

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

63rd Legislative Day

May 22, 2001

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Father Ed Cronin of St. Alexander's Catholic Church in Palos Heights, IL. Father Cronin is the guest of Representative Maggie Crotty. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Father Cronin: "Let us pray. Loving and gracious God, we entrust ourselves to You again this day for blessed are You Lord God of all creation. Through Your goodness You have given us the gift of each other as brothers and sisters, fellow citizens of this great state. We ask blessings upon again all the deliberations that take place in this room. That You keep us ever mindful and aware of the greatness of Your love for us and of the dignity of each person and the dignity of our families. That all of us give those families the care that they need so that this state can remain healthy and strong. We ask all this in our Christian tradition through Jesus, who is our Lord, forever and ever. Amen."

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

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

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

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

Speaker Madigan: "Mr. Poe."

Poe: "Mr. Speaker, let the record show that Representative Durkin

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

63rd Legislative Day

May 22, 2001

and Representative Sommer are excused today."

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

Wirsing: "Thank you, Mr. Speaker. I just wanted to let everybody know that a former Member of the Illinois House is here today. He is retired judge and a former Member of the House, John Countryman."

Speaker Madigan: "Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative Monique Davis, Chairperson from the Committee on Appropriations-Human Services, to which the following measure/s was/were referred, action taken on Tuesday, May 22, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 758 and Senate Bill 1486. Representative Scully, Chairperson from the Committee on Commerce & Business Development, to which the following measure/s was/were referred, action taken on Tuesday, May 22, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to Senate Bill 846. Representative Fowler, Chairperson from the Committee on Counties & Townships, to which the following measure/s was/were referred, action taken on Tuesday, May 22, 2001, reported the same back with the following recommendation/s: recommends 'be adopted' a Motion to Concur with Senate Amendment #1 to House Bill 1972. Representative Morrow, Chairperson from the Committee on Appropriations-Public Safety, to which the following measure/s was/were referred, action taken on Tuesday, May 22, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendments 3, 4, 5 and 6 to House Bill 3505. Representative Hoffman, Chairperson

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

63rd Legislative Day

May 22, 2001

from the Committee on Transportation & Motor Vehicles, to which the following measure/s was/were referred, action taken on Tuesday, May 22, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #2 to Senate Bill 699 and a Motion to Concur with Senate Amendment #1 to House Bill 1478. Representative Feigenholtz, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on Tuesday, May 22, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #2 to Senate Bill 933. Representative O'Brien, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on Tuesday, May 22, 2001, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendments #1 and 2 to Senate Bill 20, a Motion to Concur with Senate Amendment #1 to House Bill 1812."

Speaker Madigan: "On page 3 of the Calendar, on the Order of Senate Bills-Third Reading, there appears Senate Bill 95. Mr. Mathias, do you wish to call the Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 95, a Bill for an Act in relation to plats. Third Reading of this Senate Bill."

Mathias: "Thank you, Mr. Speaker. Senate Bill 95 provides that a section of the Municipal Code concerning the recording of maps and plats does not apply to plats for consolidation or resubdivision of two or more contiguous parcels located in a territory outside the jurisdiction of municipality. Basically, we amended this to reduce the situations yesterday with Floor Amendment 1 and basically added that the purpose of it is only in order to make nonconforming

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

63rd Legislative Day

May 22, 2001

lots into a conforming... to make them conforming to the code. I ask you for your 'yes' vote on Senate Bill 95. Thank you."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. This is a Third Reading Roll Call. Please record yourselves. This is a Third Reading Roll Call. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Julie Curry, have Brunsvold and Novak voted? The Clerk shall take the record. On this question there are 114 people voting 'yes', 1 person voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Hultgren, did you wish to do House Resolution 368? Mr. Clerk, House Resolution 368, read the Resolution."

Clerk Bolin: "

HOUSE RESOLUTION 368

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

WHEREAS, The 7th grade Lady Bullpups Volleyball team from Kansas Unit #3 School has had an outstanding year; they were undefeated at home and in both the Little Eastern Illini Conference and the East Okaw Conference tournaments; and they finished the season with a 25-0 record; and

WHEREAS, The Lady Bullpups were Regional Champions, Sectional Champions, and State Champions; and

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

63rd Legislative Day

May 22, 2001

WHEREAS, The Kansas Unit #3 School's 7th grade State Tournament Volleyball team consists of Megan Bartlett, Hayley Cottie, Marlana Dyer, Jenni Ellington, Malissa Hess, Mandi Honnold, Tabitha Honnold, Chelsey Nichols, Taylor Robinson, Angela Sloat, Taylor Sloat, Whitney Washburn, and Shantha Wheeler; the other members of the squad include Cherisa Fluckey, Kelly Huston, Cassie Morgan, Heather Simons, and Misty Shoot; and

WHEREAS, The 7th grade Lady Bullpups Volleyball team is coached by Brenda Coffey; the assistant coach is Leslie Houia; the scorebook keeper is Kim Morrisey; and the managers are Jessica Rhoden, Korey Simpson, and Stephanie Honnold; therefore be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Kansas Unit #3 School's 7th grade Volleyball Team on their outstanding season and State championship; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Principal of the Kansas Unit #3 Schools and the 7th grade Girl's Volleyball coach."

Speaker Madigan: "Mr. Hultgren."

Hultgren: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Mr. Speaker, thank you for affording me the opportunity to have this Resolution read today. I have here on the floor with me today the superintendent for the Kansas Schools, Mr. Chris Long and the 7th Grade Girl's Volleyball coach, Brenda Coffey. They are the state champions for this year in 7th Grade Girls Volleyball. One thing that I do want to point out for all my downstate and upstate colleagues is what's really amazing about this is not just all the hard work and effort that goes into any state championship but the fact that the entire school district has 283 students in it and that the 7th Grade

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

63rd Legislative Day

May 22, 2001

Class has 22 students in it. And that in order to field a team the coach had to bring 5th and 6th grade students up to the 7th grade level in order to play on the team. And nevertheless, despite their youth they were able to achieve the state championship. So, with that I would ask the General Assembly to give a warm welcome to the Kansas Girls Volleyball team."

Speaker Madigan: "Representative Mendoza. Representative Mendoza, did you wish to call Senate Bill 373? The Lady indicates she does not wish to call the Bill. Representative Coulson. Beth Coulson, did you wish to call Senate Bill 396? The Lady indicates she does not wish to call the Bill. Mr. Mathias. Mr. Clerk, read Senate Bill 397."

Clerk Bolin: "Senate Bill 397, a Bill for an Act concerning firearms. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Mathias."

Mathias: "Thank you, Mr. Speaker. Senate Bill 397 has two parts to it. The first part of the Bill would require the State Police to do a background check on all FOID card holders at least every six months. And the second part of the Bill would require that the State Police notify local law enforcement if someone attempts to purchase a weapon, a firearm, and is disqualified from doing so. I urge your 'yes' vote on Senate Bill 397."

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

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

Speaker Madigan: "The Sponsor yields."

Black: "Representative, how many FOID card... how many people in

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

63rd Legislative Day

May 22, 2001

this state have a FOID card?"

Mathias: "I don't know if I have the exact number of how many there are."

Black: "Well, there would be thousands upon thousands."

Mathias: "Yes, there's a lot."

Black: "This is a good Bill, I intend to vote for it. I'm just curious as to the capability, staffing, monetarily and whatever, that the State Police would have to do a background check on FOID card owners every six months. It takes them nine to ten weeks to issue a FOID card. And I'm not interested in passing legislation that won't get done or can't get done. I like the Bill. I'm just curious as to whether the State Police has given you any indication as to their capability, either from a staffing standpoint, a data processing standpoint, or the sheer number of hours in a week that they can do a background check on all FOID card holders in Illinois every six months."

Mathias: "They have not contacted me to say... to give me any objection to the Bill. I don't believe in committee that they voiced any objection to the Bill at that time either."

Black: "In the analysis it says the State Police has taken no position on the Bill. And I don't know whether that means they're in favor, neutral or whether they intend to let the Bill pass and then come back in the Veto Session and say, oh, by the way, to implement the Bill we'll take 250 staff people, \$10 million worth of new data processing equipment and so forth and so on. So, the State Police hasn't even talked to you about this Bill, about staffing. I mean, there are just tens of thousands of people who hold a FOID card in Illinois and I can tell you from experience, you sometimes have to ask... Legislators are often asked to intervene to get a FOID card issued in any kind of

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

63rd Legislative Day

May 22, 2001

appropriate or timely fashion. I just want to make sure that what we do here isn't window dressing. It's a good Bill and it's a good idea, but I'd sure like some assurance from someone that it is actually workable. And can you give me any assurance? It makes me very nervous that the State Police have not been in contact with you."

Mathias: "They have not contacted me and I did not hear if they... at least I didn't hear if they contacted anyone when it went through the Senate."

Black: "Well, again, I think the Bill should pass. It will probably pass unanimously. I just want to go on record as saying that if we see a trailer Bill adding several staff and several dollars to the budget in order to do this and they did not come to us prior to the passage of this Bill, I for one will take a dim view of any supplemental appropriation or trailer Bill that would enable them to do this. If they think that's the case, they should have said so right up front and I wish they would have been in contact with you and the rest of us, for that matter. But it's a good Bill, if it works. And now it's up to the State Police to make it work. And I hope they think they can do that with the current resources they have."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 115 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Hartke in the Chair."

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

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

63rd Legislative Day

May 22, 2001

McCarthy: "Thank you, Mr. Speaker. I'd like a point of personal privilege, please."

Speaker Hartke: "State your point."

McCarthy: "Thank you again, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to recognize President Mike Slubnick and 13 members of the Homewood Rotary who are seated in the Speaker's gallery today. Later today we're going to do a Resolution honoring 'em for the fine charitable work they do in our communities. And I'd like the General Assembly to give them a warm welcome now. I also would like to say that this warm welcome comes on behalf of myself, Representative Scully and especially Representative Ryan. So, welcome to Springfield and we'll be looking forward to doing the Resolution later today."

Speaker Hartke: "Welcome to the General Assembly. Rules report."

Clerk Rossi: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on May 22, 2001, reported the same back with the following recommendation/s: 'to the Floor for consideration' House Bill 2698 to the Order of Second Reading. Concurrence is Motions to Concur on Senate Amendments 1 and 2 to House Bill 176, Senate Amendment #1 to House Bill 382, Senate Amendment #1 to House Bill 445, Senate Amendment #1 to House Bill 678, Senate Amendment #1 to House Bill 854, Senate Amendment #1 to House Bill 863, Senate Amendment #1 to House Bill 1000, Senate Amendment #1 to House Bill 1356, Senate Amendment #1 to House Bill 1695, Senate Amendment #1 to House Bill 1728, Senate Amendment #1 to House Bill 2259, Senate Amendment #1 to House Bill 2276, Senate Amendment #1 to House Bill 2290, Senate Amendment #1 to House Bill 2300, Senate Amendment #1 to House Bill 2315 and Senate Amendment #1 to House Bill

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

63rd Legislative Day

May 22, 2001

2807."

Speaker Hartke: "Senate Bill 406, Representative Wirsing. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 406, a Bill for an Act in relation to higher education student assistance. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker, Members of the House. Senate Bill 406 increases the monetary award program known as MAP, the maximum award from \$228 or a 4.8% increase, from 4,740 to 4,968, consistent with the FY02 budget recommendations of the Illinois Board of Higher Education. The ISAC initiative... Also, then there was an Amendment to that... to 406 which includes the increase of the ISAC's current, as I already indicated, the increase in the ISAC current stationary bond authorization from 2 billion to 3.5 billion allowing the program to continue purchasing student loans on the secondary market originating alternative student loans for students who cannot finance their education through federally subsidized student loans. These bonds are not general or a moral obligation of the state and are repaid through the moneys earned through collection of student loans, not state funding. Provides transfer authority from ISAC's Federal Student Loan Funds bringing the agency into compliance with the new federal statute and regulations. This... the underlying language in the Senate Bill 406 increases the maximum, as I said, the maximum monetary work program known as the MAP Grant Program. I would move for its passage and ask... would respond to any questions."

Speaker Hartke: "Shhh. Ladies and Gentlemen, we're on Third Readings. Could we tone it down just a little bit so the

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

63rd Legislative Day

May 22, 2001

speakers don't have to repeat themselves. Shhh, please.

The Chair recognizes Representative Erwin."

