against that, I think it just assists in that process."

Franks: "When I'm looking at... and tell me if this is the change... at 305 ILCS, Chapter 5, Section 10, it would be on page 1 of your engrossed Bill. It'd be the first Section starting with line 56. It says, 'interest on support obligations to support obligation or any portion of a support obligation which becomes due and remains unpaid for 30 days or more shall accrue simple interest at the rate of 9% per annum.' Did you add the word 'simple' as opposed to 'compound interest'?"

Hultgren: "I believe that's right, yes. There was no indication of what type of interest, so we added 'simple', that's right."

Franks: "I'm wondering, why would you prefer 'simple' instead of 'compound'? Because let's say you have a custodial parent, and it's usually the mom. And you've got a deadbeat dad who isn't paying, and then mom still has to pay her mortgage or her car payment and she's getting charged compound interest, why would we be giving dad a break here?"

Hultgren: "No, I don't think there's any intention to give one person a break or another a break. This is something, again, just to provide a uniform standard. It's something that was agreed to by the Department of Public Aid and the circuit clerks. It was something that was brought to me by my local circuit clerk. So, I don't think there's any intention to give a break to the noncustodial parent who is making late payments. Instead, it's to make it an enforceable and calculable amount of interest that would be due if the payment is late. Obviously, our hope is that

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this doesn't even come into play, that our parents will be paying on time. That's what we're trying to do, but... Also, all other judgments are simple interest, so we didn't want to go against what other judgments would include. So, that was our intention. It was by no means to try and give a break to noncustodial parents who are deadbeats in payment."

Franks: "Well, I appreciate clarifying that. But I'm wondering if you're doing a Zeke Giorgi on us. But that's all right. I understand what you're trying to do. It's very similar to what we had last year. I'm not sure if it changes it much, but I will support your Bill. Thank you, Randy."

Hultgren: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Hultgren to close. The question is, 'Shall the House pass Senate Bill 993?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 993, there were 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 544, Representative Hamos. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 544, a Bill for an Act in relation to property. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Hamos."

Hamos: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is a funny little Bill. This Bill... You will love this Bill, I promise you. This Bill repeals a law from last year. So, we're back, we passed the law last year. This year, we're trying to repeal that law. Now, what this law provides is

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it has to do with townhouses, townhouse condominiums, and how they calculate their maintenance assessments. Last year, we passed a law that put into place certain factors. Apparently, the entire association industry realized that it was impossible to administer the condo association industry. The legislation would have been very burdensome. It was not practical. And that's why that it is their unanimous position that we should now repeal this law. And that's why I'm asking for 'yes' vote. It is not my greatest Bill of my entire legislative career."

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

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

Speaker Hartke: "Sponsor yields."

Scully: "Representative Hamos, were you the Sponsor of the Bill that we are now repealing? Simply answer the question, Representative."

Hamos: "I was not the Sponsor of this Bill."

Scully: "And does this Bill have the unanimous recommendation of the condominium subcommittee of the Chicago Bar Association?"

Hamos: "Yes, it does."

Scully: "To repeal a Bill that we passed last year?"

Hamos: "Yes, that's correct."

Scully: "Thank you, Representative. And it's an excellent piece of legislation."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 544?' 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? Have all voted who wish? Mr. Clerk..."

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Representative Howard. Mr. Kenner. Take the record. On Senate Bill 544, there are 114 Members voting 'yes', 0 voting 'no', and 1 person voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Constance Howard. For what reason do you seek recognition?"

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

Speaker Hartke: "State your point."

Howard: "In the gallery today, we have visiting us, a group of students and teachers from the Avalon Park Academy. They're in the Language and Arts Academy. Please help me to welcome them to Springfield."

Speaker Hartke: "Welcome to the Illinois General Assembly. Senate Bill 1011, Representative Cross. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1011, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Cross."

Cross: "Can you, at the request of... This is a Bill for the City of Chicago. I think I'm gonna hold it for now, Mr. Speaker."

Speaker Hartke: "Take the Bill out of the record."

Cross: "Thank you. It's not a thing I want to pass... move right now."

Speaker Hartke: "Senate Bill 1047, Representative Meyer. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1047, a Bill for an Act concerning solicitation. Third Reading of this Senate Bill."

Meyer: "Thank you, Mr. Speaker and the House. I have a funny little Bill here that... Ladies and Gentlemen of the House,

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Senate Bill 1047 amends the Solicitation for Charity Act. It provides that the Attorney General's Charitable Advisory Council shall become a permanent entity within the Attorney General's Office. Ladies and Gentlemen, about three... I guess it was three years ago, we passed legislation amending the Charitable Act and set up this Charitable Advisory Council as a temporary type of Council to sunset after three years. The reason for that was that the parties involved in the Charitable Act wanted to see how it'd work. They're now coming back to us and asking that that Council be made permanent. And it's supported by those charities that participate in the Council, as well as Attorney General's Offices. Appreciate a 'yes' vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1047?' 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 1047, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1058, Representative Dart. Out of the record. Senate Bill 1102, Representative Ryder. Out of the record. Senate Bill 1116, Representative Hoffman. Out of the record. Senate Bill 1117, Representative Holbrook. Clerk, read the Bill."

Clerk Bolin: "... Bill 1117, a Bill for an Act concerning taxation. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Holbrook."

Holbrook: "Thank you. Senate Bill 1117 is a cleanup on some TIF work we did last year, here in the House and Senate, and

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also does an extension to 35 years to an East St. Louis TIF. I know of no opposition. Most of the work on this Bill was done at the request of Chapman and Cutler, the bonding agency. The school districts, everyone involved, to the best of my knowledge, is in favor of this Bill. And I'd ask for an 'aye' vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1117?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On Senate Bill 1117, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1116, Representative Hoffman. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1116, a Bill for an Act in relation to taxation. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. All Senate Bill 1116 does is it amends the qualification requirements for those wishing to run for the county assessor position in counties of less than three million. What it would do is ensure that they have the proper training in order to be assessor... the county assessor. And it only applies to those that are countywide elected. It would indicate that the candidate must possess a Certified Illinois Accessing Officer certificate from the Illinois Property Assessment Institute or the candidate must possess a Certified Assessment Evaluator designation. Plus, the candidate must have at least two years experience

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in the field of property sales, assessment, finance, and appraisals. This is to ensure that the people who work in the position or run for this position and are ultimately elected to the position of county assessor have the proper qualifications. I ask for an 'aye' vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1116?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 1116, there are 114 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1152, Representative McCarthy. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1152, a Bill for an Act relating to Governors State University. Third Reading of this Senate Bill."

