

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

134th Legislative Day

May 22, 2002

Speaker Hartke: "The House shall come to order. Members will please be in their chairs. We shall be led in the prayer today by Lee Crawford, the Assistant Pastor of the Victory Temple Church in Springfield. Our guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance. Pastor Crawford."

Pastor Crawford: "Let us all graciously come before His grace. Most gracious and kind God, the creator of us all, for it is from You for all our blessings come from. Look upon us gathered here, with Your favor, I ask that You would direct us in all of our actions. Grant to us vigilant hearts. I ask that You would give us minds to know You, diligence to seek You, and wisdom to find You. Sanctify and cleanse us with Your presence. Bless us with Your might. And assist us with Your counsel that all of our endeavors may begin with You. And through You may we rejoice in Your precious mercies. This I kindly ask, Father, in Your son's name. Amen."

Speaker Hartke: "We shall be led in the Pledge today by Representative Berns."

Berns - 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 Hartke: "Roll Call for Attendance. Representative Currie, a report on the Democrat side."

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

Speaker Hartke: "Representative Bost."

Bost: "Good afternoon, Mr. Speaker. Let the record reflect that all Republicans are here and ready to do the work of the

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people. Now, there is work to be done today, right?"

Speaker Hartke: "Yes, there is."

Bost: "Okay. We just wanted to be sure."

Speaker Hartke: "Mr. Clerk, take the record. 116 Members answering the Roll Call, a quorum is present and the state is ready to do business. Mr. Clerk, Committee Reports."

Clerk Rossi: "Committee Reports. Representative McKeon, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on Wednesday, May 22, 2002, reported the same back with the following recommendation/s: 'be adopted' House Resolution 824 and House Resolution 884. Representative Saviano, Chairperson from the Committee on Registration & Regulation, to which the following measure/s was/were referred, action taken on Wednesday, May 22, 2002, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #3 to Senate Bill 1701; Motions to Concur with Senate Amendment #1 to House Bill 2271, Senate Amendment #1 to House Bill 4004, Senate Amendment #1 to House Bill 2255, Senate Amendment #1 to House Bill 5278 and Senate Amendment #1 to House Bill 5803. Representative Fritchey, Chairperson from the Committee on Consumer Protection, to which the following measure/s was/were referred, action taken on Wednesday, May 22, 2002, reported the same back with the following recommendation/s: 'be adopted' House Resolution 826 and House Resolution 841. Representative Brosnahan, Chairperson from the Committee on the Disabled Community, to which the following measure/s was/were referred, action taken on Wednesday, May 22, 2002, reported the same back with the following recommendation/s: 'be adopted' House Joint Resolution 73. Representative Hoffman, Chairperson from the Committee on Transportation &

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Motor Vehicles, to which the following measure/s was/were referred, action taken on Tuesday, May 21, 2002, reported the same back with the following recommendation/s: 'be adopted' a Motion to Concur with Senate Amendment #1 to House Bill 4344 and Senate Amendment #1 to House Bill 4933. Floor Amendment #2 to Senate Bill 1657 has been approved for consideration; 'do pass Short Debate' Senate Bill 2215. Representative Brosnahan, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on Tuesday, May 21, 2002, reported the same back with the following recommendation/s: 'be adopted' Floor Amendments 1 and 2 to Senate Bill 1936. Representative Howard, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on Tuesday, May 21, 2002, reported the same back with the following recommendation/s: 'be adopted' a Motion to Concur with Senate Amendments 1 and 2 to House Bill 6041; recommends 'be adopted as amended' House Resolution 865; approved for consideration House Resolution 852, House Resolution 854 and Senate Joint Resolution 57. Representative Flowers, Chairperson from the Committee on Health Care Availability & Access, to which the following measure/s was/were referred, action taken on Tuesday, May 21, 2002, reported the same back with the following recommendation/s: 'be adopted' a Motion to Concur with Senate Amendments 1, 2 and 4 to House Bill 1889; a Motion to Concur with Senate Amendment #1 to House Bill 4220. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on Tuesday, May 21, 2002, reported the same back with the following recommendation/s: 'be adopted' a Motion to Concur with Senate Amendment #3 to

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House Bill 5000, Floor Amendment #2 to House Joint Resolution 7, Floor Amendments 5 and 6 to Senate Bill 2214; 'tabled in Committee' Amendment #4 to Senate Bill 2214. Introduction and First Reading of House Bills. House Bill 6288, offered by Representative Hannig, a Bill for an Act in relation to criminal law. House Bill 6289, offered by Representative Bost, a Bill for an Act concerning taxes. Introduction and First Reading of Senate Bills. Senate Bill 2392, offered by Speaker Madigan, a Bill for an Act regarding appropriations. Senate Bill 2393, offered by Speaker Madigan, a Bill for an Act regarding appropriations. Senate Bill 2394, offered by Speaker Madigan, a Bill for an Act regarding appropriations. House (sic-Senate) Bill 2395, offered by Speaker Madigan, a Bill for an Act regarding appropriations. House (sic-Senate) Bill 2396, offered by Speaker Madigan, a Bill for an Act regarding appropriations. House (sic-Senate) Bill 2397, offered by Speaker Madigan, a Bill for an Act regarding appropriations. First Reading of these Senate Bills."

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

McCarthy: "Thank you, Mr. Speaker. I'd like to please present House Resolution 938."

Speaker Hartke: "Mr. Clerk."

Clerk Rossi: "House Resolution 938 offered by Representative (sic-Representatives) McCarthy, Crotty and Kosel."

HOUSE RESOLUTION 938

WHEREAS, The members of the Illinois House of Representative are pleased to recognize notable achievements in high school sports; and

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WHEREAS, The Victor J. Andrew High School Girls Varsity Badminton Team from Tinley Park, the Thunderbolts, won their third consecutive title at the 2002 IHSA State Girls Badminton Championship on May 11, 2002 in Winnetka; and

WHEREAS, The Thunderbolts met the challenge by defeating Downers Grove North by one-half point (14 to 13 1/2) to claim its third straight State title; and

WHEREAS, The State Badminton title is the fifth in school history; the Thunderbolts also won the crown in 1983 and 1994; and

WHEREAS, In addition to their State title, the Thunderbolts were also victorious at the Palatine Invitational, the New Trier Featherfest, and the Evanston Invitational; and they won the SICA Conference Championship and the Sectional Championship; and

WHEREAS, The members of the Thunderbolts include Marissa Betley, Allison Betley, Tiffany Wright, Kim BuzECKy, Natalie Hundt, Carlie VanBruggen, Margo Abbatemarco, Lauren Barracca, Emerald Estacio, Megan Fitzgerald, Jessica George, Melanie Limanowski, Lisa Lutchen, Meghan McAvoy, and Allison Sues; the head coach is Terry TerHaar and the assistant coaches are MandeE Converse, Mark Gruca, and Nancy TerHaar; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Thunderbolts, the Victor J. Andrew High School Girls Varsity Badminton Team from Tinley Park on winning their third consecutive IHSA State Badminton Championship; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Terry TerHaar the head coach of the Thunderbolts, assistant coaches, MandeE Converse, Mark Gruca, and Nancy TerHaar and to each member of the Victor J. Andrew High School Girls Varsity

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Badminton Team as an expression of our esteem."

Speaker Hartke: "Representative McCarthy on the Resolution."

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It is a great honor today to present our state champions from Victor J. Andrew High School and they not only won the state championship once or twice, but actually this is their third year in a row being crowned the state champions in badminton for all of the high schools in our state. I'd especially like to point it out to our North Shore colleagues that while they do play some good badminton up on the North Shore, the true champions of the state reside in the southwest suburbs in Andrew High School in Tinley Park. The girls were not only a great team this year winning every tournament that they entered, but I have eyewitnesses who have told me about the charitableness of this team that they even kept it close in the state championship game in winning the state championship by a half a point over Downers Grove North and those who live in DuPage County know that those of us in Cook County always like to be as kind as possible to the DuPage County athletes. And I think it was a wonderful gesture on the team's part to keep that state championship close. I also know from the coach, Terry TerHaar who is with us today, that they're loaded up for next year and hopefully, we'll get 'em back here next year as a four-time state champion. But with us today we have three of the coaches: head coach, Terry TerHaar, assistant coaches Mande Converse and Mark Gruca. Four of the girls were able to make the trip down here: that's Marissa Betley, Allison Betley, Tiffany Wright, and Carlie VanBruggen. So, I'd like you to please recognize them. They're up in the... the chamber here today. The state champions in badminton from Victor J.

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Andrew High School."

Speaker Hartke: "Congratulations and welcome to the capitol. The Chair recognizes Representative Stephens. For what reason do you seek recognition?"

Stephens: "Thank you, Mr. Speaker. Mr. Speaker, it's... my seatmate, just kinda froze in his tracks earlier when you called on him to do the Pledge of Allegiance and that reminded me that I'm not sure that we all... all aware of where the defrib... defibrillator, you know what I'm talkin' about, that heart thing. Where is it on the floor?"

Speaker Hartke: "Right here."

Stephens: "You know what? Kudos..."

Speaker Hartke: "In case you need it, it's here, right here."

Stephens: "Tony, you have great staff and I should have known that you guys would be ready and we... we need it back here, if you're gonna call on us to do the Pledge."

Speaker Hartke: "Thank you for your comments. The Chair recognizes Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Ladies and Gentlemen, we've got the big game tonight and you all come out to Lincoln Park at 5:00. You're gonna see the likes of the Kevin, otherwise known as 'Devon McCarthy', playing shortstop. In left field will be the 'Jay Huff' Hoffman will be playing left field. Harry 'the Big 'O' Osterman will be in... at third base and Randy, 'Losers of 500' Hultgren will be playing in right field tonight. So, that's just a few of the players that are gonna be there tonight playing and we'll be having food and drink out at the Lincoln Park facility which is just at the southeast corner of the fairgrounds. So, I'd like to see everybody out there about 5:00, game starts shortly after that and root the House on

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against the Senate. Thank you, Mr. Speaker."

Speaker Hartke: "Mr. Clerk, for an announcement of Rules.

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

Speaker Hartke: "Ladies and Gentlemen, we have a very important announcement. Representative Crotty. Would you please give your attention to Representative Crotty."

Crotty: "Thank you, Mr. Speaker."

Speaker Hartke: "Shhh."

Crotty: "It's not often that I certainly would have the honor of introducing someone who served as a mayor under my... under my State Representative term that I consider a very good friend. But there's also something that he's done that all of us are very, very acutely aware of and that is sometimes we have to make decisions that aren't popular, but those decisions are right. And the former Mayor Dean Koldenhoven, who is sitting up right above me here with his wife, Ruth and his daughter, Sharon Valles, got a call, not too long ago, from Caroline Kennedy because the Kennedy family wanted to award him the recipient of the Profiles in Courage. He's down here today at the request of Governor Ryan and he had asked him to please come and meet with him and I think Dean is holding a plaque that came from Governor Ryan. So, on behalf of all of us on the House, I ask that you stand up and certainly give him a warm welcome to Springfield and tell him how proud we are that he's a citizen of Illinois."

Speaker Hartke: "Congratulations, mayor. On the Regular Calendar appears House Resolution 638. Representative Colvin. Mr. Clerk, read the Resolution."

Clerk Bolin: "Floor Amendment #1, offered by Representative Colvin, has been approved for consideration."

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Speaker Hartke: "Mr. Colvin, would you explain the Resolution?"

Colvin: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Resolution 638 is very simple in its premise, but very important as we talk about eliminating the digital divide. House Resolution 638... excuse me... simply urges all of the national Internet service providers and those companies that offer products, high speed broadband service to the Internet, such as DSL products, the T1 lines, make 'em available to all urban and rural areas across the State of Illinois. Currently, in the State of Illinois, not everyone has direct access to Internet service provider dial-up service that's within eight miles of their home. Now, for most of us, in the State of Illinois, if you make a toll phone call that's beyond eight miles of where you live, that you incur long distance fees. What that means is for the individual who has a child who's doing research on the Internet for an hour or two every night, but they're also incurring along with the 26, \$27 a month charge for the Internet service, is also incurring the long distance phone call fee. For most of us who have to pay long distance phone call rates know that this can run into the hundreds of dollars for just one month of service. So, while the Internet service provider is making 26.95 or \$27 a month, the homeowner is paying in excess of a hundred dollars more to the phone company just for the toll phone call. If I could back up for just a moment and explain the House... the Floor Amendment for #1, all it does is simply add the word 'rural' after urban areas. So, basically, Floor Amendment #1 would encourage the Internet service providers in both urban and rural areas across the state to make them and their products more accessible statewide."

Speaker Hartke: "Is there any discussion on the Amendment?"

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Representative Black."

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. I just rise to congratulate the Sponsor and to thank him for adding 'rural' areas of the state because I can assure you and I think the Gentleman would agree, this is not only a problem in the urbanized areas of the State of Illinois it is certainly a problem in rural areas of Illinois where high-speed Internet connectors may be 50 and 60 and a hundred miles away from where some of us live and some parts of the rural areas of the state we can't even get there from where we live. So, I... again, I rise to support the Amendment and I thank the Gentleman for recognizing and adding that this is a problem that affects the entire State of Illinois whether you live in Chicago or all the way down south to Cairo. I appreciate and support it. Appreciate his willingness to do this and rise in support of the Amendment."

Speaker Hartke: "Further discussion on the Amendment? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Resolution 638?' 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. Now, Mr. Colvin, on the Amendment. On the Resolution."

Colvin: "Having both explained the thrust of the Resolution and the Amendment, I simply urge an 'aye' vote."

Speaker Hartke: "Is there any discussion? Since no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 638?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. On page 9 on the Calendar, on concurrences appears House Bill

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1081. Representative Slone on the Senate Amendment 2."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen. Senate Amendment 2 to House Bill 1081 had... primarily be effective removing Cook County as well as the City of Chicago, which had been removed in the House, from this open burning Bill for the fire protection districts from the notification requirements. And I would move that we concur in Senate Amendment #2."