Erwin: "Thank you, Speaker. Just to rise in strong support of Senate Bill 406. Representative Wirsing did a great job explaining it. Just want to remind my colleagues on this side of the aisle that the Amendments that were adopted were all Bills that passed, I believe, unanimously out of here earlier. And I would urge a unanimous vote."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 406?' 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? Mr. Holbrook, would you care to vote? Mr. Hannig too? Mr. Clerk, take the record. On Senate Bill 406 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 504, Representative Beaubien. Representative Beaubien. Out of the record. Senate Bill 598, Representative Hassert. Out of the record. Senate Bill 698, Representative Feigenholtz. Representative Feigenholtz. Out of the record. Senate Bill 725, Representative Dart. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 725, a Bill for an Act concerning business organizations. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Dart."

Dart: "Thank you, Mr. Speaker and Members of the House. This Bill is a product of the Secretary of State's Business Advisory Group. And what it is, is in an effort that... Its genesis was to try to streamline the operations of the

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

63rd Legislative Day

May 22, 2001

office and to get rid of some of the provisions that no longer are used and are obsolete. It's an effort to try to facilitate the Secretary of State's Office and the business community. And I know of no opposition and I'd appreciate a favorable vote."

Speaker Hartke: "Is there any discussion on Senate Bill 725? The Chair recognizes Representative Scully."

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

Speaker Hartke: "The Sponsor will yield."

Scully: "Representative, are there any fees attached with this Bill?"

Dart: "No."

Scully: "There's no increase in the fees?"

Dart: "No."

Scully: "Okay, thank you, Representative. Sounds like an excellent piece of legislation."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 725?' 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 725 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 789, Representative Dart. Out of the record. Senate Bill 861, Representative Mulligan. Rosemary Mulligan. Out of the record. Senate Bill 862, Representative Meyer. Out of the record. Senate Bill 887, Representative Ryder. Tom Ryder. Out of the record. Senate Bill 899, Representative Crotty. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 899, a Bill for an Act concerning

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

63rd Legislative Day

May 22, 2001

schools. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Crotty."

Crotty: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 899 allows for the transfer of funds from Tort Immunity Fund and the Transportation Fund if the school district has a population under 50 thousand. They've also sold anticipation warrants during the last five years before the effective date of this Bill, and has a tax base more than 75% being that of residential property taxes. It also has an Amendment that was introduced by Representative Bassi and that Amendment is actually House Bill 977, that also passed this House 117 to 0, which also allows that interfund transferred be subject to the property tax extension limitation law. And it removes the language that the amount transferred must not exceed 20% of the tax actually received in the fund for the previous year provided that the transfer is for a one-time purpose only. If there's any questions, I'd be happy to entertain those."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition the question is, 'Shall the House pass Senate Bill 899?' 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 899, there are 96 Members voting 'yes', 18 Members voting 'no', and 1 Member voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 930, Representative Hoffman. Out of the record. Senate Bill 980, Representative Stroger. Out of the record. Senate Bill 1011, Representative Cross. Out of the record. Senate Bill 1276, Representative Coulson. Beth

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

63rd Legislative Day

May 22, 2001

Coulson. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1276, a Bill for an Act in relation to pharmaceutical assistance. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. Senate Bill 1276 creates a 20 member Pharmaceutical Assistance Program Review Committee to make recommendations on how to improve the Circuit Breaker Program and the cost associated with those changes. I would appreciate 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 1276?' 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 1276 there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1304, Representative Mulligan. Rosemary Mulligan. Out of the record. Senate Bill 1522, Representative Mathias. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1522, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Mathias."

Mathias: "Thank you, Mr. Speaker. Senate Bill 1522 creates the Small Business Advisory Act. It requires that state agencies post in plain language explanation of their laws, legislation and rules affecting small businesses on a small business advisory website. I ask for your support and your 'aye' vote on Senate Bill 1522."

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

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

63rd Legislative Day

May 22, 2001

the Gentleman from Vermilion, Representative Black. This Bill's on Short Debate."

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, whose responsibility will it to put this in plain language? Will it..."

Mathias: "It'll be..."

Black: "Go ahead."

Mathias: "It will be the responsibility of each agency whose... or the, hopefully, the attorneys for each agencies..."

Black: "Oh, my God."

Mathias: "... to make that determination."

Black: "Well, that's what scares me. You're asking the agency that takes four pages to tell somebody how to say, good morning, Department of Professional Regulation, to write plain language? What guarantee do we have? What oversight do we have?"

Mathias: "Well, DCCA is going to be also looking at this to make sure that it's done properly. All of these... while this... the Bill... the individual sites will all be linked to the DCCA site."

Black: "If the small business person doesn't agree that the language explaining the various ten thousand rules and regulations are in plain language, who will be their contact person? Will it be a designee in the agency or will it be their Legislator?"

Mathias: "Hopefully, it'll be the agency."

Black: "I would hope so too, but I have a hunch, it'll be the Legislator. I mean, you know, we're asking agencies who, quite frankly, sometimes don't even understand their own rules and regulations and can give us conflicting opinions

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

63rd Legislative Day

May 22, 2001

to write something for small business that's supposed to be in plain language. I intend to vote for your Bill. I hope it works. But, holy mackerel, this is asking like... you know, this is asking like that guy Dahmer to become a vegetarian. I'm not sure you can trust the answer. But whatever the case may be, I hope you're successful. But I have a hunch we're gonna revisit this issue."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1522?' All 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 1522 there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1304, Representative Mulligan. Would you like to call that Bill? Out of the record. On page 5 of the Calendar, on Second Reading appears Senate Bill 10. Out of the record. Senate Bill 20, Representative Coulson. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 20 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Coulson, has been approved for consideration."

Speaker Hartke: "Representative Coulson on Amendment #1."

Coulson: "Floor Amendment #1 is a technical Amendment. It just clarifies the language of the underlying Bill and I'd appreciate your support. I al..."

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 20?' All in favor

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

63rd Legislative Day

May 22, 2001

signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. Floor Amendment #2 is a change for House Bill 2063. It doesn't change the intent of the law, it clarifies and adds to the Bill. And I'd appreciate your support."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition... Representative Mitchell. Later? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to Senate Bill 20?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Representative Mitchell. He declines recognition. Senate Bill 71, Representative Daniels. Representative Daniels. Out of the record. Senate Bill 103, Representative Bost. Mike Bost. Out of the record. On page 6 of the Calendar appears Senate Bill 113, Representative Moore. Andrea Moore. Out of the record. Senate Bill 117, Representative Hamos. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 117 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hamos, has been approved for consideration."

Speaker Hartke: "Representative Hamos on Amendment #1."

Hamos: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is

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

63rd Legislative Day

May 22, 2001

actually somewhat of a technical Amendment. The underlying Bill has to do with situations in which maintenance, what we used to call alimony, is terminated or modified or reviewed. And what the underlying Bill does is it sets out a series of factors that courts have to look at when they are changing modification agreement... I mean, maintenance agreements. The Amendment itself only adds to that the existing standard which is that there must be a substantial change in circumstances. There's no opposition to this and I ask for your support."

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

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "We're not on a Bill. The Amendment can't be on..."

Speaker Hartke: "Amendment."

Black: "... Short Debate, can it?"

Speaker Hartke: "The Bill's on Short Debate. The Amendment, you can talk about if you'd like."

Black: "The Amendment is open to unlimited debate, correct?"

Speaker Hartke: "Proceed."

Black: "Thank you, I need about 30 minutes. Is that all right?"

Speaker Hartke: "Thirty minutes."

Black: "Okay."

Speaker Hartke: "I'll time you at five and then we'll go from there."

Black: "All right, then I'll ask other people to give me their time."

Speaker Hartke: "Okay."

Black: "Thank you."

Speaker Hartke: "We'll do that later."

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

63rd Legislative Day

May 22, 2001

Black: "You're very accommodating. Thank you, Mr. Speaker."

Speaker Hartke: "Would everyone please give their attention to Representative Black who wants the floor for 30 minutes."

Black: "Thank you. Mr. Speaker, you took so long to recognize me I can't remember the question. Let me think."

Speaker Hartke: "I'll start the timer over again."

Black: "Oh, yes. Thank you. Representative, how technical is this technical Amendment?"

Hamos: "It's technical."

Black: "That's what I was afraid of. Is it so technical that the Illinois State Bar Association has not made a recommendation pro, con or neutral on the Amendment?"

Hamos: "No, I actually worked on this Amendment with the Illinois State Bar Association. And I believe they do support it."

Black: "Okay. Now, in the case of alimony, what constitutes, in this Amendment a... How do you word it?"

Hamos: "Substantial change in circumstances."

Black: "A substantial change. What would that mean? You've decided to sell your condo in Lake Geneva and buy one in Geneva, Switzerland? Is that a special..."

Hamos: "Representative Black, I don't practice this kind of law. And I've never, in fact, in my entire life, represented someone with a maintenance agreement. I believe though, that that's standard, substantial change in circumstances, applying both to child support and maintenance changes. Changes after the original document is a matter of fact that courts, in fact, make decisions about. And there's probably some well-established law over the years, but I believe that it's also a fact pattern that applies in each and every case. And it applies both the changes in child support orders and also in maintenance orders. All this Amendment does is to move that standard to the correct

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

63rd Legislative Day

May 22, 2001

corresponding subsection that is the subject of the underlying Bill."

Black: "All right. But the only thing that gives me pause is if someone were to go to court and say, the child, the product of our marriage and in this case, the woman has custody, been doing very well in a private school in Chicago. Suddenly, your ex-spouse goes to court and says, I really think the child would do much better in a private school in Paris, France. And that costs a great deal more money and I would then need an apartment so that I could visit our daughter at least three or four times a year. So, I not only would need the tuition but the maintenance on the apartment and four first-class tickets to Paris a year. I mean, is that a special circumstance that would let somebody go back into court to change the alimony?"

Hamos: "You know, again, Representative Black, we're not playing judge here. I'm sure that there are some enterprising custodial, non-custodial parents and their lawyers who go to court every day of the week and make fact patterns exactly like yours and try to prove whatever they're trying to do and we have to depend on the court to apply both existing law and the court's own judgement. Again, this Amendment doesn't change that standard one bit. This has been part of the current law and it will continue to be part of the current law and all we're doing is moving it to the right section to make sure it says that. I don't know the answer, I don't know the answer to your question."

Black: "I think..."

Hamos: "I'd like to think not..."

Black: "I think..."

Hamos: "... but I can't say what a judge would do."

Black: "Well, I think your answer was very diplomatic. I commend

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

63rd Legislative Day

May 22, 2001

you on that."

Hamos: "Plus, I'm married to a judge, so I have to be a little bit differential."

Black: "Are you in conflict of interest..."

Hamos: "A little bit."

Black: "... in carrying this Bill? Now, I... You can assure me then that nothing changes the current legal procedure to protect both partys' rights. This Amendment does not give one party an advantage over the other to seek a modification of the maintenance."

Hamos: "This Amendment makes no change whatsoever in the current law. When we get to the underlying Bill, on Third Reading, then I would like to have an opportunity to go through the new factors that we are asking judges to consider before they will make a change."

Black: "Okay."

Hamos: "But this is the threshold to get into court."

Black: "All right."

Hamos: "And it makes no change in the current law."

Black: "Okay. Thank you very much."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Stephens. You have five minutes to oppose the Amendment."

Stephens: "I want to yield my time to Representative Cross."

Speaker Hartke: "Representative Cross."

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

Speaker Hartke: "Sponsor will yield."

Cross: "Representative, perhaps you addressed these questions with Representative Black's questions. I thought you, when you initially started out, said this was just a technical change?"

Hamos: "Yes."

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

63rd Legislative Day

May 22, 2001

Cross: "You're not suggesting the underlying Bill is technical only are you?"

Hamos: "No, the Amendment."

Cross: "Okay. Have you talked to either of the Bar Associations about this Amendment?"

Hamos: "Yes, I worked on this Amendment with the Illinois State Bar Association and they are supporting it. I worked with their family law section to accomplish this."

Cross: "I've just never heard of the Bar Association being able to... You're talking about the Amendment or the underlying Bill?"

Hamos: "Well, the underlying Bill itself is the Illinois State Bar Association's Bill, but the Amendment was something I asked them to consider. They did and they approved it."

Cross: "Where's the Chicago Bar Association's family law section?"