Speaker Hartke: "Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1152, as amended, mirrors House Bill 2588 that we passed out of here 112-0 on April 6th. This is the agreed solution that we worked out for the unfortunate incident that Governor State University with the social work program. It's a very comprehensive solution that's been worked out with the Board of Higher Ed, the State Board of Education, the Department of Professional Regulation, as long a... along with Governor State University itself. I think that it's a solution we can all be very proud of. We voted 112-0, like I said, on April 6th. And I would hope for the same vote today. It's

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unfortunate that we have to send both Bills over to the Senate so they can get off their duff and do something for those poor students that are involved in this. But we'll do what we have to do. And I just hope that the Senators on the other side of the rotunda will finally take up this cause and do what's right for these affected students."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1152?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 1152, there are 115 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1241, Representative Slone. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1241, a Bill for an Act in relation to education. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Slone."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is a Bill dealing with the Educational Labor Relations Act. The Educational Labor Relations Board has five days after a union election, under current law, to certify the election. However, there are also five days for people to file an objection. As a result, the Board has been certifying the election on the sixth day and they keep get audit findings because they're not certifying within the law, within the legal time limit. This Bill would simply give them six days to certify the election. I would appreciate your support."

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

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seeking recognition, the question is, 'Shall the House pass Senate Bill 1241?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 1241, there are 114 Members voting 'yes', 1 person voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. For what reason does the Gentleman from Carbondale... Murphysboro, Mr. Bost, seek recognition?"

Bost: "Mr. Speaker, just a question of the Chair. Over on this side of the aisle, our computers are no longer updating when the Bills are called. Is there a way we could find out why that might be?"

Speaker Hartke: "Would you repeat your question, please?"

Bost: "The computers that normally, naturally roll up to the next Bill are not doing that at this time. And so, we're wondering that might be that that is happening."

Speaker Hartke: "Mr. Bost, I've been informed that the technicians are working on that. They realize there's a problem. The Chair recognizes Representative Davis, Monique Davis. For what reason do you seek recognition?"

Davis, M.: "... Mr. Speaker. I'd like to take this opportunity to ask this illustrious Body to help me welcome and honor a few aldermen from the City of Chicago. Alderman Ed Smith, Ed, raise your hand. Alderman Leslie Hairston. Alderman Hairston, where are you? Oh, hi, girl. Alderman Carrie Austin. And that great Alderman Frias. Frias. There he is. And Hele... Alderman Helen Shiller, Alderman Madeline Haithcock, who went to South Africa with me and the Governor, and Alderman Schulter. Ladies... Alderman Balcer. I'm going to ask all of these aldermen who help us

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to do all the things we do in the State of Illinois with their help and support, give 'em a big round of applause."

Speaker Hartke: "Welcome to your state Capitol in Springfield, Illinois. The Chair recognizes Representative Beaubien. For what reason do you seek recognition?"

Beaubien: "Yes, just briefly, Mr. Speaker. On the last Bill, 1241, I hit the 'green' and it came up 'red'. I wish to be recorded as a 'yes' vote on 1241."

Speaker Hartke: "We'll send a technician to your desk. The Journal will reflect your wishes. Page 10 of the Calendar, on Senate Bills-Third Reading appears Senate Bill 1304, Representative Mulligan. Out of the record. Senate Bill 1305, Representative Feigenholtz. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1305, a Bill for an Act in relation to minors. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Feigenholtz."

Feigenholtz: "Thank you very much, Mr. Speaker. Again, thank you. Senate Bill 1305 amends the Juvenile Court Act of 1987. It makes a technical change in a section regarding abused and neglected children. This Bill actually had a few problems. It's about people who have adopted children, not being considered abusers or neglectful, if they have not immunized their children for medical or religious reasons. I'd be glad to answer any questions."

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

Cowlshaw: "Thank you very much. Mr. Speaker, will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Cowlshaw: "Representative, I have been asked to simply ask of you three simple questions so that there can be for the

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record..."

Feigenholtz: "I can't hear anything."

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

Cowlshaw: "... so that there can be for the record something that could be used to establish legislative intent. That is all these questions are intended to do. The first question is, is Senate Bill 1305's intent that vaccination delay or failure to vaccinate for developmental issues such as Down Syndrome or minor illnesses, is it the intent that that would constitute medical neglect for parents or guardians?"

Feigenholtz: "I'm sorry, Representative Cowlshaw, there's... I can't hear, I can't see you, and I don't understand the question. Could you please repeat the question?"

Cowlshaw: "Certainly. I will try to speak more slowly and more loudly and perhaps you will be finally able to hear. It has been very noisy in here."

Feigenholtz: "Maybe the Speaker might try and clear the aisle."

Speaker Hartke: "Ladies and Gentlemen, would you clear the aisle? We're in the middle of a Third Reading debate. If the aldermen will please go to the rear of the chamber or somewhere out of eyesight for the two speakers. Proceed, Representative Cowlshaw."

Cowlshaw: "I'm sorry, Mr. Speaker, for any delay."

Speaker Hartke: "No, that's fine."

Cowlshaw: "Sara."

Feigenholtz: "I'm here."

Cowlshaw: "Is it your intent that Senate Bill 1305 should impose something that, under the law, would be known as 'medical neglect'? That's in quote marks, 'medical neglect', for parents or guardians who are responsible for a delay in a

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vaccination or a failure to vaccinate because of a child's developmental disability such as Down Syndrome or minor illnesses."

Feigenholtz: "Mr. Speaker, could we take this Bill out of the record?"

Speaker Hartke: "Sure. Take this Bill out of the record. Senate Bill 1505, Representative Mendoza. Representative Mendoza. Out of the record. Senate Bill 1506, Representative Fritchey. Out of the record. Senate Bill 1514, Representative Bugielski. Mr. Clerk, read the Bill. ... read the Bill."

Clerk Bolin: "Senate Bill 1514, a Bill for an Act in relation to driver licensing. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1514 is the drive-off Bill. It makes the theft of motor fuel oil, leaving a gas station without paying, a Class A misdemeanor, punishable with a minimum fine of \$250 or 30 hours of community service. The second violation results in a six-month suspension of the driver's license. And a third or subsequent violation results in a one-year suspension of your driver's license. This Bill has been around before, it's passed out of the House and the Senate before. This is a single subject item now. And I ask for a favorable Roll Call."

Speaker Hartke: "Is there any discussion on Senate Bill 1514? Seeing no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1514?' 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 Senate Bill 1514, there are 115 Members voting 'yes', 0 voting

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'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1521, Representative McKeon. Out of the record. Senate Bill 1522, Representative Mathias. Out of the record. Representative Mendoza in the chamber? Fritchey. Page 11 of the Calendar, on Second Reading appears Senate Bill 10, Representative Madigan. Out of the record. Senate Bill 71, Representative Daniels. Out of the record. Senate Bill 75, Representative Hoffman. Out of the record. Senate Bill 76, Representative Rutherford. Out of the record. Senate Bill 78, Representative Turner, Art Turner. Out of the record. Senate Bill 95, Representative Mathias. Out of the record. Senate Bill 103, Representative Bost. Representative Bost. Out of the record. Senate Bill 162, Representative Wait. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 162, a Bill for an Act in relation to public aid. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 174, Representative Hoffman. Representative Hoffman. Out of the record. Senate Bill 184. Out of the record. Senate Bill 185, Re... 285, Representative Franks. Out of the record. Senate Bill 271... 371, Representative Daniels. Out of the record. Senate Bill 397, Representative Mathias. Out of the record. Senate Bill 430, Representative Kosel. Out of the record. Senate Bill 449, Representative Saviano. Out of the record. Senate Bill 489, Representative Dart. Out of the record. Senate Bill 518, Representative Hamos. Out of the record. Represent... Senate Bill 616, Representative Beaubien. Out of the record. Senate Bill 629, Representative Dart. Out of the record. Senate Bill 699,