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

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

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

Black: "Representative, it's hard to hear in here under the best of circumstances, but I really did not catch the gist of Senate Amendment #1. Could you just give me some... a brief description of what Senate Amendment #1 does to the underlying Bill?"

Slone: "Representative Black, Senate Amendment #1, I think, was tabled and we're dealing here with Senate Amendment #2."

Black: "It's the same as what... I'm sorry."

Slone: "This is Senate Amendment #2. I wanna make sure you're lookin' at the same text that I am."

Black: "Is Senate Amendment #2 the one that says when a... a municipality with a population of a million or more or a county with a population of 3 million or more is exempt from any fire protection district's ordinance to regulate open burning?"

Slone: "That's right, Mr. Black, yes. There's a 'carve out' for Cook County."

Black: "If... if open burning is inherently bad, then why would Cook County and the City of Chicago who are in a

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nonattainment area for the Clean Air Act, why should we exempt them?"

Slone: "This is only a notice requirement, Mr. Black. And I believe in the case of the City of Chicago there are no fire protection districts and I believe that was the basis for the 'carve out' for the city. And I think that this same logic applies in carving out Cook County. That's my understanding. This is a Bill only giving a notice requirement to fire protection districts."

Black: "And the notice would be that they intend to regulate open burning, correct?"

Slone: "This would be a notice to fire protection districts if somebody was conducting a controlled burn, such as say, a park district or the nature conservancy."

Black: "So, what you're telling me then is that the... the Senate Amendment removes Chicago and Cook County because they don't have a fire protection district. Obviously, the City of Chicago doesn't. Are you sure the county of Cook does not have at least one fire protection district in..."

Slone: "You know what, Mr. Black, I'm not absolutely sure that it does not have any. It is mostly professional... it has mostly regular municipal types of fire departments, but I'm not sure that it has no fire protection district."

Black: "What was the... what was the Third Reading vote on this Bill when it left the House? Do you have that in your file?"

Slone: "Let me check for you. I know it left the Senate 56-0. 114-2."

Black: "All right."

Slone: "By the way, the exemption for the City of Chicago was out... was part of the... one of the Amendments that passed in the House. It's just the expansion of Cook County

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that's in Senate Amendment 2."

Black: "Well, then... then if that's the case, then why do we need Senate Amendment #1 that adds Chicago again?"

Slone: "That may be why Senate Amendment 1 didn't go anywhere."

Black: "If the underlying Bill, the House Bill, exempted the City of Chicago then it would appear to me that Senate Bill (sic-Amendment) #2 is redundant in adding the City of Chicago again."

Slone: "That may be, Mr. Black, but it does not... the intent was primarily to include all of Cook County. That's my understanding of the intent of the Senate Amendment."

Black: "Did the underlying House Bill exempt the City of Chicago by its corporate name or simply by its population threshold?"

Slone: "I believe by the population threshold only, from the text I'm looking at."

Black: "All right. Mr. Speaker, let me make an inquiry of the Chair?"

Speaker Hartke: "Yes."

Black: "The parliamentarian. I think I know the answer, but I'd rather ask it to be sure than not ask it and later wish I had. If Senate Amendment #2 specifically exempts the City of Chicago by its population threshold and the underlying House Bill also exempted the City of Chicago by its population threshold, there isn't any danger that the courts would rule that the Bill would be flawed because of the two references to a municipality over 1 million, would there?"

Speaker Hartke: "Representative Black, we have time. Can we take this Bill out of the record, Representative Slone?"

Black: "Yeah."

Slone: "Yes."

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Speaker Hartke: "... and then we'll get back..."

Black: "I would appreciate that, Mr. Speaker."

Speaker Hartke: "Okay."

Black: "I intend..."

Slone: "Sure."

Black: "... to vote for the Bill. I'm just trying to make sure, as you know, the Supreme Court has been a little touchy lately about things that we pass out of here. I just wanna make sure that by the redundancy in the Senate Amendment we don't endanger the very Bill that we're trying to pass."

Speaker Hartke: "Mr. Black, we will try to..."

Black: "Thank you."

Speaker Hartke: "... we will accommodate your wishes. Mr. Boland, for what reason do you seek recognition?"

Boland: "A point of personal privilege."

Speaker Hartke: "State your point."

Boland: "... there, Mr. Speaker. We have some guests up in the gallery that are from my district, Dora Larson of Andover, and Roy Gustafson of Orion and they have some visitors, the Hack Family of Germany, which is visiting. And I'd like the House of Representatives to give them a warm welcome to Illinois and to America."

Speaker Hartke: "Welcome to the State of Illinois and the General Assembly in the United States. The Chair recognizes Representative Brunsvold on a nonconcurrency Motion on page 15, Senate Bill 1646. Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. I would move to recede from the Amendment that I placed on this Bill. Mr. Black has just indicated that the courts have been a little sensitive on the issues we put on Bills. Mr. Fritchey had indicated that the... there might be a germaneness question on this Amendment. I checked with the Senate parliamentarian and

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they were also in agreement that this might be a gray area that would cause this Bill to be not in good shape and maybe questioned by the courts. So, rather than do that, I promised that I would withdraw the Amendment and let the Bill go as it originally started. So, I would move to recede from House Amendment #1."

Speaker Hartke: "Is there any discussion on the Gentleman's Motion? This is final action. Mr. Black."

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

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

Black: "Representative, by receding, are you in fact taking out reference to the theft of cable TV?"

Brunsvold: "The Amendment, Bill, had to do with the cri... it was also in the Criminal Code, but it had to do with attempting to purchase a firearm."

Black: "Okay."

Brunsvold: "And that was the... that was House Amendment #1. I'm just taking that away, so someone later on might not think that was germane to the cable television Bill."

Black: "All right. So, the Amendment in question was the 'straw' purchase?"

Brunsvold: "Yes, a purchase of a firearm and oh, the words were simply added..."

Black: "Okay."

Brunsvold: "... 'or attempting to purchase'."

Black: "So, the... by receding from this Amendment, then the Bill stays in a rather kind of a single format form?"

Brunsvold: "Yes."

Black: "All right. Thank you."

Brunsvold: "Exactly, Bill."

Speaker Hartke: "Further discussion? Since no one is seeking

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recognition, the question is, 'Shall the House recede from House Amendment #1 to Senate Bill 1646?' This is final action. 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 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does recede from House Amendment #1 to Senate Bill 1646. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 12 of the Calendar, on the Order of Concurrence appears House Bill 4230. Representative Morrow. Representative Morrow. Out of the record. On the Order of Concurrence, on page 14 appears House Bill 5615. Representative Slone. Mr. Clerk, take that Bill out of the record. On page 12, on the Order of Concurrence appears House Bill 4230. Representative Morrow on Senate Amendment #1."

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1 to House Bill 4230. The Senate Amendment just says that... that the grants will be given to organizations that are located within the State of Illinois. I'd be glad to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 4230?' This is final action. 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... Representative Garrett, would you like to vote on this issue? Mr. Clerk, take the

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record. On this question, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 4230. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 9, on the Order of Concurrence on... appears House Bill 1081 on Senate Amendment #2. Representative Slone."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen. Once again, Senate Amendment #2 does do an exemption for Cook County. Having checked with the spokesperson on the other side, the... the 'carve out' for the City of Chicago is, in effect, exempted from the exemption. So, they're both exempted, but they're only exempted once apiece."

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

Black: "Yeah. Thank you very much, Mr. Speaker. With the apologies to the Body, I misread the Amendment and it clearly states that the Chicago exemption is in addition to that exemption that's embodied in the House Bill. The Senate added a county exemption of 3 million. So, I don't think the Supreme Court would have any... any problems with that whatsoever. If the Sponsor would be so kind, would she just yield for one or two questions about agricultural-related purposes? Representative, if a farmer wants to burn down an old barn, out in a rural area and the farmer in question owns in excess of a hundred acres, can the fire district prevent him from burning down the barn or is this Bill just intended for the farmer to give notice to the fire district that he intends to burn down the barn just so it's easier to dispose of?"

Slone: "Mr. Black, it is indeed a notice requirement, only. Obviously, there is no intent in the Bill to reduce the fire protection district's ability to respond to a burn

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that represents a clear and present danger, but they would only have a notice requirement in this situation..."

Black: "All right."

Slone: "... that you described."

Black: "I... and I just want to make sure on the record. This, in no way, infringes upon a farmer or a rural resident from doing open burning that this currently allows under state and county and local law?"

Slone: "That's correct."

Black: "Okay."

Slone: "But they are required to notify their fire protection district under the Bill."

Black: "That's fine. Thank you very much."

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

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

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

Winters: "Representative Slone, again, just to clarify. There are many areas around the state now where conservation groups are restoring prairies. What would be their responsibility, under this Bill, in the prescribed burning that is usually used in management for restoring of prairies?"

Slone: "Again, Mr... Mr. Winters, it would be similar to what would be required of the farmer in the example that Mr. Black just gave. They would be required to notify their fire protection district. That basically... in addition to giving the fire protection district a heads-up, if also somebody were to see the smoke from this and call in, the fire protection district would be aware that this was a planned burn."

Winters: "Is there any language within the Bill that discusses

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how this might take place? I... We may be over burdening the 9-1-1 system if that is the preferred method, or will there be a regulation that would say call the fire department directly? Most of these, at least, the volunteer fire departments that I'm aware of have a number where you call, the volunteers answer on the plectron. You may get most of the daytime crew, for instance, answer and then you could tell 'em all the information: where it's gonna be, what time you're burning, what equipment do you have available to handle the fire yourself. Is that... Will that be addressed in regulation?"

Slone: "It can be locally through the fire protection district, itself. This is... The Bill itself is permissive with respect to regulations."

Winters: "Okay."

Slone: "It's simply a notice requirement."

Winters: "Now, there is a 50-acre exemption that if the farmer is burning on an area of over 50 acres, there's no need for notice. Is that correct or am I misreading that?"

Slone: "I believe that's correct. I think it is a 50 acres."

Winters: "Okay. Anything less than that, though, would require at least notice to the local fire department."

Slone: "At least out notice and exclusively notice, nothing further."

Winters: "Okay. Thank you very much."

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

Slone: "I would appreciate an 'aye' vote to concur in Senate Amendment #2."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendment #2 to House Bill 1081?' This is final action. All those in favor will signify by voting 'yes';

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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? Representative Mendoza. Mr. Clerk, take the record. On this question, there are 113 Members voting 'yes', 3 Members voting 'no', and 0 voting 'present'. And the House does concur in Senate Amendment #2 to House Bill 1081. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, you have a Rules Report?"

Clerk Bolin: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on May 22, 2002, reported the same back with the following recommendation/s: 'direct floor consideration' for House Amendment #1 to House Joint Resolution 76, House Resolution 927, House Resolution 928, Senate Bill 39 and Senate Joint Resolution 76; and Concurrence Motions for House Bill 423, Senate Amendment #1 and House Bill 4321, Senate Amendment #1."

Speaker Hartke: "Mr. Clerk, Calendar distribution."

Clerk Bolin: "Supplemental Calendar #1 is being distributed."

Speaker Hartke: "On page 14 on the concurrence, on Regular Calendar appears House Bill 5615. Representative Slone."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 5615 which, I believe, had no negative, no 'no' votes in here, is a Bill requiring the Secretary of State to penalize people who drive uninsured for at least... for three consecutive times. And the Senate Amendment merely changes the effective date. And I would ask for concurrence in the Senate Amendment. I'd be happy to answer any questions."

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

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Black: "Thank you very much, Mr. Speaker. Are we on the Order of Slone? We're on special order of call, now?"

Speaker Hartke: "You are correct, Mr. Black. This is her second Bill."

Black: "I realize that. That's..."

Speaker Hartke: "Two out of three."

Black: "That's two more than most of us on this side of the aisle have seen today, but... but that's all right, the day is early. Representative, why would you accept the Senate Amendment to delay the implementation of a Bill that, I think, all of us joined you in passing from this chamber?"

Slone: "My understanding, Mr. Black, is that the Secretary of State wanted just a little more time to put this into place. That's the only reason."

Black: "A little more time so that the uninsured motorist law has absolutely no teeth in it, in all due respect to the Senate, who added this Amendment. I mean, it's just... it's just absolutely ludicrous that we have a mandatory insurance law and yet everyone in here had better be carrying uninsured motorist coverage. And if you just go through your... a paper in your hometown, on the police report, I'll bet there's six, eight, ten tickets a day issued in every legislative district in the state for somebody driving without insurance. But if the Senate, in its wisdom, wants another year before the Bill goes into effect, I guess it's better than ten years. I liked your Bill better."

Slone: "Thank you, Mr. Black."

Black: "But I'll... I'll accept the effective date, but I really think this whole mandatory insurance law needs to be reexamined because I don't think it's working and people in my district have let me know that they don't think it's

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working."

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

Slone: "I would appreciate your 'aye' votes. Thank you."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 5615?' This is final action. 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 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 5615. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 12 of the Calendar, on concurrence appears House Bill 4228. Representative Hoeft on Senate Amendment #1 and 2."

Hoeft: "Thank you, Mr. Speaker. House Bill 20... 4228 was this Bill we passed unanimously through these Legislature that allowed the businesses in the State of Illinois to conduct their annual meetings via telecommunications. The Senate placed two Amendments on this to clarify. The first is they tried... they decided to use the exact language that was used for the Illinois General Not-for-profit Corporation Act, so that we would have consistency throughout this Bill. The second Amendment stated that the use of technology would be choice left up to the board of directors and not a mandate to them. Both of these are very reasonable and I would ask that we pass this concurrence."

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

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Howard: "Yes. Thank you, Mr. Speaker. I just rise to be very supportive of this legislation. I think it is something that is going to be of great value to the corporate community and I urge all of my colleagues to con... to, in fact, vote for concurrence."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 4228?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Turner. Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur in Senate Amendments #1 and 2 to House Bill 4228. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 12 on the Order of Concurrence appears House Bill 4365. Representative O'Brien on Senate Amendment #1."