Hamos: "I haven't talked with them about this. This was the State Bar's initiative. But I'm pretty sure, Representative Cross, if I'm remembering correctly, they brought together Women's Bar and I believe the other Bar Association's also, although I'm not sure. But the Women's Bar representatives I know were also at the table when the underlying Bill was developed."

Cross: "All right. As I read your Amendment, the issue of modification or termination only applies now to maintenance issues and not legal separations or a declaration of the validity of a marriage. Is that right? You're limiting these criteria to just maintenance changes?"

Hamos: "That's not the goal of this. The goal of this is to take... of the Amendment..."

Cross: "I know. I'm talking about..."

Hamos: "... is, yes."

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

63rd Legislative Day

May 22, 2001

Cross: " ... just the Amendment."

Hamos: "Section 510 of the Marriage and Dissolution of Marriage Act has to do with modification and termination of maintenance support, educational expenses and property disposition."

Cross: "All right."

Hamos: "Under this Amendment, the way we've crafted it, subsection (a) would have to do with modifications in child support. Subsection (b), the new section, would have to do with modification for maintenance. And I just wanted to make sure that these substantial change in circumstances standard was pulled out of subsection (a), which is now left just to child support, and moved over to subsection (b) which will now apply to maintenance."

Cross: "All right. Well, and maybe we... I guess we can... I understand. And I just wanted to clear that up. We are... I guess we can have a discussion about the merits of the actual underlying Bill which does not appear to be technical at all at that time. Thank you, Representative."

Speaker Hartke: "Further discussion? Representative O'Brien, are you in support of the Bill?"

O'Brien: "I don't know. Got a question."

Speaker Hartke: "Two people have spoke in opposition to the Bill. And our rules under House Rule 52, under (a), subsection 5, call for two people for five minutes..."

O'Brien: "If it allows me to speak, then I'm in favor of it at this point in time."

Speaker Hartke: "Okay."

O'Brien: "Thank you, Mr. Speaker."

Speaker Hartke: "Representative O'Brien. You have five minutes."

O'Brien: "Will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

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

63rd Legislative Day

May 22, 2001

O'Brien: "Representative Hamos, I have a question. And most... Whether it's a marital settlement agreement or a judgement, if you are awarded rehabilitative maintenance a lot of times that's reviewable on a date certain. It'll say right in the marital settlement agreement, so and so's gonna get \$100 a week in rehabilitative maintenance, first reviewable on May 22, 2001. If we add this language, 'substantial change in circumstances', what does it do to those provisions?"

Hamos: "Thank you, Representative O'Brien, that's an excellent question. Let me reassure you that we haven't changed that at all. What the lead-in line will say to this subsection is, 'an order for maintenance may be modified or terminated only upon a showing of substantial change in circumstances in all such proceeding', in other words, modification and termination, as well as in proceedings in which maintenance is being reviewed, the factors apply. So, we have not added substantial change in circumstances to the review portion, just to modification and termination to which it does not change the current law at all."

O'Brien: "Well, I'm not so certain of that because when you're seeking a review of rehabilitative maintenance if the party that is receiving that maintenance has done nothing, then the other party says, listen they've done nothing to better themselves, why should I continue to pay this money? So, are you saying that they would now have to show a substantial change in circumstances... "

Hamos: "No."

O'Brien: "I'm not sure. And then perhaps it's something... an answer we can find out between now and the time you call it on Third Reading. But that's my concern."

Hamos: "Yeah. And I want to again reassure you that we have not

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

63rd Legislative Day

May 22, 2001

changed the current law at all. We are just moving a sentence from one Section to the other. The underlying Bill makes some changes and we'll discuss that on Third Reading."

O'Brien: "Okay. Thank you."

Speaker Hartke: "Representative Hamos to close."

Hamos: "Thank you. I ask for your favorable support. This really does not change the current law at all. On Third Reading, we'll talk about some of the specifics of the underlying Bill. Thank you."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #1 to Senate Bill 117?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Capparelli: "Yeah. Thank you, Mr. Speaker. Behind us here, Chuck Vaughn has desserts for everybody."

Speaker Hartke: "Thank you very much for that announcement. On Second Reading, on page six of the Calendar appears Senate Bill 163. Representative Moore, Andrea Moore. Out of the record. Senate Bill 267, Representative Mitchell, Jerry Mitchell. Out of the record. The Chair recognizes Representative McCarthy. For what reason do you seek recognition?"

McCarthy: "Thank you, Mr. Speaker. I have a point of personal privilege please."

Speaker Hartke: "State your point."

McCarthy: "I appreciate your efforts this afternoon. Could we

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

63rd Legislative Day

May 22, 2001

please get a shush?"

Speaker Hartke: "Shhh, please."

McCarthy: "Shhh. Thank you. I'd like to, on behalf of all of my Democratic colleagues over here. We have a birthday celebrant celebrating the ripe old age of 49 years old. So, I'd like to recognize Tom Dart and invite everyone down for some birthday cake on behalf of Tom. And he's always been an inspiration to me. I look up to our older Members. And happy birthday, Tom."

Speaker Hartke: "Congratulations, Senior Dart. On page 7 of the Calendar appears Senate Bill 284, Representative Boland. Mr. Boland? Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 284 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 400, Representative Mitchell. Out of the record. Senate Bill 461, Representative Feigenholtz. Sara Feigenholtz. Out of the record. Senate Bill 489, our senior Member, Representative Dart. Out of the record. Senate Bill 493, Representative Reitz. Mr. Clerk... No, out of the record. Senate Bill 518, Representative Hamos. Out of the record. Senate Bill 699, Representative Hoffman. Jay Hoffman. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 699 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, 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 #2 is an agreed to Amendment that

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

63rd Legislative Day

May 22, 2001

addresses the issue that... the issue of the timeliness of the removal of utilities and other items from state right-of-ways as well as county right-of-ways in order to build roads. As you know, we have Illinois FIRST that's going forward. We need to make sure that the right-of-ways are cleared so we can go forward with the building of the roads. What has happened with Amendment #2 is it's agreed to by all the parties involved... the... IDOT as well as utility companies. And I would ask for its adoption."

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

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, I apologize, I got into committee late. I got a phone call a week ago, two weeks ago, I can't remember. And I should have talked to you before, I apologize, it slipped my mind. In rural areas, highway construction often will take out what we refer to as a tin whistle, a drain tile that a farmer has where he gets off the hard road and goes into the field. Sometimes IDOT will take those out and put them in the ditch and expect the farmer to remove it. On occasion, the farmer will say, I didn't take it out, why should I pay to have it removed? In a more rare case, the farmer may change out the drain tile and it may take a while to remove it from the ditch. What I want to make certain of, is in the case of a dispute between IDOT, a contractor and a private landowner, where the private landowner's drain tile was removed because of construction, does the private landowner get this same period of time and face this kind of a fine or will it be arbitrated with IDOT?"

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

63rd Legislative Day

May 22, 2001

Hoffman: "It's only when IDOT or the local county highway department owns the right-of-way."

Black: "All right. Now, in the case where they have purchased right-of-way and the farmer... now his drive is back further and he's not happy about it, so he leaves the old drain tile which is usually a corrugated steel. He's mad at IDOT, so he leaves it sit. It would then be sitting in the new right-of-way. Is that farmer going to be responsible for the removal or would it be IDOT and/or the contractor?"

Hoffman: "I don't believe that this legislation would change the current law with regard to that situation."

Black: "Okay."

Hoffman: "It's not intended to, and I apologize to you 'cause I don't know what the current law would be."

Black: "Okay. All I know is, in the two or three disputes that I've been involved in, IDOT has always arbitrated and mediated with the farmer or the landowner and generally, a consensus is reached. I just want to make sure we're not giving IDOT some authority to show up at my constituent and say, you haven't gotten rid of that drain tile, you're now liable for a \$500 a day fine because I don't think that's the intent of the law, whatsoever."

Hoffman: "That's correct."

Black: "Okay. Fine. Thank you."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to Senate Bill 699?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

63rd Legislative Day

May 22, 2001

Speaker Hartke: "Third Reading. Rules report?"

Clerk Rossi: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on May 22, 2001, reported the same back with the following recommendation/s: 'to the floor for consideration' a Motion to Table Committee Amendment #1 to Senate Bill 1039."

Speaker Hartke: "On page 9 of the Calendar appears Senate Bill 754, Representative Granberg. Out of the record. Senate Bill 795, Representative Madigan... Hoffman. Out of the record. Senate Bill 796, Representative Hoffman. Out of the record. Senate Bill 846, Representative O'Connor. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 846 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative O'Connor, has been approved for consideration."

Speaker Hartke: "Representative O'Connor on Amendment #1."

O'Connor: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The underlying Bill, Senate Bill 846, would change the time when economic strategies must be filed by DCCA. Amendment #1 would add beautification projects to the list of duties and responsibilities of the Keep Illinois Beautiful Advisory Board which is another planning arm of DCCA. Amendment #1 would simply add beautification projects to be considered for funding by the Solid Waste Management Fund in addition to the current recycling considerations. Be happy to explain... answer any questions."

Speaker Hartke: "Is there any discussion on Amendment #1? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to Senate Bill 846?' All

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

63rd Legislative Day

May 22, 2001

those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Senate Bill 885, Representative Krause. Out of the record. On page 10 of the Calendar, on Second Reading appears Senate Bill 888, Representative Hassert. Mr. Hassert? Out of the record. Senate Bill 915, Representative Slone. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 915 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Slone, has been approved for consideration."

Speaker Hartke: "Representative Slone."

Slone: "I move to withdraw Floor Amendment #1."

Speaker Hartke: "Withdraw Amendment #1. Further Amendments?"

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

Speaker Hartke: "Representative Slone."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 deals with a couple of problems that the Bill had. One of them was a point that was brought out in committee that the Bill involved the possibility of environmental hazards and this dealt with a question as to whether you could know all the environmental hazards and since we can't, it adds a word about known environmental hazards. The other portion of the Amendment would narrow the applicability of the Bill to a particular situation in Peoria County. And I would appreciate your support for the Amendment."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing that no one is seeking recognition, the question is,

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

63rd Legislative Day

May 22, 2001

'Shall the House pass... adopt Floor Amendment #2 to Senate Bill 915?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Senate Bill 926, Representative Erwin. Out of the record. Senate Bill 933, Representative Smith. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 933 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Smith, has been approved for consideration."

Speaker Hartke: "Representative Smith."

Smith: "Yes, Mr. Speaker, I have an inquiry. Could you tell me the status of Amendment #1?"

Speaker Hartke: "Mr. Clerk."

Clerk Rossi: "Amendment #1 has been adopted and is on the Bill."

Smith: "Mr. Speaker, I'd like to table that Amendment. Do I need to do that in writing?"

Speaker Hartke: "Clerk, take that Bill out of the record. Senate Bill 945, Representative Madigan-Boland. Out of the record. Senate Bill 933. Mr. Clerk, read the Bill."

Clerk Rossi: "933 has been read a second time, previously. Floor Amendment #2, offered by Representative Smith, has been approved for consideration."

Speaker Hartke: "Representative Smith."

Smith: "Thank you, Mr. Speaker. I apologize for the confusion. Amendment #2 was approved for consideration this morning in the Human Services Committee. It replaces everything that was in the underlying Bill and in Amendment #1. However, really the only difference is in this Amendment and the Bill as it stood before this were to alleviate some of the

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

63rd Legislative Day

May 22, 2001

concerns of the trial lawyers and also Cook County Hospital. I know of no opposition to this Amendment or to the Bill."

Speaker Hartke: "Any discussion on Floor Amendment #2? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment#2 to Senate Bill 933?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Senate Bill 989, Representative Schoenberg. Representative Schoenberg. Out of the record. Senate Bill 1033, Representative Curry. Representative Curry, Julie Curry? Out of the record. Senate Bill 1039. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1039 has been read a second time, previously. A Motion to Table Committee Amendment #1 has been filed and approved by the Rules Committee for consideration."

Speaker Hartke: "Representative Curry."

Curry: "Thank you, Mr. Speaker. I would ask the Body to concur with the Motion to Table House Amendment #1 to Senate Bill 1039."

Speaker Hartke: "You heard the Lady's Motion. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Motion is adopted."

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

Speaker Hartke: "Representative Curry."

Curry: "Thank you, Mr. Speaker. I would make a Motion to Withdraw Floor Amendment #2 to Senate Bill 1039."