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Representative Hoffman. Out of the record. Senate Bill 717, Representative Madigan... Hoffman. Out of the record. Senate Bill 725, Representative Dart. Out of the record. Senate Bill 726, Representative Wait. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 726, a Bill for an Act in relation to conservation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. ... Bill 730, Representative Moore. Out of the record. Senate Bill 754, Mr. Granberg. Out of the record. Senate Bill 856, Representative Moore. Out of the record. Senate Bill 875, Representative Meyer. Your note has been filed. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 875, a Bill for an Act concerning Assistant Adjutants General. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 930, Representative Hoffman. Out of the record. Senate Bill 933, Representative Smith, Mike Smith. Out of the record. The Chair recognizes Representative... For what reason do you seek recognition? Representative Giles."

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

Speaker Hartke: "Yes, Mr. Giles. Just a minute. Shh."

Giles: "Thank you. Today is a special day..."

Speaker Hartke: "Please, Ladies and Gentlemen, please give Mr. Giles your attention."

Giles: "Thank you, Mr. Speaker. Today is a special day and we have a lot of special guests. I think there were some of the aldermen and all the person that have been announced.

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But also, I'm here to make some special announcement. Today, we have here Alderman Ed Smith from the 28th Ward. We have the newly elected alderman of the 37th Ward, my home ward, Alderman Emma Mitts. We have also... We have another one of my alderman of the 29th Ward, the great Alderman Ike Carothers. Also, we have Alderman Arenda Troutman is here, as well. Thank you. Thank you, Mr. Speaker."

Speaker Hartke: "Thank you."

Giles: "And let's all welcome here to Springfield."

Speaker Hartke: "Welcome to Springfield, Illinois, your state capital. Senate Bill 975 on Second Reading, Mr. Meyer. Out of the record. Senate Bill 984, Representative Moffitt. Out of the record. Senate Bill 1128, Representative Novak. Out of the record. Senate Bill 1135, Mr. Turner. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1135, a Bill for an Act concerning taxes. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1177, Representative Moore. Out of the record. Senate Bill 1180, Representative Lyons, Eileen Lyons. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1180, a Bill for an Act concerning environmental protection. Third Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke "Third Reading. Senate Bill 1259. Out of the record. Senate Bill 1262, Representative Johnson. Mr. Johnson. Out of the record. Senate Bill 1283, Representative May. Out of the record. Senate Bill 1493,

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Representative Daniels. Senate Bill 1504, Representative Bellock. Out of the record. Ladies and Gentlemen, earlier today, the Rules Committee met and referred to the House Floor several Amendments on several pieces of legislation. So, we will be having some Amendments to move Bills to Third Reading, which are now on Second Reading. Senate Bill 28, Representative Brosnahan. Out of the record. Senate Bill 64, Representative Hoffman. We'll go back to that. Senate Bill 115, Representative Lyons. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 115, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Eileen Lyons, has been approved for consideration."

Speaker Hartke: "Representative Lyons."

Lyons, E.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 to Senate Bill 115 requires that auto dealers, when they make a new key for a lost vehicle, that they take the identification of the person who is... who they're making the key for. This is part of a... the concerns that were addressed about this Bill that we are trying to adjust in this Amendment. Thank you."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing no one is seeking recognition, the question is, 'Shall the House... recognize Representative Black on Floor Amendment #2 to Senate Bill 115. Ladies and Gentlemen, would you give Mr. Black your attention, please. Shh."

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, this Bill was amended, was it not, at the

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request of Transportation Committee?"

Lyons, E.: "Yes, it was."

Black: "Can you tell me what the Amendment does?"

Lyons, E.: "The Amendment would require the auto dealer who makes a new key for someone who wants to be issued a new key because of a lost vehicle... I mean, lost keys to a vehicle... it would require that auto dealer to take the identification of the person being given the key."

Black: "What's the status of Floor Amendment #1? Was it withdrawn?"

Lyons, E.: "No, Floor Amendment #1 was adopted. It wasn't?"

Speaker Hartke: "It's in Rules."

Black: "An inquiry of the Chair."

Speaker Hartke: "Floor Amendment #1 is in Rules."

Black: "Floor Amendment #1 was withdrawn?"

Speaker Hartke: "It remains in the Rules Committee."

Black: "Remains in Rules, I'm sorry. Thank you. So, Floor Amendment #2, it adds to the Bill?"

Lyons, E.: "Yes, Floor Amendment #2 adds to the Bill."

Black: "All right. Well, okay, fine. Thank you very much."

Speaker Hartke: "Further discussion? No one seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to Senate Bill 115?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Senate Bill 213, Representative Mautino on Amendment #3. Representative Mautino. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 213, the Bill's been read a second time, previously. Amendments 1 and 2 were adopted in

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committee. Floor Amendment #3, offered by Representative Mautino, has been approved for consideration."

Speaker Hartke: "Representative Mautino."

Mautino: "Thank you, Mr. Chairman. I'd ask for the adoption of Amendment #3. This becomes the Bill. It's identical to Amendments 1 and 2, except it removes the term 'handle' in order to clarify the original intent of the Bill."

Speaker Hartke: "Is there any discussion on Floor Amendment #3? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to Senate Bill 213?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Senate Bill 333, Representative Mautino. Representative Mautino on Amendment #1. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 333, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Mautino, has been approved for consideration."

Speaker Hartke: "Representative Mautino."

Mautino: "Thank you. This is the legislation that deals with expirations and how we'll handle those in the State of Illinois. Amendment #1 reflects an agreement between the banking and the financial industry regarding that legislation. Puts it in the same form as the House 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 Senate Bill 333?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and

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the Amendment is adopted. Further Amendments."

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Senate Bill 265, Representative Hoffman. Mr. Clerk, read the Bill."

Clerk Bolin: "... Bill 265, the Bill has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative O'Brien, has been approved for consideration."

Speaker Hartke: "Representative O'Brien on Amendment #2 to Senate Bill 265."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment... Floor Amendment #2 addresses concerns of committee Members that we would be lowering the age from 18 to 13. The reason behind the Bill is that people should not be bringing their young children to the scene of a drug deal. They shouldn't be using them in furtherance of a drug deal. But we did not want this to be utilized in the case of maybe two siblings, 16... one 16 and one 18. We really wanted to address the underlying problem of children being used to transport drugs. And I would urge its adoption."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to Senate Bill 265?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Senate Bill 64, Representative Hoffman. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 64, a Bill for an Act in relation to vehicles. Second Reading of this Senate Bill. No

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Committee Amendments. Floor Amendment #1, offered by Representative Hoffman, has been approved for consideration."