O'Brien: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I would seek to concur in Senate Amendment #1 to House Bill 4365. What this does is it makes this... the Bill amends the highway code and it makes some changes and allow township boards to assume taxing authorities in a township road district abolished when the miles... when it doesn't have enough miles to sustain its own road district. Right now, the current mile, I believe, is four. This legislation was originally drafted and how we originally passed it out of the House allowed for a provision for highway road districts to use a portion of their moneys to support recycling programs. And there were some concerns when it was brought up in the House, many of you felt that

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perhaps we were diverting moneys that should be used for road improvements and maintenance into recycling programs. So, when it went over to the Senate, the Amendment what it does is it deletes that provision and so, you know, it doesn't prohibit them from doing the recycling programs and says that it should not be using road funds for that. And I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 4365?' This is final action. 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 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 4365. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 9 on the Order of Concurrence appears House Bill 173. Representative Brunsvold on Senate Amendment #1."

Brunsvold: "Thank you, Mr. Speaker. This Bill came from the... originally from the Conservation Foundation (sic-Illinois Conservation Foundation Act) and the Senate Amendment simply stated that the private funds would not be... would be only privy to the parts of the Bill dealing with... with the procurement code and investment code. So, the Senert... Senate just made it more definite that the... the only thing involved in this Bill would be the private funds that the Conservation Foundation receives. I would ask for concurrence in Senate Amendment #1."

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

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seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 173?' This is final action. 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? Representative Kosel. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 173. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 10 of the Concurrence Calendar or the Calendar, on concurrence appears House Bill 1692. Representative Mathias on Senate Amendment #1 and 2. Representative Mathias."

Mathias: "Thank you, Mr. Speaker. I do have some legislative intent that I need to ask some questions on this Bill. This Bill actually what it does is encourages schools to implement some form of antibias education and intergroup conflict resolution programming in order to improve intergroup relations on and beyond school campuses, to diffuse intergroup tensions and to promote peaceful resolution of conflicts and mutual respect, despite differences. The Bill is the initiative of the American Jewish Committee, Chicago Chapter, which has established a program of this nature in several Chicago high schools called Hands Across the Campus. I would ask the Speaker to call on Representative Moffitt to ask some questions."

Speaker Hartke: "Yes. You did explain Amendment #1 and 2."

Mathias: "Yes."

Speaker Hartke: "Okay. Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. Representative Mathias, for

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legislative intent, I have some questions that I'd like to ask. Does the Bill require or suggest any particular activities or programming for schools?"

Mathias: "No, it does not. Not only does the Bill not mandate anything, the Bill gives local schools that decide to implement antibias education and intergroup conflict activities and programs complete control over the activities and programs."

Moffitt: "Does this Bill target any particular group?"

Mathias: "No, it does not. The intent of the Bill is for everyone to benefit from effective antibias education and intergroup conflict resolution strategies and it purposely contains no references to specific groups."

Moffitt: "So, the Bill does not mandate anything. Is that correct?"

Mathias: "That is correct. Local schools decide whether to implement antibias education and intergroup conflict resolution programming and what the programming will be. If a school decides to adopt certain activities, courses or programs, the Bill does require that information about these activities be posted on the school's or the school district's website, if it has one."

Moffitt: "If the Bill mandates nothing, why do we need the Bill?"

Mathias: "Well, schools in Illinois are becoming more and more diverse. We have learned the hard way that tolerance of others does not come about easily. The events of 9-11 have caused us to examine our differences in a way that we never have in the past. Events such as those that incurred... occurred at Columbine High School in Colorado teach us that intergroup conflict, if not resolved appropriately, can result in unnecessary violence. Schools that have implemented antibias education and intergroup conflict

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curricula have seen a decline in intergroup tensions and aggression. Six states now mandate the implementation of some form of antibias education."

Moffitt: "Well, Representative Mathias, what do the Senate Amendments do?"

Mathias: "They highlight the First Amendment rights of students with divergent viewpoints and religious beliefs to express those viewpoints and beliefs regardless of whether those viewpoints and beliefs are politically correct or represent commonly held views."

Moffitt: "All right. Thank you, Representative Mathias, for addressing those questions, as far as legislative intent. Thank you."

Mathias: "Thank you, Mr. Speaker."

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

Mathias: "I urge everyone to concur in Senate Amendments 1 and 2."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendment #1 and 2 to House Bill 1692?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final passage. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur in Senate Amendments #1 and 2 to House Bill 1692. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 10 on the Concurrence Motions appears House Bill 3673. Representative Black. Mr. Black on Senate Amendments 2 and 3."

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

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Speaker Hartke: "You're welcome."

Black: "I would move that the House concur in Senate Amendments #2 and 3 to the underlying House Bill 3673. Senate Amendment #2 actually becomes the Bill and it deals with the regards to the aggregate assessed valuation. I believe, that was the situation that had happened in Representative Holbrook's district regarding a bankruptcy and he could answer any questions, I'm sure, that you have on that. Then Senate Amendment #3 adds to the Bill and reinserts the original language of the... my Bill 3673 that simply updates the School Code to say that a General State Aid claim in regards to attendance days lost for a threat of terrorism or bioterrorism will be paid. Right now the School Code makes no reference to that and after the events of September 11th, unfortunately there was a school in my hometown that had an anthrax scare and when the school had to be closed on the advice of emergency officials, they found out later that there was no provision for them to maintain their State Aid for those three days that the school was closed. So, that's what the Bill does. I believe Representative Holbrook could answer any questions about Senate Amendment #2 and I'll be glad to answer any questions about Senate Amendment #3."

Speaker Hartke: "Mr. Black, would you like to take the Bill out of the record 'til Mr. Holbrook arrives?"

Black: "I have talked to Representative Holbrook..."

Speaker Hartke: "Could you explain the Amendment?"

Black: "... about this. I'll do the best I can. He, obviously, is more conversant in this than I am. It... I guess what had happened to... in Representative Holbrook's district is that there was a bankruptcy where the property comprised a considerable amount of the equalized valuation. The Senate

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changed Representative Holbrook's Amendment to say that if the property comprises an aggregate assessed valuation equal to 6% or more of the total assessed valuation of all the taxable property in that school district owned by one person or a corporation that's the subject of a bankruptcy proceeding or that has been adjudicated as bankrupt, therefore has not paid taxes on the property then the district may amend its General State Aid claim back to the inception of that bankruptcy, not to exceed six years in which time those taxes were not paid. This is to prevent a district who is heavily dependent, it's my understanding, on a particular property, piece of property or factory, that they... suddenly declares bankruptcy and no longer pays those property taxes. That's removed from the tax rolls and of course, their General State Aid would suffer as a result of that and so it tries to address that kind of a situation. That's the best understanding I have of the Amendment that Representative Holbrook had."

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

Miller: "Will the Sponsor yield?"

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

Miller: "Representative Black, as far as money generated on property to a school district, can you elaborate a little bit more on that for me if possible or is..."

Black: "Well, I don't think it has anything to do with that. This would be a piece of property that would exceed 6% of the aggregate EAV of that district that has gone into bankruptcy. Therefore, the taxes are no longer paid to those taxing bodies. That then is eliminated from your equalized assessed valuation claim for state aid. And I think what Representative Holbrook was attempting to do

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that... is simply to say that for... you can go back six years on that and claim your State Aid by multiplying the assessed valuation of that property by the lesser of the total tax rate of that district for the years in which it was unpaid. In other words, this allows that district to recover some of the money that they had not received because of that significant bankruptcy that impacted that district's EAV."

Miller: "And when would the... this would... when would this go into effect and when can municipalities, I guess, receive the benefits from this?"

Black: "The effective date on the Bill is immediate. It takes effect on becoming law. But I believe, I'm certainly no expert in this, I believe Senate Amendment #2 only refers to the School Code. So, that it would only have force of law for the General State Aid Formula for a school district. I don't believe it has any impact, positive or negative, on a municipality, a township, a county, et cetera, since it amends the School Code only."

Miller: "To the Bill."

Speaker Hartke: "To the Bill."

Miller: "I would like to commend Representative Holbrook and Representative Black and others who... who have put this legislation forward. Earlier this year, I had talked about us... one of my local school districts, 133 in Riverdale, being impacted by the close of Acme Steel. Acme Steel, by its closure, has had a tremendous detrimental affect on this particular school, which is this one school district. Legislation like this would help Acme Steel (sic-Riverdale School District 133) be competitive with other schools across the State of Illinois by... by giving them an opportunity to receive additional income by the loss of the

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revenue of the steel mill. And so, I'd like to commend the Sponsors of this for putting this language together and I would ask for Members of the General Assembly to support local districts like mine and others across the state in rural and in urban areas by supporting this legislation. I request 'aye' votes."

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

Granberg: "The Gentleman yield?"

Speaker Hartke: "The Gentleman will yield."

Granberg: "Representative Black, I apologize, I didn't hear your earlier..."

Speaker Hartke: "Shhh."

Granberg: "... part of your earlier remarks. In regard to Representative Holbrook's position, the Senate made a modification and I assume that Representative Holbrook is okay with that modification?"

Black: "The last time that he and I talked about this he said he was in agreement with the Senate Amendment that it still maintained the underlying problem that he was dealing with and he thought this was a..."

Granberg: "Great."

Black: "... very workable Amendment."

Granberg: "I assumed you would be working with Tom, so I knew you would do nothing that he would not approve of for the most..."

Black: "Okay."

Granberg: "... for the most part."

Black: "He's here. He's here. He can answer for himself."

Granberg: "Okay. In that case, I also want to thank Representative Holbrook and you, Representative Black, for taking the time to work on this. It's been a long-standing

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policy in this House that in terms in a crisis for our schools that we... we react, and we help our Members help resolve those crises. So, my compliments to you and Representative Holbrook."

Speaker Hartke: "Representative Holbrook, further discussion."

Holbrook: "Thank you, Speaker. Representative Black, thank you. You couldn't have been more elegant and more accurate on your description of this. This only applies to the school districts. This will help any district within the State of Illinois that has more than a 6% of their EAV put into bankruptcy. This only applies for bankruptcy, specifically Chapter 11, where it has not been taken off the books. This would help anyone in here. And Representative Miller, absolutely. This is a steel mill in my district that this happened to and it took about 9% of the EAV off for the schools. And there is absolutely no recourse or adjustment in their General State Aid Formula at all. So, with that I'd thank Representative Black again for allowing this on the Bill. And would ask for an 'aye' vote."

Speaker Hartke: "Further discussions? Since no one is seeking recognition, Representative Black to close."

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. My sincere appreciation and gratitude to those who have worked on the Bill. I appreciate the kind comments. And ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendments 2 and 3 to House Bill 3673?' This is final action. 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? Representative Miller, would you like to vote on this issue? Mr. Clerk, take the record. On this

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question, there are 117 Mem... 116 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendments #2 and 3 to House Bill 3673. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Poe. For what reason do you seek recognition?"

Poe: "A point of personal privilege."

Speaker Hartke: "State your point."

Poe: "Yeah. Ladies and Gentlemen of the House, I'd like today to have you help me welcome the Trinity Lutheran eighth-grade class with their teachers Russ Benning and Judy Fliege. They are up in the gallery and let's give 'em a big hand."

Speaker Hartke: "Welcome to your State Capitol. The Chair recognizes Representative Johnson. For what reason do you seek recognition?"

Johnson: "Yes, Mr. Speaker, Members of the chamber. I would like you to give a very special person a warm welcome. My wife, Ginger. And she is here to lobby all of you today for no tax increases, full funding at all requested levels and an allowance for all of our family members who have to stay home without us."

Speaker Hartke: "On page 2 of the Calendar, on the Order of Third Reading-Senate Bills appears Senate Bill 1588. Representative Mitchell, Bill Mitchell."

Clerk Bolin: "Senate Bill 1588, a Bill for an Act in relation to vehicles. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Mitchell."

Mitchell, B.: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Senate Bill 1588 is a... a nearly identical Bill to the House Bill I sent over to the Senate as emergency EMS plates. This Bill though, 1588, has been

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dramatically improved because of the hard work of my colleague, Representative Bost, Chairman Davis and Representative Holbrook. And those Amendments, 1 through 5 have been filed and accepted last week. I don't know if Representative Bost would like to speak."

Speaker Hartke: "Representative Bost."

Bost: "Thank you, Mr. Speaker. This is a piece of legislation that's been discussed several times. Representative Davis and Holbrook, to try to clear up the problems that we've had with the fact that we've been misinformed at times about the number of plates that need to be produced before plates are made or to be ordered before the plates are made. This is a good tax-saving proposal for the taxpayers of the State of Illinois. It still allows our groups to have the opportunity if they seek to have specialty plates they can do that, but at no cost to our taxpayers. And I think it deserves everybody's 'aye' vote."

Speaker Hartke: "The Chair recognizes Representative Scully, the Gentleman from Cook."

Scully: "Will the Sponsor yield?"

Speaker Hartke: "The Sponsor indicates that he will yield."

Scully: "Representative Mitchell, you said that this is identical to a House Bill?"

Mitchell, B.: "Yes. A House Bill with the exception of the... the five Amendments which Representative Bost... two Amendments, pardon me, that Representative Bost put on the Senate Bill..."

Scully: "What House Bill is it identical to?"

Mitchell, B.: "I don't recall that number. The House Bill... If you will, again... We're getting that for you, Representative."

Scully: "Yeah. I'd like to know the House Bill that it is

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identical to and what was the disposition of that House Bill."

Mitchell, B.: "The House Bill flew out of the House unanimously. Again, the House Bill didn't have the two Amendments that Representative Bost just talked about which improves the Bill... that 1588 is far superior than the House Bill.

House Bill 3713."

Scully: "Okay. Now, on House Bill 3713, you said that this Senate Bill 1588 is identical to that House Bill except for what?"

