

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

140th Legislative Day

May 31, 2002

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

Pastor Crawford: "May we pray. Most precious God of might and wisdom and mercy through whom all of our blessing flow. I ask that You would assist us today with Your spirit of great counsel. And that You assist us with Your guidance. Impress upon us Your grace and Your mercy. Impress upon us Your love and Your honor. Teach us how to wait patiently on You. For it is Your word that says that they that wait upon You that You will renew their strength, that they shall mount up with wings as eagles, they shall run and not be weary, they shall walk and they shall not faint. So, I ask that You would strengthen us this day. We ask this humbly in Your Son's name. Amen."

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

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

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

Currie: "Thank you, Speaker. Please let the record reflect that we have no excused absences to report today."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. All the Republicans are present today."

Speaker Madigan: "Mr. Clerk, take the record. There being 116

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people responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative McCarthy, Chairperson from the Committee on Child Support Enforcement, to which the following measure/s was/were referred, action taken on Friday, May 31, 2002, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #2 to Senate Bill 1966. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on May 31, 2002, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #6 to Senate Bill 449, Floor Amendment #7 to Senate Bill 2214, House Joint Resolution 83 and Senate Joint Resolution 72."

Speaker Madigan: "On page 4 of the Calendar, on the Order of Senate Bills-Second Reading, there appears Senate Bill 2069. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 2069 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Rossi: "Senate Bill 2069, a Bill for an Act relating to higher education... education institutions. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Miller, Senate Bill 2069 on Third Reading. The Bill's been read. Mr. Miller."

Miller: "Thank you, Mr. Speaker. Senate Bill 2069 essentially allows nonsalaried physicians and dentists to go through their own billing practices who... who are... can treat patients at the University of Illinois Hospital System. I

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ask for 'aye' votes."

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

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, when we talk about compensation you're talking about... I heard you say doctors and dentists, correct?"

Miller: "Correct, the exemption would exist for them."

Black: "Okay. Then how would they... how would they gain the compensation, by direct billing to a patient, or how would that be handled?"

Miller: "Yes, is the answer to the question, it could be. For instance like if I wanted to treat a... provide dental implants for a patient of record of mine and the hospital provided me use of their facilities I could bill for the... my own... out of my own dental practice for the implants and associated procedures and the... for the hospital coverage the hospital could use whatever billing they use."

Black: "Would the hospital seek payment for facilities used from you or from Medicaid? I mean, if you're doing the procedure at a hospital there normally would be a charge for the use of the facility, right?"

Miller: "Correct. Correct."

Black: "Now, how is that handled?"

Miller: "The hospital would use their own... their own billing... whatever they use normally for billing, so if it's private insurance, Medicaid, whatever, cash, ya know, whatever it is that would be that. But what this will do..."

Black: "All right. So, the only concern that I have this does not involve the compensation or payment from state

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resources to anyone doing any of these procedures?"

Miller: "No."

Black: "All right. Fine. Thank you."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Supplemental Calendar #1, on the Order of Resolutions, there appears HJR 83, Representative Currie to present the Resolution."

Currie: "Thank you, Speaker, and Members of the House. This Resolution would honor the substantial contributions of two former justices of the Illinois Supreme Court Justice Michael Bilandic and Justice Benjamin Miller by naming the State of Illinois building in the City of Chicago after Justice Michael Bilandic, who of course served as mayor of the city in which that building is located and naming the 4th District Appellate Court building in Springfield after Justice Benjamin Miller. I'd appreciate your support for the Resolution and would be happy to answer any questions."

Speaker Madigan: "The Lady moves that the House adopt HJR 83. There being no discussion... Mr. Black. Mr. Black."

Black: "Thank you very much, Mr. Speaker. It's a... an appropriate honor for a good and decent man to be followed by another appropriate honor for another good and decent man. I only wish that all Members could be added as cosponsors, but we're on a fast track today, Mr. Speaker, let's go."