Speaker Hartke: "You heard the Lady's Motion. All those in favor

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

63rd Legislative Day

May 22, 2001

signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Motion is withdrawn. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Senate Bill 1069. Out of the record. Senate Bill 1089, Representative Saviano. Mr. Clerk, read the Bill. Mr. Saviano, you have some Amendments in Rules yet? Okay. Out of the record. Senate Bill 1175, Representative Klingler. Gwenn Klingler? Out of the record. Senate Bill 1176, Representative Moore. Andrea Moore. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1176 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Andrea Moore, has been approved for consideration."

Speaker Hartke: "Representative Moore."

Moore: "Excuse me. Floor Amendment #2 just makes a technical change. This is a Department of Revenue Bill and it amends the Department of Revenue Law of Civil Administrative Code. It makes three changes to the existing law: first, it amends numerous tax laws listed to mandate that a significant portion of the required transfers of money from commercial and industrial tax payments to the state move from a medium of paper checks to the electronic transfer of funds; and then second, it also amends the Counties Code and, excuse me, with the state's attorneys being in for the first time a share of any proceeds raised from these collection efforts; third, it amends the Counties Code to cut the price IDOR has to pay each county to file the liens and lien the releases. I'd be happy to answer any questions."

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

63rd Legislative Day

May 22, 2001

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to Senate Bill 1176?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Andrea Moore, has been approved for consideration."

Speaker Hartke: "Representative Moore. Ladies and Gentlemen, please give the speaker your attention please. Shhh. Representative Moore."

Moore: "Thank you, Mr. Speaker. As you can tell I have a very bad cold..."

Speaker Hartke: "Yes."

Moore: "... I'm losing my voice. Actually, Floor Amendment #2 took out the Motor Fuel Tax Law and the Environmental Impact Fee Law from this tax. Floor Amendment #3 took out one word... inserted one word, 'any'... after 'any' inserts 'individual'. So, it's also a technical change. I'd be happy to answer any questions."

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 1176?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Representative Moore, would you like to rest your voice a little bit? You have the next Bill, Senate Bill 1177."

Moore: "No. Actually, I would kinda like to do that. There's no Amendment. We can move it."

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

63rd Legislative Day

May 22, 2001

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

Clerk Rossi: "Senate Bill 1177 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. No further Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Senate Bill 1175, Representative Klingler. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1175 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Senate Bill 1259, Representative Burke. Madigan-Burke. Take that Bill out of the record. Senate Bill 1283, Representative May. Representative May? Out of the record. Senate Bill 1284, Representative Wait. Representative Ron Wait. Out of the record. Senate Bill 1285, out of the record. Senate Bill 1493, Daniels-Moore. Out of the record. Senate Bill 1504, Representative Bellock. Patty Bellock. Out of the record. Representative Wait, did you want to call 1284? Okay, thank you. Senate Bill 1493, Representative Moore. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1493, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hartke: "Third Reading. On page 7 on the Calendar appears Senate Bill 281, Representative Beaubien. Representative Beaubien? Clerk, read the Bill."

Clerk Bolin: "Senate Bill 281, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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

63rd Legislative Day

May 22, 2001

Speaker Hartke: "Third Reading. Senate Bill 758, Mr. Hannig. Mr. Clerk, read the Bill. 758, Representative Hannig. It's on the Supplemental Calendar #1."

Clerk Bolin: "Senate Bill 758, a Bill for an Act regarding appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Hold that Bill on Second Reading. On Supplemental Calendar #1 appears Senate Bill 1486, Mr. Hannig. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1486, a Bill for an Act regarding appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Hold that Bill on Second Reading. Senate Bill 281, Representative Beaubien. Mr. Clerk, read the Bill. Mr. Beaubien."

Clerk Bolin: "Senate Bill 281, a Bill for an Act concerning wages. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Beaubien, would you like to pass Senate Bill 281?"

Beaubien: "Yes. Mr. Speaker, Ladies and Gentlemen of the House. This is a Senate Bill that does a very simple Act. It creates a five year statute of limitations on actions taken by the Department of Labor under the minimum wage law. Currently, there's no statute of limitations at all and under our system of justice and civil and criminal law there are generally statute of limitations and this puts a five year limit in. The Senate Sponsor wanted three years but by agreement with Labor they moved it up to five years. So, there's no objection to the Bill."

Speaker Hartke: "Is there any discussion on Senate Bill 281?"

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

63rd Legislative Day

May 22, 2001

Seeing no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 281?' This is Third Reading passage. 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 281, there are 114 Members voting 'yes', 1 person voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Curry in the Chamber? Senate Bill 1039. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1039, a Bill for an Act concerning state finances. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Curry."

Curry: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1039 does specifically three things. The Bill amends the State Finance Act and the Procurement Code to require contracts to include a certification that the contractor doesn't owe debt to the state. And contractors owing debt to the state must pay it off first before they can receive a contract with the state. Second, it permits the state purchasing officers within state agencies to have access to the offset listing at the Comptroller's Office to check if another agency submitted a debt claim on a contractor. And third, it permits the state agency to void a contract with a contractor if it is determined to be in the best interest of the state, for falsifying the contract certification. And four, legislative intent. Mr. Speaker, I would like to read the following statement into the record because over the course of the last six weeks or so we have attempted to negotiate some of this language with Central Management Services and the Attorney General's Office. And some of

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

63rd Legislative Day

May 22, 2001

the issues that they have we believe that we can clear up through rule-making process and through legislative intent. So, for legislative intent, it is our intent that the term 'delinquent in payment for any debt' include, but not limited to, 'debt over a thousand dollars and 90 days old', same as the Comptroller's Offset System. These elements and others shall be better defined under rule by the Debt Collection Board. Delinquent in the payment of any debt does not include debt that is being contested in an administrative judicial forum and where a final judgement has not been rendered. Further, it is our intent that the Debt Collection Board use its rule-making authority solely for the purpose of defining delinquency. The Chief Procurement Officers would, under their own authority, set standards or establish factors to be used by state agencies when deciding whether it was in the best interest of the state to void a contract under this Act. This, in my opinion, is a piece of legislation that's long overdue here in the State of Illinois. And it's an initiative of our State Comptroller, Dan Hynes, who has taken the steps forward to try to collect millions of dollars of uncollected debt in this state, people who owe us money. And certainly, we don't want to do business with contractors or businesses who already owe the state, in some cases, thousands and millions of dollars. I'd be happy 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: "The Sponsor will yield."

Black: "Representative, in your clarification and statement of

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

63rd Legislative Day

May 22, 2001

legislative intent, and I have a copy of that as well. Is it your intent to do this by establishing legislative intent, or by administrative rule, or by an Amendment to this Act next year?"

Curry: "Representative Black, I wanted to read this into the record today to clarify what our intentions are. Certainly, through this process if we cannot promulgate rules to take care of the concerns of CMS or the Attorney General's Office, there is enough time between the time this legislation would actually go into effect, which is not til July of next year, that we could actually introduce cleanup language over the course of the next legislative Session to take care of any agency's concern. I want you to know that we have done everything that we possibly could do to work with CMS and the Attorney General's Office to work out these issues, but as you know, as the last few days of a legislative Session passes we lose more and more time. So, we wanted to get this legislation out of this Body and to the Governor's Office to get him to sign it. And if there is work that we need to continue to do, we will do it."

Black: "In fact, Representative, I don't... let me clarify. Central Management Services was very complimentary to you in your willingness to work with them. You were not opposed to the Amendment. It's our understanding that there simply isn't time to add the Amendment, get it over to the Senate for action. So..."

Curry: "That would be correct."

Black: "So, in your statement of intent, if we do run into difficulty with the rule-making authority, and this Bill does not go into effect until July 1 of 2002, then any problems that agencies have that can't be addressed by rule

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

63rd Legislative Day

May 22, 2001

making, you are certainly willing to do whatever Amendment is necessary to assist those in the implementation of your Bill, correct?"

Curry: "You have my word."

Black: "Thank you very much."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1039?' 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 1039, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Regular Calendar appears House Bill, under concurrence, appears House Bill 1972. Representative Lawfer. Mr. Lawfer."

Lawfer: "Thank you, Mr. Chairman. I move to concur with Senate Amendment #1 to House Bill 1972."

Speaker Hartke: "Would you explain what the Senate added."

Lawfer: "The Senate amended this for... this pertains to the library districts nominating petitions. The Senate said that... added that the nominating petitions would either contain 2% of the voters that voted in the last election or 50, whichever is less. And I think it's a good Amendment. And I do concur on that and support that."

Speaker Hartke: "The Chair recognizes Representative Black on the Concurrence Motion."

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, in fact, Senate Amendment #1 becomes the Bill, isn't that correct? It stripped all the provisions

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

63rd Legislative Day

May 22, 2001

of the House Bill, right?"

Lawfer: "Well, there was only one change made in the House and that was that the number of names on a petition would be changed from 50 to 20."

Black: "According to our analysis, what the Senate did was to put a percentage as well as a number."

Lawfer: "That's correct."

Black: "Whichever is lower, right?"

Lawfer: "That's correct."

Black: "Okay. Fine. Thank you."

Lawfer: "And I might add that that probably is very much similar to park districts now."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1972?' All in favor signify by saying 'aye' or voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 1972, the House does concur with Senate Amendment #1. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Novak, for what reason do you seek recognition?"

Novak: "Yes. A point of inquiry, Mr. Speaker. I just noticed that we voted on a Concurrence Motion on a House Bill, I believe. What is our scheme of things up there on the podium? Are we going through all the Senate Bills on Second and Third Reading and gonna do concurrences later or are we just jumping around all over the place? 'Cause if we're..."

Speaker Hartke: "Well, we're doing odds and ends right now."

Novak: "Well, 'cause if we're doing that, I'd like to have a

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

63rd Legislative Day

May 22, 2001

concurrency on one of my Bills that's been on the Calendar for a while. So, could you give us a little... What's the logical progression that we're doing here?"

Speaker Hartke: "Patience, patience, Mr. Novak."

Novak: "Patience?"

Speaker Hartke: "Good things come to those who wait."

Novak: "I've been patient since 1987, Mr. Hartke. But are we just gonna jump all over the place and do concurrences and Third Readings or what are we doing? If that's the case, I'd just like to have one of my Bills concurred in."

Speaker Hartke: "We are working on concurrences that were approved this morning in committees and then we'll get to the Calendar. Is that okay?"

Novak: "Yeah. I notice there was one or two concurrences in committees this morning and there must be three or four pages on the Calendar. Why don't we do 'em all at once?"

Speaker Hartke: "We'll get to them in due time. On the Order of Concurrence is House Bill 1478, Representative Mitchell. Jerry Mitchell. Mr. Mitchell in the chamber? Mr. Clerk, read the Bill. Mr. Mitchell, on your Concurrence Motion."

Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I am here to concur with House Bill 1478. This Bill puts language from Senate Bill 400 at the recommendation of Representative Black for the Dixon Railroad Authority and also for the 25th Avenue Railroad Relocation Development Authority adds to it Maywood and the Board from Maywood. That's all that's in this Bill. Senate Bill 400 will come back to you. I believe Representative McCarthy will then be the Sponsor once that Bill is amended. We have divided the question on the railroad authorities and the Southwest Suburban Railroad Authority will be on Senate Bill 400 at a later date.

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

63rd Legislative Day

May 22, 2001

Thank you."

Speaker Hartke: "Is there any discussion on the Concurrence Motion? The Chair recognizes Representative Hoffman."

Hoffman: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Hoffman: "Representative, with regard... it's my understanding that this Amendment becomes the Bill, is that right?"

Mitchell, J.: "That's correct."

Hoffman: "And this has to do with the Dixon Railroad Relocation Authority, is that right?"

Mitchell, J.: "That's correct. Basically Jay, we've got it... one railroad spur that has to be moved out of town and out into the county area."

Hoffman: "And I understand that there was... I remember when the House Bill went through the House..."

Mitchell, J.: "That was Senate..."

Hoffman: "... over to the Senate there was some concern raised by some individuals regarding an issue that is no longer in the Bill, is that correct?"

Mitchell, J.: "That's correct."

Hoffman: "And so..."

Mitchell, J.: "That was... That will be in Senate Bill 400 and that will be a separate issue. My recommendation, as you remember from Representative Black, was divide the question and that's what I did."

Hoffman: "It's my understanding... what's left in this Bill... Your understanding is everybody's in agreement with..."