Speaker Hartke: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 would ensure that the money that is collected as a result of the fines for DUIs that's gonna go to trauma centers under this Bill can be matched federally. In other words, we'll be taking advantage of the federal matching program for Medicaid."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to Senate Bill 64?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Senate Bill 373, Representative Mendoza. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 373, a Bill for an Act to amend the Children and Family Services Act. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Hoffman, has been approved for consideration."

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

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 would ensure... or actually, just incorporates House Bill #1, which we passed over to the Senate and, I believe, is languishing in Rules at the current time. What it would do is it would set up the statewide child death review teams, which will be made up of an Executive Council of all the local death review teams

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that currently exist in the state. This is to look at abuse and neglect cases and make recommendations when a death occurs to the department on how to avoid 'em in the future."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Since no one is seeking recognition, the question is, 'Shall the House pass Floor Amendment #2 to Senate Bill 373?' All those in favor signify by saying 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Senate Bill 435, Representative Lindner. Pat Lindner. Representative Lindner. Representative Lindner. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 435, a Bill for an Act in relation to criminal law. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Lindner, has been approved for consideration."

Speaker Hartke: "Representative Lindner."

Lindner: "Thank you. This is a technical Amendment. The Bill requires the Department of Corrections to develop mental health programs in jails and juvenile detention. And the Amendment just says that the Section does not prevent the involuntary medication of a recipient who is in jail if he's a danger to himself or others. And the treatment is in the recipient's medical interest."

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 Senate Bill 435?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and

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the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. A fiscal note has been requested on the Bill. The note has not been filed."

Speaker Hartke: "The Bill will remain on Second Reading. Senate Bill 493, Representative Reitz. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 493, a Bill for an Act in relation to cloning. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Reitz, has been approved for consideration."

Speaker Hartke: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. Senate Bill 493, as the Clerk said, is a Bill to ban human cloning. This is a technical Amendment. It changes words... replaces the word 'cell' from whatever source the 'somatic cell'. And we are still working on this Bill. But I'd appreciate the adoption of this Amendment."

Speaker Hartke: "Ladies and Gentlemen, it's getting pretty noisy again. Shh. Please. The Chair recognizes Representative Cross."

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

Speaker Hartke: "Sponsor will yield."

Cross: "Representative, I just want to make sure that we are clear, 'cause it was a little noisy in here. I'm not questioning you or what you're saying but... There is an understanding by some parties that you're gonna continue to work with the opponents that still exist out there and try to work out whatever differences that still exist."

Reitz: "That's correct. We have the Northwestern Memorial Hospital and the University of Illinois at Chicago, have had some concerns and... we are trying to... our intent is to ban the cloning of human beings, as a whole, and

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not... make sure we don't impede with any type of research on organs and things of that nature."

Cross: "Yeah, I think... And now we can wait 'til this thing moves forward. But I think the real concern by many, including myself, and I've talked to you about it, is that we don't want in any way to impede, or stop, slow research in any way in this state... in the State of Illinois."

Reitz: "That's correct."

Cross: "And that's your... and I believe that's your feeling... those are your feelings, as well."

Reitz: "That's exactly right. This Amendment doesn't do exactly what we want, but it does set it up so that we can, hopefully, send this to conference committee, have a little more time to work on this issue."

Cross: "I appreciate your understanding, Representative. Thank you."

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

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

Speaker Hartke: "Sponsor will yield."

Lang: "Thank you. Representative, I know you said you're still working on this. Is it your intention to hold it on Second today?"

Reitz: "No, my intention with discussions with the people that we're negotiating with are trying to work out the language on this, is to put this Amendment on, which we thought corrected the problem that doesn't, but to put this on, move it back to the Senate, have them nonconcur, send it to conference committee, and then continue to negotiate it."

Lang: "All right. So, your intention is not to send it to the Governor in this form..."

Reitz: "That's correct."

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Lang: "...but to create a conference committee?"

Reitz: "That's correct."

Lang: "Thank you. I'll support your Amendment."

Speaker Hartke: "Further discussion? No one is seeking recognition. The question is, 'Shall the House adopt Floor Amendment #1 to Senate Bill 493?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. Several notes have been requested on the Bill, as amended. And the notes have not been filed."

Speaker Hartke: "The Bill will remain on Second Reading. Senate Bill 504, Representative Beaubien. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 504, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Beaubien, has been approved for consideration."

Speaker Hartke: "Representative Beaubien."

Beaubien: "Yes, thank you, Mr. Speaker. This was a Bill that was held in Senate Rules, passed through the House, deals with vehicular safety. And I'd appreciate a voice vote to get it to Third Reading. Thank you."

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 Senate Bill 504?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Senate Bill 797, Representative

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Currie. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 797, a Bill for an Act concerning prizes and gifts. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Barbara Flynn Currie, has been approved for consideration."

Speaker Hartke: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. The Amendment is a clarification. The language in Amendment #1 suggested that somebody who believed that he or she might be a winner would be an adequate standard. The concern is that that's a very subjective standard. And so, we offered language to clarify that it is the language of the material that would make somebody think him or herself a winner."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to Senate Bill 797?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments."

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Senate Bill 869, Representative Lyons. Eileen Lyons. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 869, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Eileen Lyons, has been approved for consideration."

Speaker Hartke: "Representative Lyons."

Lyons, E.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 to Senate Bill 869 is merely a technical Amendment that the Department of Insurance has

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offered as clarifying language."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to Senate Bill 869?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Leave that Bill placed on the Order of Second Reading. Senate Bill 885, Representative Krause. Representative Krause. Krause. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 885, a Bill for an Act concerning children's health care. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Miller, has been approved for consideration."

Speaker Hartke: "Representative Miller on Amendment #1."

Miller: "Thank you, Mr. Speaker, Members of the chamber. Amendment #1 to Senate Bill 885 is, essentially, the House Bill 1717, which this chamber passed in relationship to KidCare. Essentially, what it does is have a confidentiality agreement between the school lunch program and the Department of Public Aid to help increase enrollment of KidCare. I would ask for approval of this Amendment."

Speaker Hartke: "The Chair recognizes Representative Parke on Amendment #1."

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

Speaker Hartke: "Sponsor will yield."

Parke: "Representative, you're saying that you have folded a Bill into this Amendment and then placing it in the Bill itself

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as Amendment #1, is that correct?"

Miller: "Correct."

Parke: "When you presented your Bill in committee, did anybody object to this Bill as the Amendment now?"

Miller: "I'm sorry, could you repeat the question?"

Parke: "Did anybody object to your legislation?"

Miller: "The... When... Did anyone object to the Amendment, is that the correct..."

Parke: "Sir, you mentioned that this Amendment, in essence, is another Bill that you had introduced previously. Is that correct?"

Miller: "That's correct."

Parke: "When you presented the Bill that is now the Amendment, did anybody object to that when it was presented in committee?"

Miller: "That I do not..."

Parke: "Were you the Sponsor of that..."