Mitchell, B.: "For the two Amendments which Representative Bost just spoke on. Again, the House Bill was an EMS plate. This 1588 was Senator Noland, my State Senator's, we had a constituent in Greenup, Illinois."

Scully: "And what was the disposition of that House Bill?"

Mitchell, B.: "I beg your pardon?"

Scully: "What was the disposition of that House Bill?"

Mitchell, B.: "It was passed of course by House, sent over to the Senate, passed in the Senate..."

Scully: "Okay."

Mitchell, B.: "It didn't get... apparently didn't get out of... it didn't get called on Third. It's back for concurrence, I suppose."

Scully: "Thank you, Representative."

Mitchell, B.: "Thank you."

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

Rutherford: "Thank you, Mr. Speaker. Just... Representative Mitchell, this is the one that has the certain amount that they'd have to put as a bond in order to have the plates made?"

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Mitchell, B.: "That's correct, Representative."

Rutherford: "Okay. Then let me... and I did compliment you and your colleagues on what you've done. I want to call upon Secretary Jesse White, one more time, Secretary White, if you could promulgate the rules under legislation this Body has already passed and the Governor signed into law, we have a procedure that would allow groups that may not be able to meet the minimum numbers as your legislation would set and would not have to set up the surety bonds as your legislation would set, which I think is a good idea to allow these other groups to be able to have their specialty plates, uniform standard identity for law enforcement and have their decals. It would not be an additional cost to the taxpayers, as well. So, I would hope at some point in time the Secretary of State's Office gets off the dime and moves the rules to be able to put that into place."

Mitchell, B.: "Representative, I appreciate your comments and again, I have to say Representatives Bost, Davis and Holbrook did a heck of a job on this and I know they worked very hard on it. So, all the kudos belong to those Legislators."

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

Holbrook: "Thank you, Speaker. To the Bill."

Speaker Hartke: "To the Bill."

Holbrook: "This Bill will set us on the right course for all the speciality plates, we hope, for the next few years. We thought we had this taken care of and, again, no taxpayer should shoulder the burdens for vanity in the State of Illinois. I'd urge an 'aye' vote for this Bill. Thank you."

Speaker Hartke: "Representative Mitchell to close."

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Mitchell, B.: "Just... I appreciate the House's time. And would urge an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 1588?' This is final action. 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? Representative Crotty. Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Brunsvold in the Chair."

Speaker Brunsvold: "On page 2 of the Calendar appears Senate Bill 1649. Mr. Hartke."

Clerk Rossi: "Senate Bill..."

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

Clerk Rossi: "Senate Bill 1649, a Bill for an Act concerning petroleum marketing. Third Reading of this Senate Bill."

Speaker Brunsvold: "Mr. Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. Senate Bill 1649 is identical to a Bill and I don't recall the number, that I sent over to the Senate. The Senate sent an identical Bill back here that extends the Petroleum Resource Board assessment. Currently, in the State of Illinois, this board collects about, from its own members, a checkoff to help educate people on the environmental concerns and to clean up abandoned well sites and so forth. But not everyone is in total agreement with the intent of the law or who it applies to. So, this piece of legislation clarifies who is required to contribute to the Petroleum Resource Board. This piece of legislation is a self-help group. It not only educates individuals on the

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use of petroleum and the need and development of the mass gas industry in the State of Illinois, but it also extends the deadline on the Petroleum Resource Board. I'd be happy to answer any questions."

Speaker Brunsvold: "The Gentleman has asked for passage of Senate Bill 1649. Is there any discussion? Seeing none, the question is, 'Shall Senate Bill 1649 pass?' All in favor vote 'aye'; 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. And on that question, there are 106 voting 'yes', 10 voting 'no', and 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Kurtz, for what reason do you rise?"

Kurtz: "Thank you, Mr. Speaker. I rise to introduce..."

Speaker Brunsvold: "Proceed."

Kurtz: "... two baseball teams. One baseball team and one girls' softball team. They have been selected as All Stars by the McDonald-Mitsubishi Advisory Council and they are going to Cuba. And we hope that with great hope that they will show the Cubans off. This is the result of Governor Ryan's 1999 Humanitarian Mission to Cuba. Congratulations. Let's give 'em a big hand."

Speaker Brunsvold: "Congratulations. Thank you, Representative. On page 2 of the Calendar appears Senate Bill 1880. Mr. Holbrook. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1880, a Bill for an Act in relation to vehicles. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from St. Clair, Mr. Holbrook."

Holbrook: "Thank you, Speaker. Senate Bill 1880 is a Vehicle Code Bill which allows for flashing lights on propane trucks. Makes it a... Senate... House Amendment 1 makes a

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small change concerning the association of the Society of the Agricultural Engineering Standards at the request of the Farm Bureau and John Deere and Caterpillar. And lastly, it allows also flashing lights on security vehicles on their own property on private land. I'll be glad to take any questions."

Speaker Brunsvold: "The Gentleman's asked for passage of Senate Bill 1880. Is there any discussion? Seeing none, the question is, 'Shall Senate Bill 1880 pass?' All in favor vote 'aye'; 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. And on that question, there are 115 voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having... And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Yarbrough, for what reason do you rise?"

Yarbrough: "Point of personal privilege."

Speaker Brunsvold: "Proceed."

Yarbrough: "I'd like to... the House Members to look up in your... you guys, the classroom from the seventh grade Lexington School and Mr. Boeey would you give them a wave and a House of Representatives' welcome."

Speaker Brunsvold: "Welcome to Springfield. Thank you. Page 2 of the Calendar appears Senate Bill 1907. Mr. Franks. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1907, a Bill for an Act in relation to vehicles. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from McHenry, Mr. Franks."

Franks: "Thank you, Mr. Speaker. This Bill was brought by Senator Parker and Geo-Karis and it's bipartisanly carried here in the House. And what we're trying to do is to amend

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the Vehicle Code to establish a new grievance claim process for individuals who have had their vehicles damaged by the state's contractor, Enviro-Test, while performing vehicle air emissions testing for the IEPA. I'd be glad to answer any questions."

Speaker Brunsvold: "The Gentleman has asked for passage of Senate Bill 1907. Is there any discussion? The Gentleman from Vermilion, Mr. Black."

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

Speaker Brunsvold: "Sponsor yields."

Black: "Representative, if you are in a nonattainment area, you have to have the test?"

Franks: "Correct."

Black: "Right?"

Franks: "Correct."

Black: "All right. Those of us in rural Illinois where the air is cooler and fresher, we don't have to have this test. Does your Bill establish a fee or will the fee remain the same for the testing of the automobile?"

Franks: "There's nothing in this Bill dealing with fees at all. Everything..."

Black: "Okay."

Franks: "... is the same."

Black: "And what would constitute a claim against the test... the tester?"

Franks: "Well, Representative, Illinois used to test emissions by inserting a probe into the vehicle's tailpipe, but since they've changed requiring a more stringent test and it's a treadmill test. And oftentimes, when people bring their vehicles in, the cars are damaged, the transmissions can be damaged. There was a gentleman in my district who brought

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a high-performance vehicle there and his transmission was damaged. There was a whole slew of damage reported in the Sun-Times about a year and a half ago on this issue, hundreds of reported incidences of damages done while the cars were being tested."

Black: "There was a related Senate Bill at one time called for 'treble damages'. This Bill does not do that?"

Franks: "Correct."

Black: "One of the... one of the concerns of a previous Bill was that if you changed this during the life of the testing contract, it may make that contract null and void and then reopened by the current contractor which then could include a substantial increase in the fee charged to that motorist. I defer to your legal expertise. Is that a situation that we may find ourselves in if this becomes law?"

Franks: "I don't believe so since both Enviro-Test and the IEPA have agreed to the language of this Bill and they had spent about a month and a half negotiating. This Bill came over from the Senate as a shell and this was the agreed language."

Black: "All right. So, in effect, if I understand what you're doing with this Bill, it simply allows the vehicle owner to submit to... is it binding arbitration?"

Franks: "If they so choose. Frankly, I think this could save Enviro-Test some money because oftentimes they have to be dragged into Circuit Court which is time consuming and expensive. Now, when we have a way set up for a grievance procedure to be held, it could actually save them money and also save the consumer some money and also cut down on the time spent. So, I think it's a win situation..."

Black: "Okay."

Franks: "... for everybody."

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

Speaker Brunsvold: "Further discussion? Seeing none, Mr. Franks to close."

Franks: "I'd ask for a favorable vote."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 1907 pass?' All in favor vote 'aye'; 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. And on that question, there are 113 voting 'yes', 2 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Page 2 appears Senate Bill 1917. Representative Yarbrough. Out of the record. Page 3 of the Calendar appears Senate Bill 1930. Representative Bassi. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 19..."

Speaker Brunsvold: "Mr. Hartke in his Chair."

Clerk Rossi: "Senate Bill 1930, a Bill for an Act concerning local funds. Third Reading of this Senate Bill."

Bassi: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As Senate Bill 1930 allows any school board of a school district that was a member of a joint self-help insurance cooperative to move funds from the Tort Immunity Fund to the... to pay for any liability that is from the self-help insurance cooperative that may have become insolvent. It allows for a one-time transfer. The initial amount of the lia... insurance liability for the school district which engendered this particular amount... Bill was approximately \$80 thousand. Any other school districts that is in a joint cooperative in the State of Illinois could use this particular Bill and about two-thirds of all school districts in the State of Illinois are members of

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self-insured pools. It has no known opposition. And I would request an 'aye' vote."

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

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

Speaker Hartke: "The Sponsor will yield."

Mitchell, J.: "Representative Bassi, does this Bill cover the entire State of Illinois?"

Bassi: "Yes, it does."

Mitchell, J.: "So, all districts that are in cooperatives would have an opportunity to do this?"

Bassi: "Absolutely."

Mitchell, J.: "To the Bill. Ladies and Gentlemen of the House, this has been a problem for many, many school districts and this will provide some relief for them for a short period of time. It's very difficult to... to maintain the type of insurance we need for our teachers at the rates that are there now. This is not a final fix, but it certainly will give'em some breathing room, give'em some opportunity to form new allegiances and look for lower insurance in the future. I recommend an 'aye' vote. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Bassi to close. Oh, excuse me, Representative Black."

Black: "Thank you very much, Mr. Speaker, very quickly, an inquiry of the Chair. Could the Clerk advise as to... Committee Amendment #1 is on the Bill. Is Committee Amendment #2 not called or in other words, is Committee Amendment #2, it is not on the Bill. Correct?"

Speaker Hartke: "Mr. Clerk."

Clerk Rossi: "That is correct."

Black: "So, Committee Amendment #1 is included, Committee

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Amendment #2 is not."

Clerk Rossi: "That's correct."

Black: "Thank you."

Speaker Hartke: "Representative Stephens are you seeking recognition?"

Stephens: "Inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Stephens: "Who's in charge of floor security today?"

Speaker Hartke: "The doorman."

Stephens: "Any one in particular?"

Speaker Hartke: "What is your point?"

Stephens: "Well, actually, I'm first of all I'm glad to see you're back in the Chair and..."

Speaker Hartke: "Thank you."

Stephens: "... in our part of the chamber, we were just subjected to some very harsh criticism from someone that I think is from the Senate and I know they don't have badges over there and I wondered who I should bring this issue before. Representative Brunsvold could handle it."

Speaker Hartke: "Is there a Senator on the floor that you'd like to have removed?"

Stephens: "No."

Speaker Hartke: "Thank you. Representative Bassi to close."

Bassi: "I urge an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 1930?' This is final action. 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 109 Members voting 'yes', 7 Members voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is

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hereby declared passed. House Bill 1934, Representative Hoffman. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1934, a Bill for an Act in relation to civil procedure. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Hoffman."

Hoffman: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1934 would require that notice be given to unknown occupants who are named on a lease or rental agreement. It also provides for the method and service of process to the unknown occupants... occupants as well as it allows the unknown occupants to petition the court for a hearing in order to make sure that they would have due process. This Bill is not meant to interfere or affect with court orders... or the court order set forth in the Rembert v. Sheahan decision and I might add that the... this is an initiative of the realtors... the Illinois Realtors Association. I would ask for an 'aye' vote."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1934?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1966, Representative Mathias. Out of the record. Senate Bill 2001, Representative Tenhouse. Out of the record. Senate Bill 2155, Representative Bost. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 2155, a Bill for an Act in relation to civil liabilities. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Bost, are you prepared?"

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Bost: "Well, yes, yes I am. Thank you. Thank you very much, Mr. Speaker. Thank you, yes I am. Senate Bill 2155 is a... it amends the Premises Liability Act and provides that an owner or operator of an off-road riding facility... facility that's used for recreational activities or sporting events, involving off-road highway vehicles is not criminally liable for any noise emissions and is not subject to nuisance or trespassing action based on noise emissions. This is based on the fact that a lot of established businesses, people who come in and move in beside them and then start complaining after they've already been established through local codes and then try to sue after the fact. Be glad to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Jones, John Jones, the Gentleman from Jefferson."

Jones, J.: "Yes, Mr. Speaker, on a previous Bill, 1930, I inadvertently punched the 'no' vote and I would like to be recorded as a 'yes' vote."

Speaker Hartke: "The record will reflect your wishes. Further discussion on Senate Bill 2155? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 2155?' 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. Scully. Mr. Brunsvold. Mr. Clerk, take the record. On this question, there are 98 Members voting 'yes', 17 Members voting 'no', and 1 Member voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 3, on Third Reading appears Senate Bill 2017. Representative Black. Mr. Clerk, read the Bill."

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Clerk Bolin: "Senate Bill 2017, a Bill for an Act concerning tobacco. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Black."