Mitchell, J.: "Yes."

Hoffman: "... and in favor of and I stand in support of it."

Mitchell, J.: "Thank you."

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

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

63rd Legislative Day

May 22, 2001

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, in the form that the Bill is in now it's very similar to a Bill we passed years ago, I believe, for the City of Springfield who have been working on railroad track relocation now for several years. It's no more, nor less than what we have done for certain other cities, correct?"

Mitchell, J.: "That's correct."

Black: "It's good enough for Springfield, it's good enough for Dixon. Thank you."

Mitchell: "Thank you, Representative."

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

Mitchell, J.: "Thank you, Mr. Speaker. I just request an 'aye' vote, or an 'aye' on the Concurrence Motion."

Speaker Hartke: "The question is, 'Shall the House concur on Senate Amendment #1 to House Bill 1478?' 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... Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1478. And this Bill, having received the Constitutional Majority, is hereby declared passed. Concurrence Motions appears House Bill 176, Representative Hoffman. Mr. Hoffman on Senate Amendments 1 and 2."

Hoffman: "Yes. I would ask that we concur in Senate Amendments 1 and 2. What this is is a no-call database. We passed similar provisions out of the House. What this does is

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

63rd Legislative Day

May 22, 2001

it... the only changes that it provides is that the Illinois Commerce Commission now will oversee the no-call database and we are calling it a Restricted Call Registry as well as we have cleaned up some of the exemptions. This is the Bill that would allow consumers here in the State of Illinois to call a number and get put on a Restricted Call Registry. Telemarketers in the state would have to purchase that list. They could not make calls to the people who are on that list without facing up to a \$2500 fine. I believe 20 other states have put this into effect. As you know, people are getting calls in this state at all hours of the day and night. People trying to sell them things they don't want and they don't need. I ask that we concur in House Bill (sic-Senate Amendment) #1 to 176."

Speaker Hartke: "Is there any discussion on Senate Amendments 1 and 2 to House Bill 1776 (sic-176)? Seeing no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 176?' All in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur in Senate Amendments #1 and 2 to House Bill 176. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 382, Representative Saviano. Mr. Saviano? Would you please explain what the Senate did to House Bill 382 in Senate Amendment #1."

Saviano: "Thank you, Mr. Speaker, Members of the House. Senate Amendment #1 was a cleanup that the Senate wanted to add to our fetal disposition Bill. We have no problem with it.

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

63rd Legislative Day

May 22, 2001

It was a minor cleanup that they put onto the Bill. Just changing some of the terms and that it would provide that a 'ceremony or certificate or common burial' would be added to the Bill. Everybody's in agreement with that language and I would make a Motion to Concur on Senate Amendment #1 to House Bill 382."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 382?' 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 this question, there are 113 Members voting 'yes', 0 voting 'no', and 1 person voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 382. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 445, Representative Kosel. On Senate Amendment #1. Please explain what the Senate did in their Amendment."

Kosel: "Thank you, Mr. Speaker. I move to concur on the Amendment in the House Bill 445."

Speaker Hartke: "Would you explain what the Senate Amendment did."

Kosel: "The Senate actually lessened some of the penalties. This Bill, if you recall, was passed out of here. It talked about consuming alcohol on school property from kindergarten through twelfth grade, public school property. The Senate felt that a misdemeanor penalty was a little strong and so they put it down... excuse me. They thought that a Class I (sic-Class A) misdemeanor was too strong and they put it down to just a ticketable offense. So, that was the only change that was made in it. And I would ask

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

63rd Legislative Day

May 22, 2001

for your approval."

Speaker Hartke: "Is there any discussion on the Concurrence Motion on Senate Amendment #1? Seeing that no one is seeking recognition, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 445?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 445. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 687, Representative Reitz. Would you explain what the Senate did to Senate Amendment #1... on House Bill 678. House Bill 678."

Reitz: "Thank you. House Bill 678 was the Illinois Violence Prevention Act. When we initially did this, we took off the sunset and the Senate changed the sunset to... It was set to expire or sunset in 2002, but they now have moved the sunset date to 2005 instead of indefinitely. So, that was the only change made to the Bill..."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 687 (sic-House Bill 678)?' 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 this question, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 678. And this Bill, having

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

63rd Legislative Day

May 22, 2001

received the Constitutional Majority, is hereby declared passed. House Bill 863, Representative Osterman. Out of the record. House Bill 1000, Representative Biggins. House Bill 1000. Would you explain what the Amendment..."

Biggins: "Thank you, Mr. Speaker. On House... Senate Amendment #1 adds language relating to vicarious liability. The underlying Bill applies to express companies, common carriers and contract carriers. The Amendment adds the representatives, agents and employees acting on behalf of an express company, common carrier or contract carrier. And provides that an express company, common carrier or contract carrier shall be held vicariously liable for the actions of its representatives, agents or employees. The company or a carrier is considered served with process when the agent or employee is personally served. Recommend its adoption."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1000?' All those... Representative Black, do you have a question on the Concurrence Motion? Mr. Black."

Black: "Yeah. Thank you very much, Mr. Speaker. Can you give me just a second to talk to the Sponsor? It'll take me about two minutes. Can you just get back to me?"

Speaker Hartke: "Mr. Biggins, let's take that Bill out of the record. Senate Bill 1356, Representative Berns. Representative Berns, 1356, House Bill. Would you explain what the Senate Amendment #1 did."

Berns: "I'm not aware of it right now. I'll look into it. Be back with you in just a minute."

Speaker Hartke: "Out of the record. House Bill 1695, Representative Murphy. House Bill 1695, Senate Amendment

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

63rd Legislative Day

May 22, 2001

#1. Would you explain the Amendment."

Murphy: "We move to concur with Senate Amendment 1917 (sic-Senate Amendment #1 to House Bill 1695). I have a... Representative Brunsvold wanted to explain that. Hold on. 1695, Representative Brunsvold."

Speaker Hartke: "The Chair recognizes Representative Brunsvold to explain the Amendment. Out of the record. On Concurrence Motions appears House Bill 1728, Representative Osterman. Would you explain Senate Amendment #1."

Osterman: "Yes. Thank you, Mr. Speaker, Members of the House. Senate Amendment #1 makes a change in the Prompt Payment Act to take out a provision that was in the original Bill that would have had a 21-day window which the agency would have to review the bill for any problems. The Amendments basically said that the agency should review the bill in a timely manner and let the vendor know on a timely manner if there are problems with the bill. I'd ask for concurrence."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1728?' 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 this question, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1728. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1000, Representative Biggins. Briefly explain the Amendment."

Biggins: "Yes, thank you, Mr. Speaker. I just had a

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

63rd Legislative Day

May 22, 2001

conversation, I believe, satisfied questions Representative Black had, but... And I did read the Amendment once or summary of it. What would you like me to do? I would urge its adoption. I move..."

Speaker Hartke: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I simply want to thank the Gentleman for his indulgence. I, unfortunately, grabbed the wrong file, looked at the wrong Amendment which then raised the question of whether or not it was germane. I apologize for the inconvenience to the Sponsor, but certainly appreciate his indulgence. Intend to vote 'aye' for the Amendment."

Speaker Hartke: "We intend to accommodate it and make sure things are done right, Mr. Black. Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1000?' 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 this question, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1000. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1695, Representative Murphy. Mr. Brunsvold, would you like to explain this Bill. Mr. Murphy."

Murphy: "To concur, that was the wrong Motion, Mr. Speaker. When we amended this Bill, the solid waste Bill, we omitted the notification Act. And all this Amendment does is inserts that back into the Bill."

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

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

63rd Legislative Day

May 22, 2001

concur in Senate Amendment #1 to House Bill 1695?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 Members voting 'yes', 1 person voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1695. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 854, Representative Beaubien. Would you explain the Amendment please."

Beaubien: "Yes. This was the veterans Bill as passed by the House. Went over to the Senate, they tacked on an Amendment to take back the original language that we had in the House and unanimously passed the Senate. And I believe, there's no longer any objecting veterans' units, perhaps, except the AmVets. And I'd urge your adoption."

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

Hoffman: "Will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Hoffman: "Yes. Representative Beaubien, does this... does the Senate Amendment in any way affect the previous support of this Bill? It's my understanding that there were... the Department of Veterans Affairs and various other organizations were in support. Does this have any effect on that?"

Beaubien: "It's my understanding, from the Senate, and I've received no objections and the Sponsor in the Senate is aware of no objections from any of the veterans' groups that objected to the language and language that was in the House except the AmVets are still opposed to the Bill. But

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

63rd Legislative Day

May 22, 2001

no one has contacted me from the veterans' groups. They know I have the Bill over here. It's been over here for some time. It's been under my name. They had no problem contacting you before when they objected to it."

Hoffman: "Well, the only concern is, it's my understanding, that there are limited beds that are available and I guess the concern would be that we're expanding the definition and there may be some other people who are not getting beds because of it."

Beaubien: "Actually, I think the concern is that the Amendment deals with domiciliary care and not nursing home care. The concern was that the Reservists and National Guardsmen once they went into domiciliary care, if they became seriously ill, they would then go into nursing home care. But I believe that was well vented in the Senate and discussed and the groups had not raised objections to them or have they objected to me. Incidentally, it's an infinitesimal number of people. It's not very many. Last year, I think, there were 59 eligible, 29 were eligible under the first part of the Bill, that leaves 30 and the percentage of veterans that use these facilities is very, very limited. So, I think it's more symbolic than practical in terms of taking up any beds."

Hoffman: "Okay. Thank you."

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

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, it's my understanding that this Senate Amendment puts this Bill back in the exact form that you had when it was House Bill 854."

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

63rd Legislative Day

May 22, 2001

Beaubien: "That's correct."

Black: "And 854 had considerable opposition from veterans' groups. So, what has transpired to remove their opposition?"

Beaubien: "I don't know. It came back from the Senate, the Senate brought me over the Bill, they said they'd removed the objections and I have... But I... they didn't do that to me. However, they have not objected to me and I've had this Bill on the table for some time. If the veterans' groups were still opposed, I'm sure they'd contact me. They had no trouble contacting me during the first go-round. But yes, you're exactly right, it's the same language."

Black: "Well, sometimes in the Amendment process it takes a while for people to catch up. I think it's a reasonable presumption to say that if they were opposed to 854 and this Amendment returns the Bill to that same form that you had, that their opposition would still be the same as it was."

Beaubien: "Well, they have not expressed that to me."

Black: "All right. Mr. Speaker, to the Bill. I have no objection to what the Gentleman is attempting to do, but if he'd like to come up to my office, I'll show him a letter that I have from a combat veteran's family who cannot get their family member into Manteno, a veteran's home just north of Representative Novak's hometown, because they have an eight-month waiting period. Now, I don't know who's right and who's wrong in this Bill. I think Representative Beaubien has tried to satisfy every objection, but when the Bill comes back in the Senate... from the Senate in the identical form that it was in the House that various veterans' groups opposed to, to the extent that we had to

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

63rd Legislative Day

May 22, 2001

wish? Mr. Clerk, take the record. On this question, there are 95 Members voting 'yes', 20 Members voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 854. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Berns, are you ready on House Bill 1356? Please explain the Amendment."

Berns: "Mr. Speaker, thank you very much. The Senate Amendment modifies the School Code to make clarifications regarding the types of certificates which may be obtained by a licensed spe... language pathologist. This Amendment was offered by the State Board of Education."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1356?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1356. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2259, Representative Reitz. Is Dan Reitz in the chamber? Out of the record. Senate Bill 22... or House Bill 2276, Representative Righter... or Ryder. Mr. Ryder. Out of the record. House Bill 2290, Mr. Hultgren. Mr. Hultgren, on Senate Amendment #1 to House Bill 2290."

Hultgren: "Thank you, Mr. Speaker and Members of the House. This is a simple Amendment to 2290. The Senate really... all they did was do some cleanup language to make some of the provisions regarding DUI Section a little bit less

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

63rd Legislative Day

May 22, 2001

confusing. And so, it keeps all the original intent, but cleans up some of the languages to make it a little bit easier to understand which offenses get which penalties. So, I'd be happy to answer any questions. And I'd ask for a favorable vote."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2290?' 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. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2290. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2300, on concurrence, Mr. Wait. Ron Wait. Out of the record. House Bill 2315, Representative Mendoza. Please explain the Amendment."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2315 is a Bill that dealt with unlawful use of fire... armor piercing projectiles. And with the Senate Amendment #1 changes the Bill very slightly and all it does is provide that when this Bill goes into effect the federal firearms stores would be notified that there's a change in the law. So, basically, it's a notification allowing for a change that this Bill will be going into effect. So, I think it's a very appropriate thing to do. And I would ask that we make a Motion to Concur or that we would approve the Motion to Concur."