Speaker Madigan: "And your secret wish is that there be a naming

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of a building in your county after you. The question is, 'Shall the House adopt this Resolution?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 people voting 'yes', 0 voting 'no'. The House does adopt HJR 83. Is Mr. Tenhouse in the chamber? Mr. Tenhouse. Is Mr. Black in the chamber? Mr. Black, there is a Senate Bill 2216, which is concerned with the bonding authorization of the Illinois Department of... the Illinois Development Finance Authority. Tenhouse is the Sponsor, would you wish to offer the Bill on behalf of Mr. Tenhouse? Mr. Black."

Black: "It's on Second Reading and it moved to Third, Mr. Speaker?"

Speaker Madigan: "It could be. Would you be willing to offer the Bill?"

Black: "Could you hum a few bars of the Jeopardy theme song for just a second? We're considering our answer. Where's Representative Lang when I need him, the Jeopardy champion of all time. Spea... Mr. Speaker. Yes, Mr. Speaker, it would be a good idea if this Bill would go to Third Reading."

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

Clerk Rossi: "Senate Bill 2216 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. No further Floor Amendments approved for consideration."

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Rossi: "Senate Bill 2216, a Bill for an Act concerning

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finance. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Black. Mr. Tenhouse. Mr. Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill... Senate Bill 2216 is an initiative of the Illinois Development and Finance Authority. By Amendment, we ended up increasing the authorization of 800 mill... by 800 million for a general bonding authority, as well as \$200 million in local government bonds. I would ask if there are any questions of any Member."

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

Franks: "Mr. Speaker, I have a procedural question. Has House Amendment #2 been adopted?"

Speaker Madigan: "Mr. Clerk, did you hear the question?"

Clerk Rossi: "Floor Amendment #2 lost."

Franks: "Thank you. That... I have no questions."

Speaker Madigan: "Is there any further discussion? Question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Novak, HJR 7. HJR 7. The Clerk advises that there's an Amendment."

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

Speaker Madigan: "Mr. Novak."

Novak: "Yes, Mr. Speaker, thank you very much. Floor Amendment #2, which was unanimously adopted in committee names a bridge on Route 51, somewhere in between, I think, Bloomington and Rockford the... for the Korean War..."

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Korean War Veterans Memorial Bridge. That's what the Amendment is."

Speaker Madigan: "Those in favor of the Amendment say 'yes'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Mr. Novak on the Resolution."

Novak: "Yes, thank you, Mr. Speaker. Once again, this Resolution is brought to you for consideration. It has passed the Body I think twice... twice in the past only to realize some political gridlock in the other chamber for reasons I don't know, but I think everyone has seen the Resolution. It names Interstate... a part of Interstate, I think it's 39 up in Rockford after our esteemed former Legislator that passed away in 1993, Deputy Majority Leader 'Zeke' Giorgi. There are other designations in that... in this Resolution as well naming certain highways for commemorative purposes and in addition my former Mayor Ken Hayes had passed away in 1999, there's a commemorative designation of Illinois Route 50 through Kankakee County because of all his endeavors and economic development with the Northfield Mall and economic growth in our county. So, I'd ask everyone for their consideration and adopt this Resolution."

Speaker Madigan: "Question is, 'Shall the House adopt HJR 7?'"

Chair recognizes Mr. Moffitt."

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

Speaker Madigan: "Sponsor yields."

Moffitt: "Just a question. There was to be added, it was my understanding from your staff, there was a separate Resolution dealing with Reagan Trail that was to have been put on this. I did not hear you mention that. If you did, I apologize and be happy to... if you did..."

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Novak: "Yes, Mr. Moffitt, you're correct."

Moffitt: "And that's on there?"

Novak: "Yes."

Moffitt: "Great. Glad to hear it. Thank you."

Novak: "You're welcome."

Speaker Madigan: "Mr. Winkel."