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. Senate Bill 2017, if you'll look at it, would appear to be a rather complicated Bill and I... let me just publicly thank the Majority Leader, Representative Currie, for her assistance in getting this Bill out of the Revenue Committee. When you boil away all of the boiler plate on this Bill, what Senate Bill 2017 does is to allow the Illinois Attorney General's Office to facilitate the enforcement of the master settlement agreement entered into by the State of Illinois and tobacco product manufacturers in November of 1998. What this... let me try to do this as simply as I can because it was difficult for me at first to understand this. The current Act says, that if you are not a party to this Tobacco Product Manufacturer's Act, you must place funds into a qualified escrow account based on the number of manufacturers' cigarettes sold in Illinois. What is happening is that there are small cigarette companies that may go in and out of business in a 30, 60 or 90 day period, they ship cigarettes to a distributor in Illinois who then puts a tax stamp on them, and they are sold and the profit goes back to that cigarette company and the State of Illinois receives absolutely not one cent from that company that goes into the Settlement Act that we are getting about 300 plus million dollars a year from. I talked with the two representatives today, one from the Attorney General's Office, I thought this might be a relatively minor problem. It is estimated that... that this current loophole could cost us as much as \$30 million a year. So, what this Bill

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says is if you are not a party to the Tobacco Settlement Act and you want to sell a cigarette or a carton or a package of cigarettes in Illinois, a distributor in Illinois will be strictly prohibited from putting an Illinois tax stamp on your cigarettes which means they cannot legally be sold in the State of Illinois. It is thought by doing this they will then agree to participate either in the settlement or by putting money in as escrow account which is what they are supposed to do. Because as long as they can get the stamp and sell the cigarette and not participate, obviously, it's to their advantage to do so. So, I think if you're looking at a 20 or a \$30 million hit to the master settlement on the Tobacco Product Manufacturer's Act, 2017... Senate Bill 2017, in fact, needs to become law. And I would be glad to answer any questions that you have."

Speaker Hartke: "The Chair recognizes Representative Brunsvold."

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

Speaker Hartke: "Sponsor indicates that he will yield."

Brunsvold: "Representative Black, would this make our settlement money more secure or less secure?"

Black: "It would make it more secure."

Brunsvold: "And with that very simple statement I think Mr. Black is said very well what this Bill does. And I would stand with him in support of this Bill. We know how important that tax money is to us right now. We need to keep it and make it more secure. So, I join with Mr. Black in support of this Bill."

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

Black: "Thank you very much. I certainly appreciate the help and support of Representative Brunsvold. I think he said it

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very eloquently. This makes the tobacco settlement more secure and may... it may very well, in fact, add upwards of 20 to \$30 million into that account. I urge an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 2017?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On Supplemental Calendar #1 appears SJR76. Mr. Clerk, read the Reso... Senate Joint Resolution."

Clerk Rossi: "Senate Joint Resolution #76."

SENATE JOINT RESOLUTION 76

WHEREAS, Section 3 of Article VIII of the Constitution of the State of Illinois provides that the General Assembly, by a vote of three-fifths of the members elected to each house, shall appoint an Auditor General; and

WHEREAS, The General Assembly has, by Section 2-3 of the Illinois State Auditing Act, charged the Legislative Audit Commission with the responsibility of diligently searching out qualified candidates for the office and making recommendations to the General Assembly, and, pursuant to this statutory mandate, the Legislative Audit Commission has conducted a diligent search and has recommended to the General Assembly the appointment of William G. Holland of Springfield, Illinois, as Auditor General; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY

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OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING
HEREIN, that pursuant to Section 3 of Article VIII of the
Constitution and upon the recommendation of the Legislative Audit
Commission, William G. Holland of Springfield, Illinois, is
appointed Auditor General for the State of Illinois for a term
commencing on August 1, 2002."

Speaker Hartke: "Representative Curry on the Resolution."

Curry: "Thank you, Mr. Speaker, Members of the House. It's my
honor today to present to you Senate Joint Resolution 76.
As cochair of the Legislative Audit Commission for the last
year, we've had the responsibility according to the
Illinois Constitution to begin search for an Auditor
General for the State of Illinois for the next ten years.
It's our responsibility to conduct the search and then
present to the Members of both the Illinois House and the
Illinois Senate our recommendation for Auditor General in
the State of Illinois. Again, we began this process over a
year ago. It started out with a, obviously, a bipartisan
committee made up of myself, Representative Biggins,
Senator Walsh and Senator Demuzio and we started the search
for the Auditor General. Just for the Members information,
as a part of our search, we sent out about 800 press
releases about the position. We placed ads on the
Internet, statewide CPA magazine and statewide newspaper
about the search. We wrote to several professional
organizations, all of the Members of the General Assembly
and about 725 educators at public and private universities
and asked for assistance in sending qualified candidates to
the Audit Commission. During that process, we had seven
individuals submit resumes and an interest in being
interviewed by the Legislative Audit Commission. On April
19th of this year, we conducted... we conducted... G.I. Joe

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has now made his first appearance in the Illinois General Assembly, thank you. We conducted interviews on April 19th of all the candidates who submitted applications to the Legislative Audit Commission. All the members of the Audit Commission had the opportunity to take part in the interviews. I can tell you as one of the individuals obviously who set... sat in on each interview that there was one individual who clearly stood out head and shoulders above the rest of all the other candidates who had submitted applications. And that is our current Auditor General William Holland. So, I am proud to be here today to recommend to the Illinois House the recommendation that William Holland be appointed as the Auditor General of the State of Illinois for a ten-year term. I can tell you, just in the number of years that I've served on the Audit Commission, Mr. Holland has acted in a manner that is incredible to me. He has worked in a bipartisan manner with both Members of the Democrats and the Republicans. He's conducted himself on major audits that have helped this Body and the Illinois Senate in determining how to deal with, for example, the State Disbursement Unit of the Illinois Department of Public Aid. And when there was a problem with the Little Pilsen Village(sic-Pilsen-Little Village) or... we conducted an audit of that and brought to light many problems that this state faces. It's my honor, again, to provide to this Body and to recommend to you that William Holland be... be our... our nominee for Auditor General in the State of Illinois. I'd be happy to yield to any questions."

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

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

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Gentlemen of the House. I simply rise in support of the Resolution. There aren't many of us in the chamber who remember Mr. Holland in his previous life. I am one of those people. I had several occasions to work with him in his previous partisan position and let me tell you, he was very good at what he did. Didn't always agree with him, but he was very good at what he did. Ten years ago, when he became Auditor General, I had no reason to believe that he would perform anything other than an admirable job and I think he has done that. Just recently, several of my constituents have raised questions about procurement policies in the State of Illinois. And when you call Bill Holland's office, you always get an answer, you always get a reply, you always get a response. He treats us and our constituents with courtesy and dignity and certainly is willing to look into any of the concerns that we as Legislators have regarding procurement or spending policies and he's just as courteous to questions that our constituents have. I think that's the kind of person you want in this job, he has done that. His performance is worthy of reappointment and I certainly stand in strong support of the reappointment of Mr. Holland as Auditor General."

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

Biggins: "Thank you, Mr. Speaker and Members of the House. I also rise in support of the Resolution reappointing the Auditor General Holland for another term. This is the only appointment that House Members get to vote on. Usually, the other chamber across the way does all the voting on appointments, but this is a very important matter. Your auditor is really the... the eyes behind the spending that

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goes on and has the ability to go in and make sure that the procedures are being followed according to the laws that we passed. General Holland has served at our be... at our order the last ten years; he does what we ask him to do, so you are a much a part of his activities as almost he is in his administration of them. I even hope that he could help us a little bit, maybe he can get into the area of management audits in the future, so we can maybe find a better way to do the operations of our state and perhaps save some of the money that we're talking about hopeful of finding before we adjourn this year. But I do commend the Auditor General for the role he's performed. He takes on tough assignments and does them well and it does not matter to him if some people's feathers got a bit ruffled. He just does the job that he's been assigned to do. I know he takes it seriously. And I urge that you agree to reappointment him for a ten-year term."

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

Erwin: "Thank you, Speaker. I don't know that there is a great deal to add, but I would just like to offer as one not on the Audit Commission but as one who worked with Bill Holland for many years in the Senate. And knowing that he was an appropriations director on the Illinois House staff, I can't think of a better person to be our Auditor General. Someone who not only has spent a career working with and for the Legislature, not only as an appropriations director, as the Chief of Staff, but also running the Illinois General Assembly's office in Washington, actually opening that office and doing a terrific job for the Legislature in Illinois. He has a great deal of respect for each and every one of you as he does all of the elected

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officials of the state and he has a great... great deal of respect for the legislative process. So, I just wanted to echo what our two outstanding speakers said previously and urge your support."

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

Granberg: "Thank you, Mr. Speaker. Representative Curry, does the Auditor General... will he take questions right now?"

Curry: "Does he take questions right..."

Granberg: "Will he take questions from Members, right now?"

Curry: "Absolutely. Where's he at?"

Granberg: "Or maybe not."

Curry: "No, no."

Granberg: "Now, it's funny. I used to work for Bill on the House Appropriations staff back in the mid '70s, so it's ironic that I have the opportunity to vote against him... I mean vote for him today. I knew Bill back in the days when he drank Pabst Blue Ribbon beer, but ever since he's gotten this appointment, his tastes have gone up, now it's Michelob. But I... I do want to say that we're very proud of what he's done. He's always been the consummate professional, never partisan in this position. He takes his job very seriously and has a great deal of respect for the Members and the legislative Body. So, I rise in support. I think he's done an admirable job. And I think he'll even perform better in the future on behalf of all of us in this chamber."

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

Curry: "Thank you, Mr. Speaker, Members of the House. Again, I would ask for an 'aye' vote on the appointment of William Holland as the next Auditor General... current Auditor

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General... next Auditor General of the State of Illinois.

Thank you."

Speaker Hartke: "The question is, 'Shall the House adopt Ho... Senate Joint Resolution 76?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Reitz. Danny Reitz. Mr. Reitz. Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does adopt Senate Joint Resolution 76. The Chair recognizes Representative Mathias. For what reason do you seek recognition?"

Mathias: "Thank you, Mr. Speaker. Would the record reflect that I accidentally voted 'no' on Senate Bill 2155 and my intention was to vote 'yes'."

Speaker Hartke: "Excuse me, I didn't hear you. The Journal will so reflect."

Mathias: "Thank you."

Speaker Hartke: "On Supplemental Calendar #1 appears Senate Bill 39. Representative Lang. Mr. Clerk, read the Bill. Mr. Lang on Senate Bill 39."

Lang: "Thank you, Mr. Speaker. I move that the House refuse to recede with... from House Amendment #1 and that a Conference Committee be appointed."

Speaker Hartke: "You've heard the Gentleman's Motion. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Motion is carried and a Conference Committee Report... or a Conference Committee will be appointed. On Supplemental Calendar #... on the Regular Calendar appears House Joint Resolution 76. Representative Curry."

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Curry: "Thank..."

Speaker Hartke: "House Joint Resolution 76, the Amendment."

Clerk Rossi: "Floor Amendment #1, offered by Representative Julie Curry, has been approved for consideration."

Speaker Hartke: "Representative Curry."

Curry: "Thank you, Mr. Speaker, Members of the House. House Joint Resolution 76 has been an issue that has been a collaborative effort amongst myself, and Representative Jerry Mitchell, other Members of this chamber, and certainly, several different organizations throughout the state that are concerned about testing of our children in the State of Illinois. House Joint Resolution 76 is really rather simple. And it all started as an effort to try to get more participation in the process of developing tests here in Illinois, trying to have more of an input and a say in the tests that are developed for our elementary school children and the test that is given to our students in the high school level. If this chamber will recall for the Members that were here back in 1997, we passed legislation that required new testing here in the State of Illinois, the ISAT test and the Prairie State Achievement Exam. And I think it was all our outstanding at that time that various organizations and groups would be allowed to participate in the process, in terms of the development of those tests, with the Illinois State Board of Education. But I think each and every one of us can attest here today that that hasn't happened. And that's why we bring this Resolution to you today. Couple of the important things that this Resolution does and I want to point out to the Body is that it doesn't... it doesn't stop the current testing that we have already begun here in Illinois. But what it does do is it stops the Illinois State Board of

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Education from pursuing or expanding additional tests in this state while we go through the development of what we will do... to need to be required to comply with the legislation passed at the federal level called No Child Left Behind Act that was passed in 2001. The Amendment establishes a state assessment system, policy, and implementation... implementation task force and it is comprised of 17 members, four Legislators, one from each caucus; four teachers, two appointed by the IEA and two appointed by the IFT; five individuals appointed by the School Management Alliance; two individuals, business representatives appointed jointly by the IMA, IRMA, the Chamber of Commerce, and the Business Round Table; the Super... the State Superintendent of Education or his designee; and one person appointed by the Board of Higher Education. We tried to make this committee as inclusive as possible, but also recognizing that if we made a committee or a task force that was too big we may not be able to accomplish our goals. It's the responsibility of this task force to work together to take a look at our current assessment system, testing system, here in the State of Illinois and try to determine what is the best way to go about assessing our children and the education that they receive. They are required to report to the General Assembly by December 15th of this year. Some initial recommendations, they are required to conduct public hearings during the summer and the fall and then they were required to provide their final report to the General Assembly by March 15th of next year. And it is important for all of us to note that the State Board of Education cannot continue to go forward again with the development of any additional tests or additional requirements without the

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oversight of the task force and without the approval of the Illinois General Assembly. And I think that is the most important and significant thing that we can do here today. The other important thing as the Chairperson for the House Elementary & Secondary Education Appropriations Committee, this Body needs to be aware that we will receive additional federal money for testing and assessment here in Illinois in the current... in the next fiscal year and to years after that. This will give us an opportunity to reassess the amount of money that we provide for standards, assessments, and accountability, which is currently about \$31 million. With additional federal money, and it depends what day you talk to the State Board of Education on the amount of money that we're gonna receive from the Federal Government, I believe that we can... we can seriously consider reducing that line item by close to \$15 million and then maybe reappor... appropriate that money to other important programs in this state. So, we have some issues here that we have been trying to tackle for a number of years and now we have an opportunity. We've worked with, in a bipartisan manner, to come up with a Resolution and an Amendment that would be acceptable to everyone. And I would be happy to answer any questions, Mr. Speaker."