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

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

63rd Legislative Day

May 22, 2001

Parke: "Thank you, Mr. Speaker. With this Amendment is there any opposition from any of the sides, the NRA or the gun control people?"

Mendoza: "No, as a matter of fact, that's a great question, but the NRA is the one who suggested that we notify the dealers that there would be a change in this law and with that, that's very fair and appropriate thing to do. So, there's absolutely no opposition."

Parke: "So, you know of no opposition with the Amendment..."

Mendoza: "Right now."

Parke: "... and the concurrence?"

Mendoza: "No, absolutely none. Thank you."

Parke: "Thank you."

Speaker Hartke: "Further discussion? There's no one is seeking recognition, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 20... Representative Novak. Are you seeking recognition? I'm sorry. The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2315?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the Senate does... or the House does concur with Senate Amendment #1 to House Bill 2315. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2807, Representative Capparelli. Please explain Senate Amendment #1."

Capparelli: "Thank you, Mr. Speaker. I'd like to concur with House Amendment #1... no, that's Senate Amendment #1. House Bill 2807 was a proposal by the court. It claims it

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

63rd Legislative Day

May 22, 2001

helps speed up the small claimants. The Senate Amendment provides that the payments of the awards from the... get this... directly from the appropriation fund be much less than \$50 thousand."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2807?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2807. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2259, Representative Reitz. Please explain Senate Amendment #1."

Reitz: "Thank you, Mr. Speaker. House Bill 2259 is a rewrite of the Transportation Code. The Amendment made some technical changes, incorporated some also on the length of trailers. I think it was discussed earlier. And that's most of it. The intent of this is to try to recodify and simplify the Transportation Code's Section 15, I believe, of the Highway Code. 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 concur with Senate Amendment #1 to House Bill 2259?' 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 this question, there are 115 Members voting 'yes', 0 voting

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

63rd Legislative Day

May 22, 2001

'no', and 0 voting 'present'. And this Bill... And the House does concur with Senate Amendment #1 to House Bill 2259. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Wait in the chamber? Mr. Ryder in the chamber? Mr. Osterman. Is he in the chamber? The Chair recognizes Representative Beaubien for an announcement."

Beaubien: "It's at 8:00 tomorrow. The Sportman's Caucus will be having their annual breakfast, 8:00 in the Rathskellar tomorrow morning, Sportman's Caucus. Thank you."

Speaker Hartke: "Representative Poe for an announcement."

Poe: "Yeah, there's a group that's having a legislative bible discussion on Wednesday, May 23rd at 12:30 in the Capitol chapital (sic-chapel). So, anybody's welcome in Room 122-A."

Speaker Hartke: "The Chair recognizes Representative Brunsvold for an announcement."

Brunsvold: "Thank you, Mr. Speaker. Just to remind the Members that the Democrat-Republican or Republican-Democrat steak fry is tonight starting at 5:00 at the Petroleum Marketers building on Cook Street, just on the other side of Remy's. So, we'd like... That's right, Kay. Would you like to come down and make an announcement. No, so just to remind everybody about the steak fry tonight. Thank you."

Speaker Hartke: "Kay's making an announcement from the gallery. The Chair recognizes Representative... She's declined. The Order of Concurrences appears House Bill 161, Representative Hannig. Out of the record. On the Order of Concurrences is House Bill 176 and there's been a Motion filed to reconsider the vote by which that Bill passed. All those in favor of the reconsideration vote 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have

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

63rd Legislative Day

May 22, 2001

it, and the Motion to Reconsider is passed... is adopted.
House Bill 176, Representative Hoffman."

Hoffman: "Yes, this just passed unanimously. I have an agreement with Representative Black. He had agreed with the ICC to ask a couple questions. He has indicated he's still in favor of the Bill, but for the record had agreed to ask questions. So, I voluntarily, in the spirit of cooperation, agreed to rehear this Bill."

Black: "Thank you very much, Mr. Speaker. I do appreciate the courtesy extended by Representative Hoffman. He and I have worked on this Bill since the beginning of this Session, but I did promise the Commerce Commission... And Representative Hoffman and I certainly don't purport to tell any of you that this is a perfect Bill. It's a start. And I think it's a start that many of our constituents want us to make. But I did promise the Commerce Commission and with the indulgence of Representative Hoffman, for the record, let me ask a few questions. Representative, there's a \$500 fee for telemarketers to buy into this registry. If this fee proves insufficient to fund this program, would you be willing to support an additional appropriation or raising the fee so that the Commission could administer and enforce the program?"

Hoffman: "Yes. In addition, as you know Representative, there is a potential revenue source of fines for people who violate the program. So, if the fee as well as the fines do not cover, I would be willing to support that. I think it's that important of an issue."

Black: "Without going into detail, Representative, and you and I talked about this from day one, whenever we come up with this Bill, obviously there are groups who think we are trying to cut them off from legitimate business contacts.

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

63rd Legislative Day

May 22, 2001

For example, my own insurance agent called and said, if I want to call you to make an appointment to come see you, technically, I would be covered under the Act. I don't agree with that. I don't think that's the intent of the Act. But obviously, so that none of you in this chamber go home or send out a press release that says, if you sign up for this registry, you will not receive any phone calls at home, I don't think it's fair of Representative Hoffman or myself to let you think that that's the case. There are a number of exemptions in this law. Among them, the two major political parties. So, at some point, Representative Hoffman, I think you and I would be willing to come back if necessary and tighten some of the exemptions that are in there at the present time."

Hoffman: "Well, let me just say... and I... yes, I would. And I wish we could just stop all the calls if you signed up for the database. But you're exactly right. That's why we've agreed with the ICC to call it the restricted call database as opposed to a no-call database. We don't want there to be any misconception out there. But the way that we came up with the exemptions that exist, such as; if you are currently doing business with an individual, you should be able to call that individual. And that just makes sense. Every state in the Union who has this has exemptions that are very similar. The AARP, the American Association of Retired Persons, sat down with us, helped craft this Bill. They are onboard. They say to me that this and New York are two of the most comprehensive Bills in the nation and that this has less exemptions than nearly all of the other Bills in the nation. And this is very similar to New York."

Black: "And as I understand it, there is a way that I can get out

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

63rd Legislative Day

May 22, 2001

of taking calls from... and I'm sure you get them, as well... a stockbroker may call from Los Angeles, a rare coin dealer from San Francisco that I really have no business relationship with. And I don't want to invest over the telephone in stocks or rare coins. And I assume that there's a mechanism where I can stop that kind of a call where I have no business relationship with them whatsoever."

Hoffman: "Well, yes. And that would be... under this Bill, you could sign up under the restricted call database. If they then call you, they could conceivably face up to a \$2500 fine for calling you if you are on the no-call database and they're not already doing business with you or one of the other limited exceptions. Let me also say this, a lot of people talk about the exceptions in the Bill. There's a second way and the ICC, I think, in talking with them, plans on telling consumers about this second way of insuring the people who are excepted under the Bill can stop the calls from that individual caller. If you get a call, for instance, from someone trying to sell you something that is exempted under the Bill and therefore, is not violating this Act, you can tell them, I don't want to receive these calls in the future. And then Federal Law kicks in and they... that individual cannot then call you back. So, there's two ways of doing this, under this law or existing Federal Law."

Black: "One last question that the Commerce Commission had raised. They have certified over 50 incumbent local exchange phone companies, over 400 competitive local exchange telephone carriers, and over 620 certified long distance carriers doing business in the State of Illinois. It's their understanding that all of these companies would

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

63rd Legislative Day

May 22, 2001

be exempted from the restricted call registry and they would ask the question, why should they be?"

Hoffman: "The reason is... Representative, as you know, I personally wish that they wouldn't be exempted. But the reason that they are exempted is essentially because right now we're going through this telecommunications rewrite. And what would happen under our Bill is Ameritech... currently, they serve the vast majority of people in this state. Eventually, what we're gonna have is Ameritech and all these other companies are gonna be able to get into the long distance business. It would've been unfair, I believe, to... an unfair advantage to Ameritech because they have the existing business relationship and therefore, would be under that exception to be able to make these calls and other long distance companies wouldn't. That's number one."

Black: "Right."

Hoffman: "So, what we did is we put a drop-dead date for this exemption. And that drop-dead date is July 1st of 2005, which is my understanding when the sunset of the telecommunication rewrite is going to happen."

Black: "Okay."

Hoffman: "So, we'll say after that then there will be no more calls..."

Black: "All right."

Hoffman: "... from telecommunication industry."

Black: "So, it is important to note that our constituents still can and will for some time receive calls from MCI, Sprint, Synergy, whatever, asking us to change our long distance service, but there's even hope on the horizon for those kinds of calls?"

Hoffman: "Yes, because after a certain date, July 1st of 2005,

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

63rd Legislative Day

May 22, 2001

which is sometime from here, sometime from today, then that exemption will be gone. In addition, we need to do a better job of telling those individuals that when they receive that call, if Sprint calls them, they can say, I don't want to hear from you anymore. And then, they cannot be called by that individual company..."

Black: "Okay."

Hoffman: "... also."

Black: "All right. Thank you very much. Mr. Speaker, to the Bill. I very much appreciate the courtesy of Representative Hoffman. I think it is important that we raise some of the concerns that the Illinois Commerce Commission had. I join with Representative Hoffman in wishing that we didn't have some of the exemptions in the Bill. But I think this is a tremendous step forward from what we have had in the past, which was nothing. I think this will begin for those of you... those of your constituents who don't want to get 8, 9, 10 calls a night between 6:00 and 9 or 9:30. This is a good Bill modeled after New York. It is not going to stop your telephone ringing from every conceivable call, but it's a step in the right direction. I commend Representative Hoffman for his work on this. And I think definitely, while it may be a work in progress, this is light-years ahead of where we were a year ago. And it's high time that we sign this Bill into law. And I hope the Governor will do that. And again, I thank Representative Hoffman for his courtesy so that we could at least discuss some of the concerns that the Illinois Commerce Commission have about implementing a Bill. But keep in mind, and I believe, about 25 states already have some kind of law like this on the books. We're not re... We're not inventing the wheel here, we're

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

63rd Legislative Day

May 22, 2001

patterning this after other states, as Representative Hoffman said, for example, New York. And I think it's a step in the right direction."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #2 to House Bill 176?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur in Senate Amendment #1 and 2 to House Bill 176. And this Bill, having received a Constitutional Majority, is hereby declared passed. On Concurrence Motions appears House Bill 183, Representative Beaubien. Please explain the Amendment. Mr. Beaubien."

Beaubien: "Yes, I'm sorry. I was waiting for the Clerk. Yes. This came over from the Senate. This was a Bill that we passed in the House 114-0, passed the Senate 56-0. It merely took the same language in the Bill that we put in the Property Tax Code and put into the School Code. They felt it should belong in both cases. That was an issue that of ILUDA and the Illinois State School Management Alliance. It really makes the Bill more solid, makes no other substantive changes, same words, two different parts of the statute. I urge an 'aye' vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 183?' 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

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

63rd Legislative Day

May 22, 2001

House Bill... On this question, there are 114 Members voting 'no'... voting 'yes', 0 voting 'no', and 1 person voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 183. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 846, Representative Brosnahan. Please explain the Amendment."

Brosnahan: "Thank you, Mr. Speaker. I'd move that the House concur with Senate Amendment #1. Senate Amendment #1 provides that parking in designated access aisle for persons with disabilities is prohibited if the sign has been posted to reserve the adjacent parking space for persons with disabilities. This Amendment is from Secretary of State, Jesse White's Office. I know of no opposition. And I would move that we concur with the Amendment."

Speaker Hartke: "Is there any discussion? ... 'Shall the House concur with Senate Amendment #1 to House Bill 846?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 846. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1048, Representative Soto. Please explain Senate Amendment #1."