Winkel: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Winkel: "Representative, the... as part of your Amendment I just wanna be sure, Interstate 74, is that involved? Are you renaming it Veterans Memorial Highway?"

Novak: "You mean around... around Bloomington?"

Winkel: "No, no. I'm talking about... about through Central... no, actually across the state."

Novak: "Yes."

Winkel: "I mean are you changing the name..."

Novak: "Yes."

Winkel: "... to Veteran's Memorial Parkway?"

Novak: "That's in there."

Winkel: "And that's in here?"

Novak: "Yes."

Winkel: "Thank you."

Speaker Madigan: "Mr. Poe."

Poe: "Just to clarify what Representative Winkel was speaking about. Mr. Novak, that is the Purple Heart Highway we're talking about running across Central Illinois?"

Novak: "Yes."

Poe: "Okay. And that is in this...?"

Novak: "To my understanding, it is."

Poe: "Okay. Thank you."

Speaker Madigan: "The question is, 'Shall the House adopt HJR 7?' Those in favor signify by voting 'yes'; those opposed by

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voting 'no'. Have all voted who wish? Have all voted who wish? Has Mr. Winkel voted? Has Klingler voted? Mr. Clerk, take the record. There being 115 people voting 'yes', 0 voting 'no'. The House does adopt HJR 7. Mr. Clerk."

Clerk Rossi: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on May 31, 2002, reported the same back with the following recommendation/s: 'to the floor for consideration' House Joint Resolution 79, House Resolution 973; recommends 'be adopted' Floor Amendment #2 to Senate Bill 251 and Floor Amendment #1 to Senate Bill 2393; to the Order of Concurrence a Motion to Concur with Senate Amendment #1 to House Bill 1961, a Motion to concur with Senate Amendment #1 to House Bill 4353; and approved for consideration referred to the Order of Nonconcurrence Senate Bill 727."

Speaker Madigan: "Mr. Clerk, what is the status of Senate Bill 1961?"

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

Speaker Madigan: "Mr. Dart, did you wish to call House Bill 1961 on the Order of Concurrence? Mr. Lawfer. Mr. Lawfer. Mr. Lawfer. Did you wish to call Senate Bill 1573? Mr. Lawfer, this may be the last day. So, you don't want to call the Bill?"

Lawfer: "Mr. Speaker, no, I'd like to extend the deadline on that Bill."

Speaker Madigan: "Well, we'll take that request under consideration."

Lawfer: "Thank you very much."

Speaker Madigan: "Thank you. Mr. Brunsvold, did you wish to call Senate Bill 1627? Gentleman indicates he does not wish to

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call the Bill. Representative Pankau, do you wish to call Senate Bill 1761? Lady indicates she does not wish to call the Bill. Is Mr. Saviano in the chamber? Representative Lindner. Lindner, did you wish to call Senate Bill 1641? Mr. Leitch. Is Mr. Leitch in the chamber? Mr. Leitch, do you wish to call Senate Bill 1650? Mr. Leitch."

Leitch: "I would like the... that Bill to go back to Rules. I would move to return it to Rules."

Speaker Madigan: "All right. Now, Mr. Leitch, what about 1809?"

Leitch: "Same thing."

Speaker Madigan: "Thank you, Mr. Leitch."

Leitch: "Thank you."

Speaker Madigan: "Mr. Osmond. Mr. Osmond, do you wish to call 1839? Mr. Osmond. Gentleman indicates he does not wish to call the Bill. Mr. Hassert, do you wish to call 2214? Mr. Clerk, what is the status of Senate Bill 2214?"

Clerk Bolin: "Senate Bill 2214, the Bill's been read a second time, previously. Floor Amendment #7, offered by Representative Hassert, has been approved for consideration."

Speaker Madigan: "Mr. Hassert."