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

Mitchell, J.: "Thank you, Mr. Speaker. To the Resolution. Ladies and Gentlemen of the House..."

Speaker Hartke: "To the Resolution, Amendment #1."

Mitchell, J.: "This has been a long, arduous process. Testing of the boys and girls in the State of Illinois began back when we passed Quality First in '95. What we got and what we expected have been light years apart. Part of that problem

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has come from the fact that we've played fast and loose with the State Superintendent of Schools' position and we have had numerous gentlemen in that position over the past five years. We had hoped at one time to have a tool that would both help teachers and show that our education system is accountable. That didn't happen. Our testing system is in disarray. What we believed, Representative Curry and myself and many organizations across the State of Illinois including this ASAA, A... AASA, the IPA, the IEA, the IFT, and many, many other education groups felt that it was time that all stakeholders have an opportunity to work on the solution to the problem in the State of Illinois. This probably is our last chance to get it right. It's not right yet. Our local districts spend thousands of dollars on local testing on top of state testing and our teachers are drug through a year of over testing, over preparing for tests, both standards and both nationally norm tests. The possibility of combining those can happen now with the task force. We can maybe get a test that is accepted by the state, by the Federal Government, by the our local districts and save time, energy, and dollars and still show that our system is accountable, that it's diagnostic and teachers can use this to move our children forward. It's been a long, hard process. This is what we'd hoped for in the beginning, back when Joe Spagnolo was the superintendent, it didn't happen. This Resolution, although it's not what we intended in the beginning, this Resolution will help to bring light to the subject of testing, possibly end the long, long hours of testing and get it right. I commend Representative Curry for putting the group together, for getting this Resolution to the floor. I commend the staffs on both sides of the aisle who

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helped and did it quickly and got us information when needed. I appreciate all of the groups that came together, resolved the problems with this Resolution so that it comes before you with no opposition, and I stand ready to vote 'aye'. Thank you, Representative."

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

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

Speaker Hartke: "You're welcome."

Black: "You're helping my sore throat."

Speaker Hartke: "I'm trying my best."

Black: "Would the Sponsor of the Amendment yield?"

Speaker Hartke: "Sponsor will yield."

Black: "Representative Curry, if I heard you correctly, the Amendment says that any future tests that will be added to the K-12 curricula would have to be approved by the Illinois General Assembly. Did I hear correctly?"

Curry: "Correct."

Black: "Is there a time certain on that or will it be in statute forever? I mean, 20 years from now if there is a new test widely accepted and disseminated, before Illinois could use it, the Illinois General Assembly would have to approve that?"

Curry: "Representative Black, the way that I understand the Resolution and the Amendment that we drafted, after the task force provides their final recommendation to the General Assembly next spring, March 15th of 2003, that's it. So, this isn't... There's not a plan for this to go on and on and on and on. The plan is for this task force to act quickly, to work together, to present to all of us, recommendations for change."

Black: "Bear with me, Representative, I don't have a copy of the

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Amendment. If a school district wants to change its basic achievement test from the Stanford, say to the Minnesota or California or whatever, there's nothing in this Amendment that would say that they would have to be... the individual school district in changing an achievement test, that that school district has used for a number of years, would have to then come to the General Assembly to approve their addition or subtraction or substitution of a test that they had been using as a district test?"

Curry: "That's correct, Representative. Districts throughout the state, and you know there are close to 900 of 'em, many of 'em do testing beyond what we require for state testing. This has only... This issue and this task force only deals with state testing, it doesn't do... it doesn't deal with additional testing that school districts may already be doing right now, here in Illinois."

Black: "All right. I just want to make sure that I'm on the same page with you. This Body, the House and the Senate, would act on any tests until the task force completes its work. I don't want a... and I'm not gonna be here 10 years from now, Lord knows. But what I always am afraid of, I don't want to be on a school board. I don't think this Body is a school board and I think when we put ourselves in as a locally-elected school board we tend not to do a very good job. So, at some point, if I heard you correctly, we would not be in a position of deciding what state tests would be given and what would not be given. At some point in the future, correct?"

Curry: "That's correct, Representative Black. And let me just clarify something for you and for the other Members. The reason why that we thought it was important for the Illinois State Board of Education to bring any policy

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changes or anything that they might be doing that would be different to our attention is the fact that in so many instances over the years they implement rules, they change procedures, and we are the very last ones to find out. And I think it's critical during the time where we're trying to comply with the No Child Left Behind Act with the federal requirements, and a lot of their rules and stuff, the federal rules haven't even been developed, yet. But they have a timeline that they have to meet. We just want to make sure that we're informed and we know what they're doing and that they're not doing anything behind our back or the task force's back, that group's back, that we are all informed and have an understanding of what's going on. That's been the problem in the past. We don't plan. I don't want to act as a school board member. I don't even want to be involved in this issue of testing, but I've learned more about testing in the last few years than I ever want to know. And I know that there's a problem. And the biggest problem is the communication between the State Board of Education and all of the various groups, whether it's the teachers, the Parent/Teacher Associations, or the school administrators and superintendents. Everybody needs to be involved in this process and needs to be aware of what they're planning to do which will affect every school district in the state, school districts that we represent. And that's why I think it's important that we understand exactly what they're going to do over the next few months."

Black: "All right. I appreciate that. That makes it much more palatable to me to have you explain it that way and I do appreciate your indulgence. At a point later in the process, maybe next fall, you and I could get together and work on a Basic Skills Test that prospective Legislators

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would have to pass before they could be inaugurated, a revolutionary idea whose time may come shortly. Thank you for your indulgence."

Curry: "You're welcome."

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

Cross: "Thanks, Mr. Speaker. Just a couple of questions of the Sponsor."

Speaker Hartke: "Sponsor will yield."

Cross: "And, Representative, this may have... you may have asked... someone may have asked this, it's been a little chaotic on this side. But I'm just curious. On the Amendment, Lines 17, 18, and 19, 'resolved that the State Board shall not pursue activities designed to expand that test without legislative approval.' That seems to me to go beyond traditional language we see in a Resolution. That seems to mandate what the state... not seems to, it would... it's mandating what the State Board of Education can do. Has there been any discussion as to whether or not that language is binding on the State Board?"

Curry: "Whether it's binding on the State Board?"

Cross: "Whether... I mean, say the State Board decides that there's some language to the con... that there's some statutory language to the contrary? I mean, do we have... this is, to me, stronger than a normal, traditional Resolution."

Curry: "Well, again, Representative Cross, I think this is a particularly important issue that we have been dealing with for a number of years in this state. I think when Leader Daniels presented to us, in 1997, his plans for a testing in this state, I think he believed, and this is just my interpretation, that all the various organizations and

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groups would be involved in the development of tests in this state. Well again, that hasn't happened. That's why it is so important to have this section and language in the Resolution to make sure that those things are happening, that the original intention of the Illinois General Assembly is by... that they abide by it. And I would hope they would abide by this Resolution. I can tell you that the Amendment to this Resolution is not as, you know, through the process of negotiating and compromising, the language is clearly, is not as strong as the original Resolution."

Cross: "I think you've... I agree with that, yes."

Curry: "And so, this is a part of compromise. But we had to keep some language in the Resolution that was forceful enough that... to make sure that the State Board of Education knew that we were serious about this effort."

Cross: "Julie, why wouldn't you just pass a piece of legislation then? This is really what... It seems like you're attempting to legislate activity of the State Board through a Resolution, as opposed to just outright passing legislation. And why didn't... And I'm not trying... I'm just curious why we didn't do that?"

Curry: "Well, I'm not going to disagree with you or argue you with you on that point. And certainly, a piece of legislation would be much stronger than a Resolution. But it was agreed upon by the various groups that were involved that a Joint Resolution passed by the House and the Senate would be forceful enough to show the State Board of Education that we're very serious about this issue and that we wanted something to happen. It also establishes this task force which they have a part of, but I think they clearly know that we are very serious about rectifying many

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of the problems with testing here in the State of Illinois."

Cross: "I don't think people are gonna... I'm just... I'm questioning the legal, the binding nature of this Resolution, specifically in this area, where we're mandating some language, or mandating some activity or nonactivity on the part of the State Board. I'm not sure this is the avenue to do it. I would suggest that it's perhaps not even binding. But just then... A couple of other... Just two questions. The State Board is not... You're not suggesting that the State Board is supportive of this language are you?"

Curry: "I'm sorry."

Cross: "Is the State Board supportive of this Amendment?"

Curry: "From what I understand... I think it... obviously, they were opposed to the original Resolution in committee."

Cross: "Okay. Right. But I meant with the Amendment."

Curry: "They were involved in the negotiation of this Amendment. I think it lessens some of their concerns."

Cross: "All right."

Curry: "But I wouldn't... I would say that they're probably still opposed to it."

Cross: "All right. ... still..."

Curry: "They have not... I could tell you, Representative Cross, they have not called me up after we had our meeting last week to say, Representative Curry, we support it or oppose it. They did not call me. I know that they have spoken to other individuals on your side of the aisle and I believe that they're still opposed to it. But again, I think it lessens some of their concerns."

Cross: "All right. Just a... And again, I wasn't trying to cause you a problem on that. With respect to the makeup of the

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committee, have you been... have you had discussions or negotiations with the business community as to the amount of input they're going to have on this committee, or this task force?"

Curry: "The business community will have, as a part of this Amendment, will have two individuals who will be a part of the committee. The original Resolution had many more members. But as a way of compromise, from what your Leader had indicated to me that he wanted less members on the task force, because I believe that he wanted the task force to be able to get their job done. In that process, we reduced the number of individuals; teachers, and members of the business community. So, we haven't been able to make everybody happy..."

Cross: "I understand."

Curry: "... 'cause you know everybody wants to be a part of the task force but, you know, that's just not gonna happen."

Cross: "Okay. Thanks a lot."

Curry: "Thank you."

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

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

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

Erwin: "Thank you. Representative Curry, I appreciate the intent of this Resolution and the Amendment. I'm... I am a little concerned about the phraseology, if you will, on the Amendment on lines 17, 18 and 19, where it reads, 'that the State Board of Education shall not pursue activities designed to'... You know when I read things like that it worries me a little that for instance, I hope and I know that they do, that the State Board has a research unit and people who are constantly researching and investigating a

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myriad of issues. I'm hoping that the intent here is not to like, stop them from examining relevant issues. I mean, even though... as you pointed out, the federal legislation that passed, is very problematic. Not just for Illinois, but for all the states to try and figure out how the heck to meet all of these various mandates that districts are required to do. But if in investigating and researching how to go about it... that it would be interpreted to mean that you're not allowed to pursue activities that... I mean and I'm not really sure if, if on the other hand the intent is that the board not approve, like formally approve, a change. I would be more comfortable if you could help me explain your intent there."

Curry: "Representative Erwin, this... those three lines that you referred to specifically deals with the expansion of testing beyond what we currently do in this state and if we don't... We felt it... We felt compelled to put some very strong language in this Resolution to make sure that the... again, that the State Board of Education clearly understood what we... what our position was and the fact is, is that we have for too long been left out of the process. Not only the General Assembly, because you know... And I don't want to get into this and... but not only the General Assembly, but other organizations that should be involved in this process. Clearly, they have the ability to continue the... to continue working on the idea of testing and complying with federal rules and stuff. But all we're saying is that we've established this task force and before any changes that can go forward, they have to work with that group. You know, and that's what this is all about. There is no intention on my part or any of the other Sponsors' part to do anything but remain involved in any

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more or... expansion of current testing we have in this state. Again... I mean, we deal with them on a regular basis and I suppose it's a lack of trust, but clearly they have, they have created that problem on their own. And so, that's why we're here today. 'Cause if you think about it, if they had been doing all the things that I'm talking about today, then we wouldn't be here with a Resolution forcing them to come to this Body, establishing a task force to make sure they're doing the right thing. It's a lack of trust. All we're asking is that they communicate and they allow the people and the individuals and the various groups that teach everyday, that have the responsibility to educate our children, to be involved in this process and say, 'what do you think?' And maybe Members of the General Assembly to say, 'hey, this is what we're doing', you know, 'we're doing what you empowered us to do.' But they haven't done that and that's why I think it's particularly important that we have those three lines."

Erwin: "Thank you. I really do appreciate that, that answer, Representative. And I think it is important that in issues that, you know, God knows, we're not involved in one specific issue area, we have to deal with a million different things. But for those people who may research very specific things at the State Board that we not curtail, you know, important research and investigation that would have to go on. And finally, if I can just ask you one more question. When... In terms of the testing approval for coming from the General Assembly, is it... and I apologize, it was a little noisy, so you may have answered this to Bill Black, but I just didn't hear it. Is it your, is it your intention to have the General Assembly

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forever have to approve every... or is it just until this task force completes its work and makes a recommendation and..."

Curry: "Again, when the task force presents their final recommendation to the General Assembly next spring, that's where I believe that our part in this process ends."

Erwin: "Thank you very much. I appreciate your answers."

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

Curry: "Thank you, Mr. Speaker and Members of the House. Again, this is a... an extremely important Resolution and then, obviously, Amendment that we've been working on for, for a while. We've had this issue before the General Assembly over the last few years. We have an opportunity this year to try to do something important to try to have our voices heard, the voices of our teachers heard, the voices of our administrators heard, the voices of our parents and our children heard in this process. We've all experienced complaints over the years with the ISAT and Prairie State Achievement exam. We have an opportunity to finally get it right. And that's what this is all about. I'd ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #1 to House Joint Resolution 76?' 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: "Representative Curry on House Joint Resolution 76."

Curry: "Thank you, Mr. Speaker. I think we've had plenty of discussion on the issue and again I would ask the chamber

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for their support of this Resolution so that we can send it to the Senate and we can get it passed by both chambers."