Miller: "To answer your question, yes. Initially, the Board of Education had a problem with it. But then the Department of Public Aid did attach the Amendment, which has subsequently become the Bill and was passed by this House. And I hope that answers the question more clearly."

Parke: "What was the vote count on that Bill? Was it unanimous?"

Miller: "Give me one second, I can pull it up. Yes, it was unanimous."

Parke: "Okay. Did... Has anybody filed a fiscal note to see what the price tag will be on this... on your Amendment 1? Do you have any idea how much will it cost the taxpayers to do this?"

Miller: "I think the original Bill did have a fiscal note request."

Parke: "Do you remember what it was?"

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Miller: "No, I don't, Sir."

Parke: "Okay."

Miller: "Hold on. Hold on."

Parke: "Have you heard of anybody objecting to Amendment 1 when it was presented in Rules Committee today... well, this week?"

Miller: "No, I have not heard any objection."

Parke: "And this is a... is it still considered a KidCare agency Bill?"

Miller: "Yes, I would say so because it would help streamline the enrollment process for KidCare. This is..."

Parke: "Is this more technical in nature or is this substantive?"

Miller: "There is a substantive part to it essentially saying that one agency can share information with another agency. And just in relationship to KidCare enrollment."

Parke: "And there was a problem of sharing information because of some confidentiality clause?"

Miller: "Well, there's a lack of one. But I think what the real issue that the Board of Ed... was just who was gonna initiate, who was gonna share, who's gonna... how is the information gonna be shared between the two agencies was, I think, the initial concern with the Department (sic-Board) of Education."

Parke: "Okay. Thank you, Representative."

Speaker Hartke: "Mr. Parke, are you finished with your questions?
Mr. Parke, are you finished with your questions?"

Parke: "Well, it's been shared with us that this Amendment might jeopardize the underlying Bill in the Senate. Mr... Representative Miller, have you talked to the Senate Sponsor of this Bill and is it acceptable to them to put Amendment 1 on?"

Miller: "Absolutely. I spoke with the House Sponsor here and

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also the Senate Sponsor of the Bill prior to even filing these Amendments."

Parke: "And they have no problem with it, either one of 'em?"

Miller: "Yeah. Essentially, what we did, we realize that it will probably be in some concurrence I believe, but that, hopefully, we can work those differences out."

Parke: "Okay, I have no further questions for Amendment 1."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to Senate Bill 885?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "Floor Amendment #2, offered by Representative Miller."

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

Miller: "Amendment #2... Thank you, Ladies and Gentlemen. Amendment #2 is essentially House Bill 1050, which was passed by this House earlier this year, too. I would ask for a favorable adoption of this Amendment."

Speaker Hartke: "Representative Parke."

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

Speaker Hartke: "Sponsor will yield."

Parke: "Amendment 2 now was a Bill, also. When you presented the Bill in committee, was there objections to that Bill when it was a Bill?"

Miller: "No, not that I know of."

Parke: "Have you talked to the Senate Sponsor about placing this Amendment on the Bill?"

Miller: "Absolutely. The House and the Senate Sponsor has been spoken to and said it was fine."

Parke: "And they're both okay with it now?"

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Miller: "Both okay, Sir."

Parke: "And what does Amendment do... 2 do?"

Miller: "Actually, Representative Parke, I got the two Amendments mixed up. So, I do apologize between..."

Parke: "I'm sorry, say that again."

Miller: "I had the two Amendments mixed up in relationship to the House Bill. Amendment 1, actually a test for the eligibility to KidCare, which was passed and I did give you the correct vote count on it. This Bill does have the confidentiality agreement, which I spoke of earlier. So, I do stand corrected and do apologize for my error."

Parke: "And as far as you know, when you presented it in Rules, nobody objected to either Amendment?"

Miller: "That is correct. No one objected to either Amendment."

Parke: "Okay. Thank you, Representative."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to Senate Bill 885?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. Notes have been requested on the Bill that have not been filed."

Speaker Hartke: "This Bill will remain on Second Reading. Senate Bill 915, Representative Slone. Representative Slone. Out of the record. Senate Bill 950, Representative Schmitz. Representative Schmitz. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 950, a Bill for an Act concerning child support. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Schmitz, has been approved for consideration."

Speaker Hartke: "Representative Schmitz."

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Schmitz: "Thank you, Mr. Speaker. The Floor Amendment #1 is simply just changing the effective date of the Bill. Currently, it says upon becoming law. A suggestion that I've worked with the Department of Public Aid that we would move this to July 1st of '02."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to Senate Bill 950?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Senate Bill 1033, Representative Curry. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1033..."

Speaker Hartke: "Out of the record."

Clerk Bolin: "...a Bill for an Act in..."

Speaker Hartke: "Out of the record. Senate Bill 33... House Bill 3363. Mr. Clerk, read the Bill. Representative Turner in the Chair."

Clerk Bolin: "House Bill 3363, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. Floor Amendment #2, offered by Representative Julie Curry, has been approved for consideration."

Speaker Turner, A.: "Representative Turner in the Chair. The Lady from Macon, Representative Curry. Proceed."

Curry: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #2 to House Bill 3363 simply puts a limit on the amount that townships can charge for the registration and licensing of horse-drawn buggies."

Speaker Turner, A.: "The Lady moves... The Gentleman from Cook,

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Representative Parke, for what reason do you rise?"

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

Speaker Turner, A.: "She indicates she will."

Parke: "Representative, this Amendment does what? Amendment 2 does what to the Bill?"

Curry: "It simply puts a maximum amount, a limit, on the amount that townships can charge for the registration of horse-drawn vehicles. In this case, the maximum fee that they could charge would be \$50."

Parke: "Is the fee so that if they want to make a living or a side business and they wanna... they have it in a township somewhere, you can charge those people who are doing this business up to \$50 a year? Is that the objective?"

Curry: "Representative Parke, it's not for the licensing of a business. In my district and Representative Tom Berns' district, we represent the largest Amish community in Illinois. This legislation was brought to us by township officials and the Amish community in the area that we represent. And their idea was to license horse-drawn vehicles and in our case, in one township we have 2500 horse-drawn carriages. And what they want to do is use the money that they charge on an annual basis for the registration of these horse-drawn buggies for the improvements of township roads. So, it's the licensing of the actual buggies that people use to transport their families and their goods and services or whatever."

Parke: "And they charge what now?"

Curry: "They don't charge anything. This would be a new law. And simply what this Amendment does is it puts a cap on the amount, the maximum amount, a township could assess an individual who needed to register their vehicle. It doesn't mean that they are gonna charge \$50, but we wanted

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to insure that they wouldn't go over that amount."

Parke: "Now, is it that there's too much wear and tear on the roads from these horse-drawn carriages and that's why you need to charge these people a quarter of a million dollars to improve the roads? Is there a need to improve the roads in your township that you represent?"