Soto: "Thank you, Speaker and Members of the House. House Bill 1048, if you recall, creates the centralized job bank for teacher vacancies in the Illinois public schools. School districts that already have a website are linked into the

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

63rd Legislative Day

May 22, 2001

central site of the State Board of Education's site. While these school districts without a site may send a hard copy to... of vacancies to the State Board of Education to be posted on the State Board of Education's website. To combat the teacher shortage and as a way to provide information for new teachers about all opportunities in the state a centralized website is used to provide this information. School districts that are without a website will not be left out under 1048 for those that are likely to vary districts with teacher shortages. I urge you for your support. Thank you."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1048?' 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 this question, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1048. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1694, Representative Krause. Please explain Senate Amendment #1."

Krause: "Thank you, Mr. Speaker. To House Bill 1694, the underlining (sic-underlying) Bill had provided that 911 emergency services could add nonpublished numbers for notice in an emergency. The Amendment provides that the City of Chicago can provide for the same notice to nonpublished numbers for their 311 service. Their 311 service is their nonemergency assistance."

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

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

63rd Legislative Day

May 22, 2001

Representative Black."

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, there is... I've been involved in a 911 board for a number of years and there's just one thing I simply don't understand about this Bill. In what case would a 911 Bill want to call out?"

Krause: "I could not hear you."

Black: "The Bill sets parameters where you can use information which is proprietary or private so that, I assume, so that 911 board or some public safety agency can call you. Under what purpose would it be... not desirable, that's the wrong word, necessary. Under what purpose would it be necessary for a 911 board to call a subscriber?"

Krause: "It would be used in a number of instances to give out notice be it that there is a main break for water and you wanna get that notice out in an area. They used it in those type of instances, whereas before, we delivered notice and it was not as effective."

Black: "All right. So, its purpose is only to be used in an emergency situation. They cannot..."

Krause: "That's correct."

Black: "They cannot sell, give or disseminate this information to any other unit of government in that municipality..."

Krause: "Very true."

Black: "... correct?"

Krause: "Very true."

Black: "Well, okay."

Krause: "And the confidentiality."

Black: "It makes eminent sense now. Sometimes you just have to explain it to me. Thank you."

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

63rd Legislative Day

May 22, 2001

Krause: "That's fine."

Speaker Hartke: "Is there any discussion? Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1694?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1694. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1915, Representative Murphy. Harold Murphy, on Senate Amendment #1. Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. The Senate found an error in the penalty provision here where one of the offenses had two penalties assigned to it and they simply made a correction and that's all the Senate did. And I would ask for your support."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 1915?' 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 this question, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1915. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2088, Representative Turner, John Turner. Mr. Turner."

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

63rd Legislative Day

May 22, 2001

Please explain the Amendment, Senate Amendment #1."

Turner, J.: "Thank you, Mr. Speaker. Senate Amendment #1 makes a minor change in the Bill as it was passed over to the Senate. It had some very specific language that the information obtained from a juvenile's past record will be used only in sexually violent person's commitment proceedings. That was the intention of the Bill when it was passed over to the Senate and they thought it was necessary to specify that explicitly, I guess I should say. So, I move for the concurrence."

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

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

Speaker Hartke: "The Sponsor reluctantly yields."

Cross: "Representative, is this your last Amendment?"

Turner, J.: "Well, I'm not really sure, Representative Cross. I doubt it. I probably will have another Amendment or something else to do for the... over the next several days."

Cross: "Is this your last Motion to Concur on a Senate Amendment?"

Turner, J.: "I can't say that with certainty."

Cross: "Could it be though?"

Turner, J.: "It could be."

Cross: "Could this be the last time you stand up before the General Assembly and present a Motion to Concur?"

Turner, J.: "No, I don't think so. But it could be."

Cross: "You have one more, it sounds like."

Turner, J.: "512."

Cross: "Will that be your last Motion to Concur?"

Turner, J.: "In all likelihood, although one never knows for sure, Representative Cross."

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

63rd Legislative Day

May 22, 2001

Cross: "How do you feel about that, Representative, that's gonna be your last Amendment?"

Turner, J.: "I was feelin' pretty..."

Speaker Hartke: "Mr. Cross, keep your questions to the Amendment."

Cross: "All right. Thanks a lot."

Turner, J.: "I was actually feeling pretty good about it until you started asking me all these ridiculous questions."

Speaker Hartke: "Mr. Cross. Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur on Senate Amendment #1 to House Bill 2088?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2088. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2528, Representative Bost. Please explain Amendment #1. 2528. 2528, Mr. Bost."

Bost: "Thank you, Mr. Speaker. Senate Amendment #1 simply takes, if you remember the Bill itself, put protective guidelines in place from those that would be stealing fish from the protective or from the fish farms that we're raising. What this does is if there is a divided lake that there's two landowners it puts a protective border around the fish nets and makes the requirement that that's protected area as well."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2528?' All

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

63rd Legislative Day

May 22, 2001

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 this question, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2528. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2865, Mr. Brady. Mr. Brady. Please explain Amendment #1."

Brady: "Thank you, Mr. Speaker. I ask for the House concurrence on Amendment #1 to House Bill 2865. Thank you very much, Representative. The Amendment which is part of the Attorney General's crime victim's rights Bill makes three technical changes. First, it clarifies that locks and windows only that were damaged in a crime may be replaced. Second, it defines the transportation of a homicide victim as it relates to transportation in or out of state for funeral arrangements. And three, it defines, clearly, survivors. And I'd be happy to answer any questions regarding House Bill 2865 and the Amendment."

Speaker Hartke: "Any discussion? ... that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2865?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who... Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2865. And this Bill, having received the Constitutional Majority, is hereby declared passed. House

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

63rd Legislative Day

May 22, 2001

Bill 2994, Representative Parke. Please explain Amendment #1. Mr. Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Amendment 1 provides that if a policy or contract is canceled within the first half of its term, rather than any time, the producer may return to the insured a prorated amount, any compensation or service fee the producer receives on the contract or policy. I also would like, with the Chair's... excuse me... with the Chair's indulgence. For legislative intent, would you call upon Representative Osmond."

Speaker Hartke: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. Representative Parke, does House Bill 2994 represent the National Association of Insurance Commissioners Model Licensing Act for insurance producers?"

Parke: "Yes."

Osmond: "Representative Parke, for purpose of legislative intent, Section 500-20 exceptions to licensing, specifically paragraph B-2 which addresses persons who enroll individuals in group plans. There is new language not currently contained in the Illinois Producer Licensing status... statute which would also exempt persons who enroll individuals into group property and casualty insurance policies. Is it the intent of this language to provide an exemption only for those persons who on behalf of an employer or association enroll employees or members into a group property and casualty program as defined in the Illinois Insurance Code such as group automobile insurance?"

Parke: "Yes, it does."

Osmond: "Representative Parke, could this exemption be

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

63rd Legislative Day

May 22, 2001

interpreted to allow an auto dealership or any similar entity to purchase a group vehicle policy and then permit all of their salespeople to 'enroll' consumers who purchase an auto into that group vehicle policy without obtaining an individual producer's license?"

Parke: "No. This exemption is intended to be narrowly interpreted for enrollment purposes. It is... In this example you cite, those individuals would clearly meet at least one of the three standards for licensure under the Bill, selling, soliciting or negotiating and, therefore, would have to obtain an individual producer's license. Thank you, Representative."

Osmond: "Thank you very much."

Parke: "Thank you. Mr. Speaker, I know of no opposition. I stand ready to answer any questions."

Speaker Hartke: "Is there any further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2994?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2994. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3003, Representative Brady. Please explain Senate Amendment #1."

Brady: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I ask for concurrence on Senate Amendment #1 on House Bill 3003. What the Amendment does is removes the repeal of the sunset provision for the office of Inspector General and extends the sunset provision by two years the

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

63rd Legislative Day

May 22, 2001

provision for the OIG's office would sunset January 1st, 2004 instead of January 2nd. And I'd be... excuse me, January 2nd, 2002. I'd be glad to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3003?' 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 this question, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Currie for a Motion."

Currie: "Thank you, Speaker. I move that we suspend the posting requirements so that House Resolution 297 may be heard in Elementary & Secondary, 303 in Human Services, 304 in Elementary, 308 in Higher Education, 326 in Education, 333 in Education, 334 in Higher Ed, 340 in Energy, 342 in Regulation & Registration and that House Joint Resolution 37 may be heard in Elementary, 39, again the House Joint Resolution 39 in Human Services, 41 in Exec, 42 in Human Services, 44 in Agriculture. And these... the Motion would provide that these Resolutions and Joint Resolutions may be heard either this afternoon or tomorrow in those committees."

Speaker Hartke: "You've heard the Lady's Motion. All those in favor signify by saying 'aye'... Representative Black."

Black: "Mr. Speaker. I couldn't hear one Resolution. An inquiry of the Chair. For the Clerk..."

Speaker Hartke: "State your inquiry."

Black: "Would the Clerk inform my side of the aisle whether or

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

63rd Legislative Day

May 22, 2001

not House Joint Resolution was... 41 was on that list?"

Speaker Hartke: "Yes, it is."

Black: "We stand in objection to waiving the posting requirement."

Speaker Hartke: "For that one?"

Black: "We stand in objection of House Joint Resolution 41 having the posting requirements suspended."

Speaker Hartke: "Representative Currie, would you like to amend your Motion?"

Currie: "Okay. I'll amend the Resolution so that all but that Resolution that we would suspend the posting so they could be heard today and tomorrow. And I'd like unanimous consent for that Motion."

Speaker Hartke: "All those in favor of the Motion signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Motion to suspend the posting requirements is adopted. Representative Davis, for what reason do you seek recognition?"

Davis, M.: "Mr. Speaker, I object to her Motion carrying Senate Bill 636 for Elementary-Secondary Education for extending the posting notice."

Speaker Hartke: "I'm sorry, Monique, we've already adopted that Motion. I..."

Davis, M.: "That's because you didn't call me. You didn't call my name when my hand was up and my light was on, Mr. Speaker. My light was on to speak and you called me after you did..."

Speaker Hartke: "Excuse me."

Davis, M.: "... what you wanted to do."

Speaker Hartke: "Excuse me. Mr. Clerk. Mr. Clerk, would you tell us the date that... when that Bill was posted. Representative Davis, it's my understanding that 636 was

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

63rd Legislative Day

May 22, 2001

posted a week ago."

Davis, M.: "Okay. That is correct, Mr. Speaker. But you must call on us when our lights are on and not after..."

Speaker Hartke: "I apologize."

Davis, M.: "... you have taken a vote on issue."

Speaker Hartke: "I apologize."

Davis, M.: "I accept your apology."

Speaker Hartke: "On the Order of Concurrences appears House Bill 3204, Representative Mitchell. Out of the record. House Bill 3214, Representative Mathias. Please explain Senate Amendment #1. Representative Mathias, please explain the Amendment."

Mathias: "Thank you, Mr. Speaker. Senate Amendment 1 to House Bill 3214 is a technical Amendment to restrict the original Bill by deleting a provision which made a person who knowingly acts in concert with another to attach an unpaid advertisement in a newspaper a Class A misdemeanor. So, it restricts... it deletes that from the Bill. I ask for your concurrence with Senate Amendment 1."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Brosnahan on the Concurrence Motion."

Brosnahan: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Brosnahan: "Sid, I just have one question. If the situation, if you can describe it if a political volunteer is out canvassing the neighborhoods and he wants to leave a piece of your literature at the door and he puts it inside a periodical, let's say, under this Amendment, what could happen under those situation?"

Mathias: "Well, this Amendment... I mean, the original Bill that was passed here stated that you could not put that in unless you had the permission of the publisher or an agent

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

63rd Legislative Day

May 22, 2001

to the publisher. This Amendment took out part of the Bill that said that if you did this in concert with another person, then you would... originally, it said you would be guilty of a misdemeanor. This takes that out of the Bill."

Brosnahan: "Okay. Now, and as a result to that, what would happen in a situation where a political volunteer inserts your literature in a periodical at the doorstep? What could be... What could happen to, let's say, the candidate?"

Mathias: "I be... Well, no, so it could only be the person who actually does the distribution that would be in jeopardy, not a third party."

Brosnahan: "So, the candidate, the third party, is not affected whatsoever. He couldn't be charged based on something that a volunteer did. Is that what you're..."

Mathias: "That's correct."

Brosnahan: "Okay. Okay. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3214?' All 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 this question, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 3214. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Burke in the chamber? On page 20 of the Calendar, on Resolutions appears Resolution... House Resolution 196, Representative Burke."