Speaker Hartke: "The question is, 'Shall the House adopt House... Shall the House adopt House Joint Resolution 76?' 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 112 Members voting 'yes', 2 Members voting 'no', and 1 Member voting 'present'. And the House does adopt House Joint Resolution 76. The Chair recognizes Representative Monique Davis. For what reason do you seek recognition?"

Davis, M.: "Thank you, Mr. Speaker. If those, in this Body, would look up to the left and see Representative Mary Flowers, she's with... she's with a group of beautiful women from Africa. They're from Tanzania. They own their own businesses. There are ten of them. They have fruit stores, flower stores, different products that they make or sell, but these are businesswomen from Tanzania. Let's give 'em a welcome in Illinois."

Speaker Hartke: "Welcome to Illinois and the General Assembly. On page 3 on the Calendar, on Third Reading appears Senate Bill 2118. Representative Cross. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 21..."

Speaker Hartke: "Please."

Clerk Bolin: "... 18, a Bill for an Act concerning children's advocacy centers. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Cross."

Cross: "Thank you, Mr. Speaker. This is a truly a fairly simple Bill. It passed out of the Senate 57-0, out of the House committee that I presented it in 9-0 and it's purely..."

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it's cl... it's cleanup language. We have in the... our statutes the ability now by referendum to create child advocacy centers that are centers that are created often in many counties throughout the state where it coordinates the activities of a variety of agencies in each respective county that are involved in the investigation, prosecution, and treatment referral of child sex abuse. What this Bill does is... is allows for the creation of a child advocacy center even if not... even if a referendum is not passed. The child advocacy center, in that case, would be funded by grants, contracts or other available money sources. I don't know of any opposition. It's very straightforward. Child advocacy centers have been very, very successful. Attorney General Jim Ryan has been at the forefront of the creation of child advocacy centers. And I would appreciate an 'aye' vote on this."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 2118?' 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... Mr. Fritchey. Mr. Fritchey. 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. On page 3 on Senate Bills-Third Reading appears Senate Bill 2001. Representative Tenhouse. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 2001, a Bill for an Act to create the Innovations and Long-term Care Quality Grants Act. Third Reading of this Senate Bill."

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Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an initiative of the Illinois Health Care Association and creates the Innovations and Long-Term Care Quality Grants Act. This is similar to a Bill that we discussed earlier in the Session. There was some controversy because obviously with the concern this year with the use of any type of state penalty funds it could defund this program. We've reached a resolution in regard to that now the Department of Public Health is now in agreement with this Bill because they're going to seek a waiver and use the funds that are available from the federal side to be able to provide for the funding of the grants using federal civil monetary penalties. I would certainly ask... this is an important issue, I think, certainly dealing with long-term care. Would ask for concurrence or agreement, I should say, of all the Members of the House."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 2001?' 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 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. On page 2 of the Calendar appears Senate Bill 1917. Representative Yarbrough. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 1917, a Bill for an Act in relation to minors. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Yarbrough."

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Yarbrough: "Thank you, Mr. Speaker and Members of the House. Senate Bill 1917 is a collective of the state's attorneys groups to avoid duplicative notice requirements in juvenile dispositional hearings. The current law provides for due process of service of summons on the onset of a termination proceeding and the subsequent Supreme Court Rule 11 Notice prior to disposition. This Bill eliminates the subsequent Rule 11 Notice requirements because it's duplicative, unnecessary and slows the disposition of these termination proceedings. The Rule 11 Notice was eliminated from the delinquency portion of the Juvenile Court Act in 1998 with the passage of the Juvenile Justice Reform Act. The failure to eliminate the same notice provision with respect to termination proceedings was an oversight. Senate Bill 1917 is an effort to clean up this oversight. I'll entertain any questions."

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

Flowers: "Thank you, Mr. Speaker. Will the Lady yield, please?"

Speaker Hartke: "The Lady will yield."

Flowers: "I'm sorry, Representative Yarbrough, I didn't understand, what is Rule 11 that was eliminated, now we're reinstating?"

Yarbrough: "The Rule 11 was a notice requirement that has been eliminated..."

Flowers: "So, if we..."

Yarbrough: "... with the Juvenile Court Act in 1998."

Flowers: "So, we are eliminating a notice requirement."

Yarbrough: "Yes."

Flowers: "Now, what was that... what we're eliminating is a notice. We were notifying someone about something."

Yarbrough: "Yes. We were notifying the... either the parents or

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the custodians or somebody a second time. We notified them up front, the first time, and this was something down the road to notify them again, so we don't need..."

Flowers: "We were notifying them about their children?"

Yarbrough: "Yes, yes."

Flowers: "Okay. So, and now we're going to eliminate that second notification and we... and this is about their children?"

Yarbrough: "Yes. They... They're already involved in the process. They're involved in the process on the front end already and in order to... in order to... to speed up the process and to... to get this taken care of, we don't need it down on that end."

Flowers: "Okay. I'm just trying to, as a mother, Representative, I'm trying to understand. I could have been out of town, the mail could have been misdirected, it could have had some anthrax in the mail, so it was never delivered, so therefore I didn't get the first notification by no fault of my own. So, now, this legislation is saying that you are taking me out of the equation of notifying me about what's going on with my child."

Yarbrough: "No, that is not the case."

Flowers: "Okay."

Yarbrough: "That's not the case. The parents or the guardian are already in..."

Flowers: "Mr. Speaker. Speaker, I cannot hear. Would you please..."

Speaker Hartke: "Shhh."

Flowers: "... lower the noise in this House."

Speaker Hartke: "Please."

Yarbrough: "Excuse me."

Speaker Hartke: "Shhh."

Flowers: "Now, I'm sorry, Representative. Please forgive me."

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Yarbrough: "That's okay."

Flowers: "Maybe I can understand what it is that we're trying to do with Senate Bill 1917."

Yarbrough: "Okay."

Flowers: "I just stated... Did you... you understood my question?"

Yarbrough: "Yes."

Flowers: "Okay."

Yarbrough: "Yes, I did."

Flowers: "Okay."

Yarbrough: "I was actually looking for the language that's included in the... in the Bill. The parents and the guardians are already involved in this process on the front end of this Bill. They have already been given notice. They have definitely already been given notice before the process starts. You know at the beginning of the process."

Flowers: "But I wasn't in town. I wasn't..."

Yarbrough: "No."

Flowers: "... here when... I wasn't here when the first incident occurred. I was not here. I was not aware of this incident."

Yarbrough: "Okay."

Flowers: "And now I'm back in town and so I want to know when is the next court date. And they said, well, Ms. Flowers, we've already sent you notice. I didn't get it. So, you're saying that, you know a bill collector, Representative, sends out a second notice. Now, I'm just only talking about my child. Am I not entitled to a second notice in regards to what's going on with my child?"

Yarbrough: "No. You're absolutely correct. And I'm a parent also..."

Flowers: "Uh huh."

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Yarbrough: "... and I would definitely want to know, also. But what I'm trying to get across to you here is that what is happening is they are already involved in this pro... you... you say you haven't gotten the notice, but in fact, you have gotten the notice. You have, in fact, gotten the notice and this is at the time that they're getting ready to make some disposition of this particular hearing."

Flowers: "Okay. Representative..."

Yarbrough: "Yes."

Flowers: "... there's two sets of rules out there, one of them being Rule 11."

Yarbrough: "Yes."

Flowers: "You are merely eliminating Rule 11, but the first set is the... in the Juvenile Act, do notify me on more than one occasion?"

Yarbrough: "Yes."

Flowers: "Find... Okay."

Speaker Hartke: "Further discussion? The Chair recognizes... Oh, I'm sorry. I thought you had finished."

Flowers: "No. Representative, would a parent have to receive a certified letter and sign for it in regards to this legislation?"

Yarbrough: "No, not sign for it."

Flowers: "How many times... What is the process... what is the process... If I eliminate the Rule 11, Representative, what is... what process is left?"

Yarbrough: "It's my understanding that once you are served initially that there is... there would be no other service."

Flowers: "No, Representative. Representative, you know, as I stated earlier, a bill collector... a bill collector will send you out a second notice and then they'll send you out

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a notice saying the final notice and this is merely about a bill. And I'm talkin' about some action that's happening with my child and you're telling me if I didn't get the notice the first time, tough on me. Excuse me, Representative..."

Yarbrough: "I'm sorry. Let me... let me..."

Flowers: "No, Representative, please. Would you please be so kind as to take this out of the record, so we can just get a better understanding about what it is this Bill is supposed to do? We wanna make sure it's doing the right thing."

Yarbrough: "Okay. One... one moment, please."

Flowers: "Okay."

Yarbrough: "Because from... from what I'm seeing here that is long as you serve someone in that household ten years or older, whether it's under this Rule 11 or the other rule, you still are star... they consider you served."

Flowers: "Representative, my..."

Yarbrough: "Okay. We can... I will..."

Flowers: "Listen, this is a feel of the legislation."

Yarbrough: "Pardon me?"

Flowers: "See, we're talkin' about the importance of the legislation. Obviously, my child is in protective custody..."

Yarbrough: "Right."

Flowers: "... somebody is getting ready to do something to my child. Now, I have to go to work."

Speaker Hartke: "Shhh."

Flowers: "I may or may not be at home. Someone ten or older may or may not be at my home. My gate is locked, you can't get in. I won't know. And so, you're saying that if I'm not served the first time, I don't get a second notice about my

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child? This is the Juvenile Justice Act."

Yarbrough: "Right. Well, the importance of this legislation really has to do... the reason why we're in court at all is because there's a problem in this household..."

Flowers: "No, no, no, no, no."

Yarbrough: "... and we want to take the child out of the household to make sure that they are being taken care of."

Flowers: "No, no, no."

Yarbrough: "There's a problem here."

Flowers: "No, Representative. You are assuming. Don't say that because that's not what this legislation is addressing. The legislation is addressing notification about the whereabouts of my child. There's too many children, Representative. On the news, in Florida a child has been gone for years because no one thought it was even worthy enough. No, Representative. Representative, would you please take this Bill out of the record? I just need to look at it. I just need to look at this legislation to be sure that we are not doing what Florida has done."

Yarbrough: "What I want to say here, Representative, and I can appreciate your concern because like you mentioned your being a parent, I'm also a parent. But what we're trying to do here... we're talkin' about a duplicative notice, that's what we're talkin' about here."

Flowers: "How much does it cost, Representative?"

Yarbrough: "Oh, cost? It doesn't cost anything."

Flowers: "How much does it cost? If my child is lost in the system, somebody has my baby, how much is that, Representative? Because you don't want to send a 14¢ letter out."

Yarbrough: "This is avoiding duplicative notice."

Flowers: "Representative, you're talkin' about my child."

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Yarbrough: "That's what this is for."

Flowers: "Bill collectors do it all the time. We're talkin' about my child, here. What's the problem with dupl... What other state agency? State agencies do it all the time and they... My point to you, what is it here that we're trying to save? Are we trying to save the bureaucrats? Are we trying to save the child?"

Yarbrough: "We're trying to save the child. We wanna make sure..."

Flowers: "So, I'm the mother... I'm the..."

Yarbrough: "... that the child is safe... We wanna make sure that the child is safe... "

Flowers: "How will the child be safe..."

Yarbrough: "... and from harm."

Flowers: "... in a system where nobody knows where my child is, Representative? How are you saving my child?"

Yarbrough: "That doesn't... no... It's not about your child not being... you not knowing where your child is and then again, it could be."

Flowers: "I did not get notice, Representative, to come to court. So, now you are assuming that I'm a mother who don't care about my child because I didn't get notice to come to court."

Yarbrough: "We're not changing notice here, Representative. Notice is given by somebody showing up at the door and given notice and notice is given by certified mail..."

Flowers: "I'm not at home."

Yarbrough: "... also. It's not like... we're not changing any of that."

Flowers: "Representative, you're saying init... I asked you a question. What will be the process if this legislation will become law? And your answer was, I will be given a

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notice, no follow up. Is that not what you said?"

Yarbrough: "No. You will be given notice in writing as well as being given notice..."

Flowers: "Read it. Show... please, read to me specifically in the legislation what this Bill does and what's so important about this legislation that we have to take away... When you say duplicative notice, are you saying by sending me out the same letter twice?"

Yarbrough: "Okay. I'm going to read to you from this. Okay, under the Bill, notice to all respondent parties must be in compliance with the provisions of the Juvenile Court Act which outlines to greater detail which must be included to constitute sufficient notice. And in that notice... let's see, this is under 705, the statute 405 215-15... moreover, under the Bill, once the notice is made to a party no further notice needs to be given throughout the remainder of the dispositional hearing. Under 215 and 216 there are multiple ways in which notice is given."

Flowers: "Okay."

Yarbrough: "And that is the current law."

Flowers: "O... Representative... Okay. Let me... The current law says all... the current law says everyone have to be given notice: the mother, the father and here you're saying, who shall be given notice?"

Yarbrough: "It's the same people. The same people will be given notice."

Flowers: "Where's it... where's it in..."

Yarbrough: "They're all a part of the process. The attorney... None of that is being changed, Representative, no."

Flowers: "Representative, explain to me, just for clarification, explain to me, the current law says require notices in compliance with the Supreme Court Rule 11. Now, what is

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the Supreme Court Rule 11?"

Yarbrough: "Supreme Court Rule 11 dictates the manner of serving papers other than process and complain on parties not in default in the trial and review in court. It requires that if a party is represented by an attorney of record service shall be made upon the attorney. Otherwise, service shall be made upon the party. Papers shall be served by delivering them to the attorney or party personally by leaving them in the office of the attorney with his clerk or with the person in charge of the office or if a party is not represented by counsel, by leaving them at his residence with a family member of the age of 13 or upwards by depositing them in a US Post Office or by transmitting them by fax."

Flowers: "Is that current law?"

Yarbrough: "Yes."

Flowers: "That's current law?"

Yarbrough: "Yes."

Flowers: "So, current law..."

Yarbrough: "That's not... But we're not..."