Curry: "Well, Representative, that would be one of the reasons. But the main reason is in the township that brought this to our attention, the name of the township is Bourbon Township which is in Douglas County. And in Bourbon Township, from this time of the year in the spring and to the fall of the year, we have 20 to 25 tour buses that travel on township roads on a daily basis to go to the Amish businesses within this one township. And in this one township there are 253 Amish businesses. So, the Amish community has something to gain through this legislation because the roads have to be improved and they want to make sure that the tour buses get out to their businesses."

Parke: "Okay. Is there anything in this Bill... this Amendment that has to do with children playing on the roads or playing on the bridges or anything? Is there..."

Curry: "No, Sir, it doesn't."

Parke: "Okay. Now, staff informs me that the Amish community is in favor of your Amendment. Is that correct?"

Curry: "That's correct. During our Easter recess, Representative Berns and myself met with a group from the Amish community in Arthur and they're the ones that asked me to come back and amend the Bill and actually increase the maximum amount that the township could charge to \$50, because they didn't feel like the original Amendment that we had on the Bill, a \$25 fee, was enough to take care of their needs."

Parke: "Well, that sounds like they're trying to be good

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neighbors. And do they make any money from the tourists that come into the Amish community? Do they sell products and food to them and therefore, they... if they have better roads, they'll bring in more tourism? Is that the objective?"

Curry: "As I said before, Representative Parke, the reason why they support this so much is because, there again, more than 250 Amish businesses within this one township. And so it's to their benefit that the roads are maintained in a way that could support these large tour buses coming out into the country and to their businesses. So yes, they do benefit."

Parke: "Thank you, Representative. I've no further questions."

Speaker Turner, A.: "The Gentleman from Vermilion, Representative Black."

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

Speaker Turner, A.: "She indicates she will."

Black: "Representative, in the... in my time in the General Assembly, I've spent a lot of time in the county that this Bill impacts. Now, historically... correct me if I'm wrong. Historically, the Amish tend to resist being included in various laws, regulations, licensure, et cetera, that you and I may take for granted. Is that a fair assumption?"

Curry: "I think that would be a fair assumption."

Black: "I'm having trouble reconciling... When the late Senator Woodyard was alive and he had a portion of that district, we were often down there. I'm having a difficult time reconciling what we heard then... I remember many meetings on the rails to trail issue, that the Amish did not want. They were not happy about that. They tend to be very, as

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you know, protective about their land, their culture. They didn't want this trail to go through some of their land. And I know that at one time it was even difficult to get the slow-moving emblem on the back of some of their buggies. So, what I need from you, who is speaking for the Amish community that are suddenly saying, we will be willing to pay or we will ask to pay \$50 a year per buggy to the township? What has transpired? This is not the attitude that I remember in the meetings that I've had in Douglas County."

Curry: "Well, I would agree with you, Representative Black, but this legislation and this idea was brought to our attention by not only the township officials, the highway commissioners from that area who work on a regular basis with the Amish community, but we met with the bishops who are the elders of the Amish community and they're the ones who we met with and said to us that we support this. Because I wouldn't be here today advocating for this legislation if they were not in support of this. And I don't think Representative Berns would have taken the time out of his schedule to do the same thing. But they came to us and they told us not only were they in support of the idea of this legislation, but they wanted actually for me to come back and charge a higher fee, which I thought was a little bit unusual myself. But they are and you know... we have had several meetings and from every indication I've received, they support this."

Black: "The money raised by this fee will go to how many townships in Douglas County?"

Curry: "There's only one... Well, it depends. This is up to each individual township within the State of Illinois to pass a local ordinance to establish the licensure of these

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horse-drawn buggies. So, if Bourbon Township is the only township in Douglas County to do this, then they would have that responsibility. It's by township, not by county, because the money goes for the improvements of township roads. So, it's really... you know, you have to give the township some credit 'cause they're trying to find another way to obtain revenue to keep their roads and bridges in good repair without coming to us and asking us for additional money."

Black: "And I understand that, but I heard you earlier say tour buses were going on these township roads."

Curry: "Right."

Black: "What are these township roads posted for, surely not 80 thousand pounds?"

Curry: "Well, I know the township road commissioner pretty well and he's been pretty adamant about not letting vehicles that are over their maximum weight amount to go on these roads. I mean..."

Black: "Well, that's why..."

Curry: "...that's been a big issue, but I think the... you know, in every township you have some major roadways."

Black: "Right."

Curry: "And I think some of those roadways obviously are big enough to be able to handle these buses otherwise he wouldn't let 'em on there."

Black: "Will there be any movement... Should your Amendment become a part of this Bill, would there be any movement then for the county to also want a registration fee, because I know those horses and buggies travel some miles on county roads as well as township roads?"

Curry: "I don't know, Representative Black. You know, the only contact that we've had are with the township officials in

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this Amish community, I can't really see that this would be an issue for other townships in the state. I mean, it's a need that we have because we have such a large Amish community and we're just trying to make sure that the roadways are safe, not only for the individuals who drive these buggies, but ya know, obviously for the rest of the public as well."

Black: "All right. But Representative, I would just ask one favor of you, when the Bill is called on Third Reading, could you have staff look into something? And the reason I'm asking you this, I see this maybe spreading inadvertently... even in my district, there are people who at certain times of the year will offer horse and buggy rides in the downtown area of some towns. I know they do it here in Springfield or at least they did. I'm just curious as to what the fee would be for a horse and buggy in the City of Springfield, and particularly the City of Chicago. I've taken my grandchildren on many a horse and buggy ride in the City of Chicago, I have no idea what fee they charge and I know we're not talking about the same kind of road. I understand that."

Curry: "And really, Representative Black, this is really, you know, if we get down to the issue of local control. I mean, these local townships have to pass their own ordinances and set their own fees. Currently, I don't know if the City of Chicago does anything through home rule powers or anything to license buggies like that. I mean, we could certainly find out for you, but..."

Black: "Yeah. What I wouldn't want to get into, Representative, is if we find out later that the licensure fee for horse and buggies in the City of Chicago is \$10 and I sincerely dou... I seriously doubt whether it's 10 bucks and then all

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of a sudden the Amish is 50, those of us on the fringe of Amish territory might not be comfortable with that. And I guess that begs the other question that I'll save until Third Reading. It would appear... Does a township, in fact, need a State Law to levy this licensure or could they not do so by town ordinance at the annual town meeting?"

Curry: "No. We need to put in the enabling legislation to allow them to do it."

Black: "Okay. But I... On Third Reading, if you could just find out..."

Curry: "We'll check that out."

Black: "...what other cities may require for licensure in horse and buggy. And I realize we're not talking about the same kind of roads. You're talking about oil and chip."

Curry: "Right."

Black: "It's certainly not the same kind of road that you see the horse and buggy on here in Springfield and certainly not on Michigan Avenue in Chicago, but I realize there's a difference. But I'd like to get some idea of what the licensure fee may be for a horse and buggy and I thank you for your indulgence."

Speaker Turner, A.: "The Gentleman from McDonough, Representative Myers."

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

Speaker Turner, A.: "She indicates she will."