Burke: "Thank you, Speaker. I'd like to ask the Clerk to read

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

63rd Legislative Day

May 22, 2001

the Resolution."

Speaker Hartke: "Mr. Clerk, read the Resolution. Mr. Burke, yes."

Burke: "Mr. Speaker, inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Burke: "I believe you have another Sponsor on this piece of legislation. Representative Winkel."

Speaker Hartke: "It may have been filed with the Clerk, yes. Yes, read the Resolution."

Burke: "Representative Winkel."

Clerk Bolin: "

HOUSE RESOLUTION 196

WHEREAS, The members of this body are pleased and honored to recognize a group of individuals who have contributed greatly to the heritage and education of the children of our nation; and

WHEREAS, The State of Illinois shall set apart a day known as "American Indian Day" in recognition of the many contributions of the American Indians to the economic and cultural heritage of all the citizens of the United States; and

WHEREAS, American Indian Day is also held to honor all American Indians and Native Americans who have fought, served, and worked to make the United States the greatest country in the world; and

WHEREAS, The years before the arrival of Christopher Columbus saw the rise of an advanced agriculturally based Indian civilization with true urban centers, monumental public works, and ruling classes; and

WHEREAS, During the period of European colonization, American Indian societies and tribes within the present continental United

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

63rd Legislative Day

May 22, 2001

States were integrated through interconnecting political, economic, social, and religious obligation and support systems provided by extended families or kinship groups; and

WHEREAS, Through European colonization, most tribes were forced to sell their lands, moved to new territory, and subjected to forced acculturation programs by the federal government; many other tribes remain on reservations or tribal lands within their old homelands, where they retain many of their cultural patterns and traditional values; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we honor American Indians for their contributions to American heritage, and for their optimism and pride in this great nation, we do hereby declare September 1, 2001, and each September 1 thereafter, as American Indian Day in the State of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be displayed at the Chicago Cultural Center and a suitable copy be delivered to Cleatus Lee Murdaugh of the Southern Cherokee Tribe."

Speaker Hartke: "Representative Burke."

Burke: "Thank you, Speaker. As the Resolution would read, this would honor the countless and invaluable contributions that American Indians and Native Americans have made to the economic and cultural heritage of the citizens of Illinois. American Indians were on the shores of this country when the first explorers from foreign lands crossed the seas. Through their vast network of extended families, these American Indians, passed through their generations tales of climatic battles, skilled agricultural practices, organized town markets and business centers and a hierarchy in the ruling classes. The family of American Indian tribes across North America prospered in the rolling lands

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

63rd Legislative Day

May 22, 2001

bountiful with healthy game, an abundance of rivers and streams and fertile soil. Tribes conducted regular barter, sometimes moving an entire tribe across the continent to conduct their trade. These tribes worshiped the land, the sky and the seas and lived in harmony while learning from the change of the seasons. Through European colonization, most tribes were forced to move their lands to reservations in present day Oklahoma, the Dakotas and the Southwest. Even through this hardship, American Indian tribes across our land have continued to thrive and excel, indeed, but one example, the Native American Bar Association which was formed in Illinois just last fall with goals to establish charters in all the law schools of our state. This Resolution calls to the attention to all citizens of our state the importance of American Indians, their valued heritage and their future growth and success. Each of our everyday lives are directly impacted with innovations developed by the ancestors of these revered people. And it is with this Resolution that I welcome this Body in honoring American Indians for their continuing contributions to our heritage both in Illinois and across America."

Speaker Hartke: "Is there any discussion? Representative Black on the Resolution. Declines recognition. No discussion. The question is, 'Shall the House adopt House Resolution 196?' All those in favor signify by saying 'yes'; opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. House Resolution 194, Representative Jones, Lou Jones. Representative Lou Jones. Constance Howard, would you like to handle that Resolution? Representative Currie."

Currie: "Thank you, Speaker. This Resolution would call upon the

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

63rd Legislative Day

May 22, 2001

Secretary of State to rename the Illinois State Library in honor of Gwendolyn Brooks who was poet laureate who had a distinguished career as a poet, have made major contributions not only in the State of Illinois, but to the country as a whole. She is a revered figure in literary circles. She made a major difference in the lives of all of our people and it would seem fitting that she be honored, after her recent death, with this kind of tribute. I know of no opposition to the measure. It came out of the committee unanimously. And I'd appreciate your support for House Resolution 194."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 194?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Resolution 194, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby de... adopted. House Resolution 284, Representative Lyons, Eileen Lyons. Representative Lyons on the Resolution."

Lyons, E.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 284 creates a House task force to conduct hearings to explore the possibility of creating an independent agency for the establishment, collection, disbursement and enforcement of child support. This has nothing to do with the SDU. This is just to explore the possibilities of how this state can administer child support in a more expeditious fashion."

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

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

63rd Legislative Day

May 22, 2001

Representative Black."

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, nothing in this Resolution could be construed to lock us in to an SDU? We are free to look at proposals such as other states have done seeking a waiver, a private contractor. In other words, it leaves open all of our options, correct?"

Lyons, E.: "Exactly."

Black: "Thank you very much."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 284?' 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 this question, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does adopt House Resolution 284. House Joint Resolution 32, Representative Bellock. Representative Bellock."

Bellock: "Yes."

Speaker Hartke: "Please present your Resolution."

Bellock: "Thank you very much, Mr. Speaker. Joint Resolution 32 addresses the issue of women's health care in the State of Illinois. It's a commendation of the organization of Women in Government out of Washington, D.C., for its leadership and enterprise in bringing Illinois the appropriate urgency of meaningful steps that can be taken to attain and improve equal access for women to quality health care technologies and treatments, education of researchers about the

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

63rd Legislative Day

May 22, 2001

differences of health care with men and women."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt House Joint Resolution 32?' All those in favor will signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Joint Resolution 32 is adopted. House Joint Resolution 26, Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker. I think we have an Amendment that needs to be attached first."

Speaker Hartke: "Please explain the Amendment. Mr. Clerk."

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

Speaker Hartke: "Representative Currie on the Amendment."

Currie: "Thank you, Speaker. This Amendment really just adds the organization Equipped for Equality to the task force that's created by the Resolution. Equipped for Equality is the organization that stands in for people in need of help, people with disabilities, people in need of guardianship."

Speaker Hartke: "Is there any discussion on Amendment #2? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Joint Resolution 26?' 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 Rossi: "No further Amendments."

Speaker Hartke: "Mr. Tenhouse on the Resolution as amended."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Resolution that simply asks that the Illinois Violence Prevention Authority shall convene and administer a multidisciplinary Illinois school, community

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

63rd Legislative Day

May 22, 2001

mental health task force to assess the status of school-based and school-linked mental health prevention and intervention services and programs for children and youth in Illinois. And this is an important issue and certainly we look forward to this commission going out, getting a chance to study this very, very important an issue and reporting back to us in the General Assembly."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt House Joint Resolution 26?' 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 this question, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does adopt House Joint Resolution 26. House Joint Resolution 40, Representative Lou Jones. Howard? Currie? Shirley Jones on House Joint Resolution 40. Please explain the Amendment. Representative Currie, would you like to explain this Resolution?"

Currie: "Thank you, Speaker and Members of the House. This is identical to the earlier Resolution, but that it is a House Joint Resolution. And I expect we will have the same stunning, unanimous vote on this Resolution as we did on that House Resolution to name the Illinois State Library after our poet laureate the distinguished and inspirational Gwendolyn Brooks."

Speaker Hartke: "The question is, 'Shall the House adopt House Joint Resolution 40?' 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 House

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

63rd Legislative Day

May 22, 2001

Joint Resolution 40, there are 114 Members voting 'yes', 0 voting 'no'. And this Resolution, after receiving the majority vote, is hereby adopted. Agreed Resolutions."

Clerk Rossi: "Agreed Resolutions. House Resolution 345, offered by Representative Brunsvold; House Resolution 346, offered by Representative Brunsvold; House Resolution 347, offered by Representative Brunsvold; House Resolution 349, offered by Representative Winkel; House Resolution 351, offered by Representative Hultgren; House Resolution 352, offered by Representative Yarbrough; House Resolution 353, offered by Representative McCarthy; House Resolution 354, offered by Representative McCarthy; House Resolution 356, offered by Representative Black; House Resolution 357, offered by Representative Black; House Resolution 358, offered by Representative Acevedo; House Resolution 360, offered by Representative Zickus; House Resolution 361, offered by Representative McCarthy; House Resolution 362, offered by Representative Schoenberg; House Resolution 363, offered by Representative Feigenholtz; House Resolution 364, offered by Representative Reitz; and House Resolution 366, offered by Speaker Madigan."

Speaker Hartke: "You've heard the Agreed Resolutions. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. On the Order of Concurrence appears House Bill 3204, Representative Mitchell. Please explain Amendment #1."

Mitchell, J.: "Thank you, Mr. Speaker. I'd ask the House to concur with House Bill 3204. It's basically a technical Amendment that pertains to the display of license and seals and it clarifies the technical submissions utilized as contract documents between the parties of the contract.

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

63rd Legislative Day

May 22, 2001

There's no known opposition to this and it's simply cleanup language. Be happy to answer any questions."

Speaker Hartke: "Is there any discussion on Senate Amendment #1? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3204?' 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 this question, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 3204. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 21 on Resolutions, on the Regular Calendar appears House Resolution 288. Mr. Moffitt, please explain the Amendment. Resolution."

Moffitt: "Thank you, Mr. Speaker. House Resolution 288 is a Resolution that would urge all those involved with planning the Abraham Lincoln Presidential Library to include an appropriate tribute that recognizes the contribution of Sarah Bush Johnston Lincoln who was a stepmother to Abraham Lincoln. She's probably one of the most underrecognized and underappreciated women in history. She was very supportive in Abe Lincoln learning to read and helping him advance his education. She was one of the last people that he went to see before he left Springfield to go to Washington to become President. Just feel it would be appropriate to give her some adequate recognition."

Speaker Hartke: "Is there any discussion on House Resolution 288? No questions. The question is, 'Shall the House adopt House Resolution 288?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair,

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

63rd Legislative Day

May 22, 2001

the 'ayes' have it. And House Resolution 288 is adopted. Concurrence appears House Bill 230, Representative Wait. Representative Wait, would you like to explain Senate Amendment #1. Out of the record. Mr. Ryder, would you like to try House Bill 2276? Out of the record. Mr. Osterman... 63? We may not get back to that. Out of the record. Mr. Clerk, would you like to read the committee schedule?"

Clerk Rossi: "The following committees will meet immediately after Session. The Cities & Villages Committee in Room 118 and the Personnel & Pensions Committee in Room 114. The following committees will meet at 11 a.m. tomorrow morning: the Elementary & Secondary Education Committee in Room D-1, the Executive Committee in Room 118, the Revenue Committee in Room 114. At 12 noon the following committees will meet: the Agriculture Committee in Room 122-B, the Constitutional Officers Committee in Room 115, the Environment & Energy Committee in Room 114, the Higher Education Committee in Room 118, the Human Services Committee in Room D-1, the Judiciary I-Civil Law Committee in Room C-1. The following committees will meet at 12:30: the Judiciary II-Criminal Law Committee in Room 114, the Registration & Regulation Committee in Room 118, the State Government Administration Committee in Room 122-B and the Transportation Committee in Room D-1."

Speaker Hartke: "Anyone have any announcements? A reminder from Representative Brunsvold and Wojcik that the steak fry will be held tonight at Petroleum Marketers. Any other... at 5:00. Any other announcements? No points of personal privilege? Representative Schmitz now moves that the House stand adjourned until the... allowing perfunctory time for the Clerk, until the hour of 1 p.m. on Wednesday, May 23rd."

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

63rd Legislative Day

May 22, 2001

You've heard the Gentleman's Motion. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned."

Clerk Rossi: "This Perfunctory Session will come to order. Introduction of Resolutions. House Resolution 348, offered by Representative Poe; House Resolution 350, offered by Representative Kosel; House Resolution 355, offered by Representative Dart; House Resolution 359, offered by Representative Zickus; House Resolution 365, offered by Representative Winkel are assigned to the Rules Committee."

Clerk Bolin: "This Perfunctory Session will come to order. First Reading and Introduction of House Bills. House Bill 3626, offered by Representative Franks, a Bill for an Act concerning monthly customer utility charges. First Reading of this House Bill. There being no further business, the House Perfunctory Session will stand adjourned."