Flowers: "... says we got..."

Yarbrough: "... changing any of that."

Flowers: "So, what are you changing, Representative?"

Yarbrough: "That once notice is effectuated we don't need to continue to give notice. How... Once everybody has been notified there's no need down at the other end to give somebody notice."

Flowers: "So, the court date has changed, Representative. The judge got sick. There's no need for you to give me notice about the court date has changed."

Yarbrough: "Representative, there's no need to keep trying to find somebody if you've already tried to do that. If

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you've used all the options..."

Flowers: "I'm here, Representative. You don't have to go looking for me. The judge got sick. He changed the date."

Yarbrough: "Yeah. But they're part of everything, they're part of the record, so they would be contacted."

Flowers: "I'm the mother. Will I be contacted, Representative? That's what I'm asking."

Yarbrough: "Certainly, you would."

Flowers: "But your Bill..."

Yarbrough: "You're part of the process. That's what I'm saying. On the front end of this thing, you're already a part of the process. You're... you're telling me now about something that happens, the judge changes the date or something. Well, you're already a part of this process as a parent."

Flowers: "But by me being a part of the process, Representative..."

Yarbrough: "And if there's a change, I'm sorry, if there is a change in the date, you will be served and notified that there's a change in the date for you to show up in court."

Flowers: "But you... Is that not duplicative notice?"

Yarbrough: "No. That's not what we're changing. We're not changing any of that. We're not changing any of that."

Flowers: "What is the purpose of the change in this legislation? There has to be a purpose."

Speaker Hartke: "Shhh."

Yarbrough: "The best I can do is just read to you from the summary because it was clear to me when I took this Bill... it was clear to me what we were trying to do. It... it... Under the current law, notice in dispositional hearings must be in compliance with Supreme Court Rule 11 which mirrors the federal rules of civil procedure notice

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provision. Under this Bill, notice to all respondent parties must be in compliance with the provisions of the Juvenile Court Act which outlines in greater detail what must be included to constitute sufficient notice. And then it refers to 215 and 216."

Flowers: "Representative, would you please do me one favor?"

Yarbrough: "One?"

Flowers: "Just one."

Yarbrough: "Just one."

Flowers: "Just one. Would you just take this Bill out of the record, let me come down there and look at... let me look at what it is that you're talkin' about, so I can get a better understanding..."

Yarbrough: "Represent..."

Flowers: "See, there's too much confusion about this legislation, Representative."

Speaker Hartke: "Representative Yarbrough."

Yarbrough: "Representative, let me... let me clarify on Rule 11, that's an attorney's notice. That's a notice only to attorneys. What this Bill does is actually give notice to the parents or the guardian."

Flowers: "How many times, Representative?"

Yarbrough: "Okay. Representative, I'm gonna pull this out of the record and then you come down here, so that we can..."

Flowers: "I'll come right to you, Representative."

Yarbrough: "Okay. Thank you."

Flowers: "I'll be right there. Thank you."

Speaker Hartke: "Take this Bill out of the record. The Chair recognizes Representative Black."

Black: "Thank you very much..."

Speaker Hartke: "For what reason do you seek recognition."

Black: "Yes. Thank you very much, Mr. Speaker. A point of

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personal privilege."

Speaker Hartke: "State your point."

Black: "Yes. Ladies and Gentlemen of the House, I'd like to take this opportunity to recognize the Attorney General of the State of Illinois who is with us on the floor today, Attorney General Jim Ryan over in the center aisle."

Speaker Hartke: "Welcome to the General Assembly, General Ryan. On Second Reading appears Senate Bill 1697. Representative Beaubien. Mr. Clerk, read the Bill, please."

Clerk Rossi: "Senate Bill 1697 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Beaubien, has been approved for consideration."

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

Beaubien: "Thank you. This is Amendment #1. It amends the Trust and Trustees Act to provide for what's known as the total return trust. It's necessitated by the fact that in recent years the yields on cash investments have been down and corporations tend not to pay dividends and pour their profits back into the corporation. As a result, the income of the trust is low and they have to switch... there's too many bonds and not enough stocks. This is a Bill that is already in effect in 26 other states, six states are in the process of also changing their statute. It's at the initiation of the Corporate Finance Association, the Illinois Bar Association, the Illinois Banker's Association, the Community Banker's Association, and the Chicago Bar Association. It took about a year and a half for them to agree on this language. I know of no known opponents. And I urge that we adopt the Amendment."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing that no one is seeking recognition, the question is,

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'Shall the House adopt Floor Amendment #1 to Senate Bill 1697?' 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. Mr. Clerk, further Amendments?"

Clerk Rossi: "Floor Amendment #2 offered by Representative Beaubien."

Speaker Hartke: "Representative Beaubien."

Beaubien: "Thank you. This just makes some technical changes in the language of the Bill. It's very short and again, just changes some language."

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 1697?' All those in favor will signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Resolution 759 on page 17. Mr. Fritchey, explain the Amendment or the Resolution."

Fritchey: "Thank you, Speaker. House Resolution 759 commemorates all those who served and gave their life during the battle for the Isle of Bataan. It also urges Congress to reinstate benefits which were promised to the Filipino veterans who fought side by side and died in much larger numbers than the Americans even. They were promised benefits by General MacArthur and by the President. Those benefits were later rescinded. A number of these Filipinos who are still living are living in poverty. These benefits would really make a big difference in their life and we're hoping that we can have Congress revisit this issue and hopefully, reinstate those benefits. I'd be happy to

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answer any questions otherwise I'd appreciate an..."

Speaker Hartke: "Is there... is there any discussion on House Resolution 759? Seeing no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 759?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Agreed Resolutions."

Clerk Rossi: "Agreed Resolutions. House Resolution 885, offered by Representative Biggins; House Resolution 819, offered by Representative Bill Mitchell; House Resolution 920, offered by Representative Bill Mitchell; House Resolution 921, offered by Representative Wojcik; House Resolution 923, offered by Representative Collins; House Resolution 926, offered by Representative Zickus; House Resolution 930, offered by Representative Stephens; House Resolution 931, offered by Representative Klingler; House Resolution 932, offered by Representative Klingler; House Resolution 934, offered by Representative Ryan; House Resolution 935, offered by Representative Capparelli; House Resolution 937, offered by Representative Kosel; House Resolution 938, offered by Representative McCarthy; House Resolution 939, offered by Representative Hannig; House Resolution 940, offered by Representative Hannig; House Resolution 941, offered by Representative Joe Lyons; House Resolution 942, offered by Representative Stephens; House Resolution 943, offered by Representative Stephens; House Resolution 944, offered by Representative Delgado; House Resolution 945, offered by Representative McCarthy; House Resolution 946, offered by Representative Leitch; House Resolution 948, offered by Representative Morrow; House Resolution 949, offered by Representative Morrow; and House Joint Resolution 78, offered by Representative Leitch."

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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 Resolutions... the Agreed Resolutions are adopted. Ladies and Gentlemen, the Chair would like to make an announcement. Members should be advised that we will not be in Session Friday. Therefore, make hotel plans that are appropriate. You should be prepared to arrive back here in Springfield for Session on Tuesday. Let me repeat. We will not be in Session on Friday, but be prepared to return to Session on Tuesday the 28th. The Chair recognizes Representative Righter. For what reason do you seek recognition?"

Righter: "Inquiry of the Chair, Mr. Speaker."

Speaker Hartke: "State your inquiry."

Righter: "Mr. Speaker, based on the announcement that we are once again going to cancel another day of Session that there are over 40 Senate Bills sitting on Second Reading, a good number of them for anywhere between two weeks and a month. Can you give us a timeline of when those Bills will be moved. As you know, Mr. Speaker, and you and I have addressed this on the floor a couple times now, Senate Bill 1760, I'm carrying for Illinois Enterprises Association, has passed through the General Assembly up to the point it's at right now with some 80 plus 'yes' votes, 2 'no' votes and I'm told that it's under review from the Speaker's Office and has been for a month. Is there some information that I can provide you to help in your review of this Bill because my constituents don't understand why this Bill is being held."

Speaker Hartke: "My advice would be to check with the Speaker's staff and offer your assistance."

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Righter: "They've... The Speaker's not staff... has not indicated to me, Mr. Speaker, any specific questions they may have or problems they have with the Bill. Do you have another suggestion about what I might do to get this Bill moving?"

Speaker Hartke: "Mr. Righter, we'll try to get to your Bill tomorrow."

Righter: "I'm so.... I didn't hear quite..."

Speaker Hartke: "We will try to get to your Bill tomorrow."

Righter: "Thank you, Mr. Speaker."

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

Mulligan: "Thank you, Mr. Speaker. I also have an inquiry since we're gonna be out of here early. I sent an inquired... inquiry to the Majority Leader asking for House Resolution 374 to come out of the Rules Committee. I filed it last year and actually, it was a task force to examine the developmentally disabled issues in Illinois which are going to come to a crisis soon. I asked for any reason why that Bill had not come out. I know no reason, particularly with the issues that are facing us now, for that Bill not to be released from the Rules Committee and brought before the floor for adequate hearing. And particularly since we don't seem to have enough work here to do, I would think it would be an appropriate request to make."

Speaker Hartke: "I would suggest that you check with the chairman of the Rules Committee and talk to her about approving that for consideration. The Chair recognizes Representative Black. For what reason do you seek recognition?"

Black: "Inquiry of the Chair, Mr. Speaker."

Speaker Hartke: "State your inquiry."

Black: "First, your statement was, to be 'prepared' to come back on Tuesday. Does that mean we're coming back on Tuesday or

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that we 'may' come back on Tuesday?"

Speaker Hartke: "Mr. Black, further announcements will be made tomorrow."

Black: "All right. Mr. Speaker, could I address your announcement?"

Speaker Hartke: "Yes."

Black: "All right. I'm getting to the point where I'm a little old to play Don Quixote and I'm tired of jousting with windmills. And I look around and my faithful companion Sancho Panza is nowhere to be seen. I would simply urge the Speaker and the Majority Party to reconsider your decision to adjourn upon the conclusion of the business of the House tomorrow and come back after the Memorial Day holiday. Time no longer grows short, we're just about out of time. If nothing else, Mr. Speaker, last week the House Republicans stayed for a series of budget briefings. We can't set the agenda. We can't vote. We can't... we can't sit as a Committee of the Whole. Mr. Speaker, this Body could sit as a Committee of the Whole. We could hear budget briefings by our appropriations people. We would then be allowed to ask questions, why are people even considering merit comp raises given the state of this budget year? Why are people buying office furniture? Why are agencies being allowed to buy cars? Why isn't there a freeze on spending? Mr. Speaker, seriously, we could meet on Thursday afternoon and most of the day Friday as a Committee of the Whole. You and I both know, we could probably get 12 to 14 budgets out of here, in this chamber, with a fairly substantial majority vote in four or five hours of work. And in the remaining time, we could begin to educate ourselves and participate as the House Republicans were able to participate last week and try to

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deal with this most difficult budget. It doesn't do any good to send us home. You're about out of time. I would submit and I only speak for myself, but Ladies and Gentlemen of the House, this is a crisis the likes of which this state has not seen since 1955. It's going to be difficult to get 60 Members to agree to a budget if you persist in drafting it the way you have the last few years. If you hold us here until June 1st, where it would require 71 votes, that may be impossible. I wish... I'm not gonna rant and rave, Mr. Speaker, I'm too tired and I'm too old. I think it is an ill-conceived idea to send us home tomorrow afternoon. We should stay here. We could go into a meeting of the Committee of the Whole. Wasn't that many years that we did it. We could let our budget appropriations people give us an update, we could ask questions. You and I both know, I'm repeating myself, but we could... we could vote 12 to 14 budget Bills out of here in five hours of work and then the remaining hours could be dealt with those budgets where we think cuts need to be made or will have to be made. That's what we should be doing. That's what the people send us here to do. They don't want me to come home. They send me down here to do their work and I'm willing to stay here and do that work if you'll just let me do it. Don't send us home, Mr. Speaker. We're out of time. There is no more time. And I'm sick and tired of this process and so are the people who send me here. Let's stay here, put our shoulders to the wheel and get the work done that needs to be done. Woe, be to all of us if we're here past June 1st. This is wrong. It's shortsighted. It serves no constructive purpose. We've done it before, we can do it again. Stay here and get the work done or at least convene a Committee of the Whole and

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begin to address this budget crisis that in some 30 days may hold up paychecks and do immeasurable harm to this state. Other states are addressing it, other states aren't going home, some states are meeting in Special Session as we speak. I would ask you, please, reconsider. We don't need to go home tomorrow afternoon and go to Memorial Day picnics. That is fiddling while Rome burns."

Speaker Hartke: "The Chair recognizes Representative Giles."

Giles: "Thank you, Mr. Speaker. I just simply rose to remind the Members of the Elementary & Secondary Education that we will meet immediately after adjournment here. Please come right away. There are quite a few Members on the committee who will be participating in the softball game, so we want to give those Members time. So, right after this Session, let's go to Room, I believe, 118, and we will take care of business. Thank you."

Speaker Hartke: "Representative Erwin."

Erwin: "... you. Thank you. For an announcement and listen to Representative Giles. The Higher Education Committee will be meeting immediately after Session in 122-B, which is not where we usually meet. So, 122-B. The sooner you get there, the sooner we'll be able to leave. Thank you."

Speaker Hartke: "Allowing perfunctory time for the Clerk, Representative Currie now moves that the House stand adjourned until the hour of 10 a.m., Thursday, April 23 (sic-May 23). 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 until the hour of 10 a.m. tomorrow."

Clerk Rossi: "House Perfunctory Session will come to order. Senate Bills-Second Reading to be held on the Order of Senate Bills-Second Reading. Senate Bill 2215, a Bill for

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an Act to reenact the Bi-State Transit Safety Act. Second Reading of this Senate Bill. Introduction of Resolutions. House Resolution 947 offered by Representative Granberg is assigned to the Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."