Myers: "Julie, I've only got a couple of questions for you. McDonough County, the southern part of McDonough County, is now developing a very growing population of the Amish community in more than one township in that area. You indicated earlier in your remarks that you had met with the leaders of the Amish community in your area. Are they familiar with other Amish communities around the state and

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do they communicate in such a way that in this particular instance the sup... if they've indicated support for your particular Bill in your community, do the other Amish communities around the state also support this measure?"

Curry: "I... you know, Representative Myers, I wouldn't know that. I kinda would doubt that they have communicated with any of the other Amish communities, because this really allows local townships to make this decision and I know how the Amish community works with the local governments in my area. They have a pretty good relationship. I just don't believe that a township would impose this fee without the support of those individuals that they might impose it on. It really goes to their benefit, too, though in the end. But I have no idea if they've communicated with them. I would probably say 'no'."

Myers: "I have had numerous calls from the township officials in my area, especially where these buggies are now damaging the roads as you've indicated they damage in your area. And they have asked both my Senator and I is there any way that they can get assistance or any way that they can regulate these buggies or license these buggies. So I know that they're int... the interest is there on the part of the township officials. I'm not sure they have the working relationship with the Amish community in the townships of McDonough County that obviously your township officials have with your Amish community. That being said, I know that there is a need for some relief for these townships and I have a number of other questions that I might want to ask you on Third Reading."

Curry: "Okay."

Myers: "But I support your effort and what you're doing."

Curry: "Thank you."

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Speaker Turner, A.: "Seeing no further questions, the question is, 'Shall Amendment #2 to House Bill 3363 pass?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and Amendment #2 is adopted. Mr. Clerk, further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. Senate Bill 132... On Senate Bill... I should say, House Bill 1815, Representative Saviano. Out of the record. House Resolution 190, Representative Hartke. Read the Resolution, Mr. Clerk."

Clerk Rossi: "House Resolution 190, offered by Representative Hartke. No Committee Amendments. Floor Amendment #1, offered by Representative Hartke, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. House Resolution 190, Amendment #1, makes two changes in the Resolution for the study of the highways in the State of Illinois in counties and townships. It takes the date to, I think, January 1, 2002 and adds municipalities in the Resolution as part of the study. That's all it does and I'd be happy to answer any questions."

Speaker Turner, A.: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

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

Speaker Turner, A.: "State your inquiry."

Black: "Our staff has not seen a copy of the Amendment. Is it on the system?"

Speaker Turner, A.: "Mr. Clerk."

Hartke: "Representative Black."

Black: "Yes."

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Hartke: "IDOT requested the Amendment. The only thing the Amendment does is change the date. I had it originally for the Veto Session for them to report the study. They asked that it be extended 'til January 1, 2002, in the second one, the Resolution failed to mention municipalities because many county and township roads, you know, lead into small municipalities. And this Resolution is a study of the 80,000 pound roads."

Black: "All right. So..."

Hartke: "They wanted to be included in that."

Black: "All your Amendment is doing is changing the effective date of the report."

Hartke: "Effective date of the report and two, it's adding municipalities. It's for municipalities in that study for this Resolution."

Black: "You realize you're in abject violation of House Rules by not having distributed the Amendment or it's on the system. But you're a man of your word, so I have no objection."

Hartke: "Thank you very much, Representative Black. Appreciate that. Appreciate an 'aye' vote."

Speaker Turner, A.: "Representative, it's my understanding that that Amendment is on the system. The Gentleman asks for the adoption of House Amendment #1 to House Resolution 190. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment #1 is adopted. Further Amendments? No further Amendments."

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "The Lady from Lake, Representative Moore, on Senate Bill 853. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 853, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

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Moore: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 853 is a Department of Revenue Bill that only clarifies the state's right under existing law to impose taxes on the out-of-state tobacco manufacturers and distributors. This is exactly the same... the taxes will be exactly the same as they are currently. It's just a reworking of the language for the lawyers. I'd be happy to answer any questions."

Speaker Turner, A.: "The question is, "Shall Senate Bill... Oh, the Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Did you just move my district to a different county, Mr. Speaker?"

Speaker Turner, A.: "Vermilion Cou..."

Black: "Thank you very much. Representative, I remember a Bill very similar to this... I don't remember, three, four, five years ago and it was supposedly an out-of-state tobacco tax. And we found out later on that that was, in fact, not at all what we did, that we allowed the dumping of certain classes of tobacco products in Illinois to escape the Illinois tax. I don't wanna go down that road again. Now, what are we doing here? What... I mean, how could anything... how could any tobacco product be brought into the State of Illinois, not subject to Illinois tax?"

Moore: "Well, it is subject to the tax."

Black: "Now..."

Moore: "And currently we are taxing them and we're not going to change how we're taxing them, we're only going to change the wording of the statute."

Black: "And what... How are you changing the wording of the statute?"

Moore: "We're inserting the words 'to retailers and consumers

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located'. Those four words and so, that is what we are told needs to be done in order to make the statute apply correctly."

Black: "I don't..."

Moore: "This isn't going to change any kind of taxing that we have right... It's a..."

Black: "In all due respect to you, Representative, when we got into this mess five or six years ago, I heard the same thing."

Moore: "Although, I was not the Sponsor then."

Black: "No. Oh, no, no, no."

Moore: "Okay. I just wanted to that clear."

Black: "You were not. And what we did, was we created something called a gray market for tobacco and it was later repealed. But there were many of us who caught a lot of static from retail merchants in our district and I'm not going down that road again. On..."

Moore: "Well, actually... Representative..."

Black: "On page 1 of the Bill, line 10, definition of business, 'at any location whatsoever' and then you've crossed out 'in the state'. Why is the language crossed out that says 'in this state'?"

Moore: "This clarifies the ability of the Department of Revenue to tax a company that is located in Kentucky or some other state who imports tobacco into the State of Illinois. So, this clarifies that provision of the already existing tax."

Black: "All right. Then look on line 25, 'any manufacturer or wholesaler engaged in the business of selling tobacco products from without this state who sells, exchanges, distributes, ships, or transports tobacco products to retailers or consumers located in this state', et cetera,

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et cetera, et cetera. Does that mean if I am a distributor and I pick up a load of cigarettes from a warehouse in Paducah, Kentucky, which is right across the border in Illinois, I transport them to Illinois to a warehouse to be broken down and then shipped to points in Indiana, Wisconsin, Iowa, but I don't sell those cigarettes in Illinois. I just domicile them in a warehouse where I then break them down into more manageable case shipments, that I now am gonna have to pay an Illinois cigarette tax on that product because it ended up being transported and stored in the State of Illinois?"

Moore: "Representative, what I think you're describing is a wholesaler and what we are talking about is a retailer or consumer. If you look a little further in the provision."

Black: "Nothing in line 25 would indicate to me that it's a retailer or a consumer. I see on page 4..."

Moore: "But if you're selling them, you have to have a retailer or a consumer and they have to be located in Illinois."

Black: "But what if I don't sell them. What if I'm just a distributor and I have a warehouse and I move the cigarettes from Paducah, Kentucky to a warehouse. I break them down into more manageable shipments and I ship those cigarettes to Indiana... I don't ship any of those for retail sale in the State of Illinois. I simply break them down into more manageable cartons and I ship them to other states. I am not a retailer. I am simply a wholesale distribution firm with a warehouse in Illinois. Now, what's my tax liability?"

Moore: "As best I can understand it, none. Because the retailer or the consumer has to be located in Illinois and that is not what you're describing."

Black: "Well, Representative, I have a large, large wholesaler

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located in my district and I cannot in good conscience... I'm not gonna ask people to vote 'no' on this thing. If you'd be kind enough to take it out of the record, I'd sure like to talk to Illinois Retail Merchants, because if my wholesaler who may not sell any of these tobacco products in the State of Illinois is gonna be subject to the Illinois Tobacco Tax, that's gonna have a negative impact on about 800 people who work there. And I don't say that it does, I don't know. I'm not a lawyer. I've read the Bill and I'm confused as to who pays this tax. A retailer, I mean, that's obvious. It's been that way for years. But if this impacts a distribution firm with a huge warehouse in my district, I can't in good conscience vote for this thing. That would have a devastating effect on a company that employs about 800 people in my district and I don't see anything that jumps out at me at the Bill that says, no, don't worry, if you're a distributor or a wholesaler, even though you have a warehouse and distribution center in Illinois, that you're not going to be charged any tobacco tax unless you sell those to a retail establishment in Illinois."

Moore: "Representative, as a courtesy to you, I will take it out of the record, so you can call your wholesaler, but I assure you..."

Black: "Thank you."

Moore: "...that this will not apply. And as a matter of fact, this is not in any way going to change how we tax these people, currently. This is only a change that is requested by the attorneys through the Department of Revenue, so it makes it perfectly clear."

Black: "All right. I really appreciate your kindness..."

Moore: "But knowing that you will come back and speak for this

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Bill, when in fact it doesn't apply, I will as a courtesy take it out of the record."

Black: "Thank you very much."

Speaker Turner, A.: "The Lady removes the Bill from the record. On the Order of Third Reading we have House Bill 854 (sic-Senate Bill 854), Representative Moore. Do you want this one heard today? Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 854, a Bill for an Act in relation to taxes. Third Reading of this Senate Bill."

Speaker Turner, A.: "The Lady..."

Moore: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 854 tightens the requirements for the sales tax exemption for not-for-profit cultural arts organizations. This is also a Department of Revenue Bill that has gone through subcommittee, been approved by the subcommittee, gone through the full committee, been approved and now recommended to the House. And it passed the Senate 56-0. Be happy to answer any questions."

Speaker Turner, A.: "The Gentleman from Vermilion, Representative Black."

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

Speaker Turner, A.: "She indicates she will."

Black: "Representative, this is strictly for sales tax, correct?"

Moore: "Yes."

Black: "Why would the Illinois Arts Alliance oppose a Bill that would allegedly streamline the sales tax on nonprofit groups arts' organizations? That doesn't make any sense."

Moore: "I think there was some concern that it might strip them of their sales tax exemption status, but it is not intended to do that."

Black: "Did the..."

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Moore: "They did not speak in committee by the way."

Black: "Well, I happen to know the chairman of the Illinois Arts Council, I've met her, as I'm sure you have."

Moore: "So have I."

Black: "Did she testify in any way, shape, or form on the Bill?"

Moore: "No, she didn't."

Black: "Did they..."

Moore: "They have no position."

Black: "They have no position on the Bill? All right. Thank you very much."

Moore: "Thank you."

Speaker Turner, A.: "The Lady asks for the passage of Senate Bill 854. All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk should take the record. On this question, there are 103 voting 'aye', 12 voting 'nay', 3 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Lady from Lake, Representative Moore, on Senate Bill 855. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 855, a Bill for an Act concerning taxation. Third Reading of this Senate Bill."

Speaker Turner, A.: "The Lady from Lake."

Moore: "Thank you, Mr. Speaker. Senate Bill 855 is also an Illinois Department of Revenue Bill and this actually clarifies certain points that relate to the motor fuel taxes on fuel that's used by watercraft and railroads. It adds some penalties for the use of untaxed, dyed motor fuel in recreational-type watercraft. I'd be happy to answer any questions."

Speaker Turner, A.: "Seeing no questions, the question is, 'Shall

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Senate Bill 855 pass?' All those in favor should vote 'aye'... Excuse me. All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. 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 voting 'aye', 2 voting 'no', 3 not voting. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Gentleman from Rock Island, Representative Brunsvold, for what purpose do you rise?"

Brunsvold: "Announcement, Mr. Speaker."

Speaker Turner, A.: "State your announcement."

Brunsvold: "The House softball team will practice tonight at approximately 5:00. We're playing the staff, so it ought to be interesting. And again, the game is on for tomorrow night at 5:00. We'd like House Members to stay around a little while if they can to support the House team. So, tonight 5:00 practice at the Washington and Amos intersection at Sacred Heart. Thank you."

Speaker Turner, A.: "Thank you, Representative. The Lady from Grundy, Representative O'Brien, for what reason do you rise?"

O'Brien: "Mr. Speaker, I rise for the purposes of an announcement."

Speaker Turner, A.: "State your announcement."

O'Brien: "The House Judiciary II Committee will meet at 9:15 tomorrow because the chairman has a Amendment in another committee."

Speaker Turner, A.: "Mr. Clerk, would you read the House Committee schedule for tomorrow morning."

Clerk Rossi: "The following committees will meet at 8 a.m.: the Appropriations-General Services Committee in Room 118, the

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Appropriations-Public Safety Committee in Room 114. The following committees will meet at 9 a.m.: the Consumer Protection Committee in 122-B, the Revenue Committee in Room 115, the Transportation & Motor Vehicles Committee in Room D-1, the Judiciary II-Criminal Law Committee will meet at 9:15 in Room C-1."

Speaker Turner, A.: "The Lady from Cook, Representative Lyons, for what reason do you rise?"

Lyons, E.: "For an announcement, please."

Speaker Turner, A.: "State your announcement."

Lyons, E.: "There is a rehearsal tonight for Capital Capers at 7:30 at Howlett Auditorium. And we'd really like everyone to come."

Speaker Turner, A.: "Allowing perfunctory time for the Clerk, Representative Currie moves that the House stand adjourned until the hour of 10:00, Thursday, May 10, 2001. So, the House will stand adjourned. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned until 10:00 a.m. tomorrow morning."

Clerk Rossi: "House Perfunctory Session will come to order. Introduction and First Reading of Senate Bills. Senate Bill 1264, offered by Representative Winkel, a Bill for an Act in relation to State finances. First Reading of this Senate Bill. Committee Reports. Representative O'Brien, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on Wednesday, May 9, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 1032. Introduction of Resolutions. House Resolution 284, offered by Representative Eileen Lyons; and House Resolution 288, offered by Representative

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Moffitt; and House Joint Resolution 35, offered by Representative Hannig are assigned to the Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."