Hassert: "Thank you, Mr. Speaker. Amendment #7 simply adds three additional parcels to the Lands Conveyance Bill, one in Madison County, one in Will County, and one in Jefferson County. I'd be try... happy to try and answer any questions."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Madigan: "Third Reading. Read the Bill for a third

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time."

Clerk Bolin: "Senate Bill 2214, a Bill for an Act in relation to certain land. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Hassert."

Hassert: "Thank you, Mr. Speaker. Again, this is just simply the annual land transfer Bill. I ask you for your support."

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

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

Speaker Madigan: "Sponsor yields."

Franks: "Representative, when I... this was up yesterday and I did some research and I was looking at House Amendment 3. I wanted to direct your attention to that. And what we saw... I'll wait 'til you're there. Okay. What we saw in that Amendment was allowing for in the conveyance of property in Morgan County and Monroe County, correct?"

Hassert: "Yes."

Franks: "I've got some questions about the 6.883 acre parcel which is adjacent to Route US 67 at the exit ramp. I see that the state is prepared to convey this property of almost 7 acres for \$3 thousand, but just below that the state is willing to sell less than a half an acre for \$44 thousand. Is there an explanation?"

Hassert: "Representative, my understanding is that they've done an appraised va... this was at the appraised price that was put on the property. I could not tell you the reason why the difference or why the low cost for the property other than its possibly location. I don't know what the condition of the property is, I really don't know."

Franks: "Well, Representative, I ordered the appraisal and I have it here and the appraisal indicates that this is to be used in connection... I have the certificate of the appraiser

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I'm looking at, it's a Cynthia Dubois who did the appraisal on September 26, October 4, and October 9 of 2001 and she says that the appraisal is to be used in connection with the acquisition of right of way for a highway to be constructed by the State of Illinois. But we're not acquiring land here. We're looking to sell land, we're looking to divest ourselves of land. So, I question the validity of this particular appraisal. And when I see land adjacent to a US highway on a ramp being sold for under \$500 an acre when other land is being sold for in excess of \$85 thousand an acre, it puts up my antenna."

Hassert: "Representative, maybe I could defer to Representative Watson, which it's in his area, he might be able to explain it a little bit better. Speaker, could you acknowledge Representative Watson?"

Speaker Madigan: "Mr. Watson."

Watson: "Thank you, Mr. Speaker. Mr. Franks... Representative Franks, Representative Franks. The parcel of land in Morgan County off the inter... off the Route 67 is... is... it's probably not compatible... have you seen the land? Have you been...?"

Franks: "No, all I'm looking at is the appraisal that shows 7 acres adjacent to a ramp..."

Watson: "Right."

Franks: "... which I've never heard of land for being sold for under \$500 an acre adjacent to a US highway at an exit ramp."

Watson: "Welcome to Central Illinois."

Franks: "I just don't... I understand what you're saying, but why are we selling then a half an acre in the near vicinity for \$44,200?"

Watson: "It's... it's... it's how near vicinity?"

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Franks: "It's farther south."

Watson: "How much? It's quite a bit further south."

Franks: "It's Monroe County."

Watson: "Right."

Franks: "There's another one here which they used as a comp for 37 acres which they're selling for a hundred and twelve thousand dollars. So, this is about six times bigger a size yet they're getting \$4 thousand an acre for this land yet the other land they're wiling to sell for under \$5 hundred an acre."

Watson: "I... I mean, I understand your... your question, but just regarding the Morgan County land and appraisaed land in general, they're just... they're not... you're not comparing apples to apples."

Franks: "Have you seen the land?"

Watson: "Yes, I live in Morgan County."

Franks: "Can you describe it to us?"

Watson: "It's... it's very... it's land and pretty much in the middle of an uninhabited part, a noncommercial part of Morgan County."

Franks: "What's it's being... what's it gonna be used for? Why is it being assembled?"

Watson: "I don't know that. I'm just speaking to the value and probably the differences of it that I know about just to..."

Franks: "Yeah. Is it gonna be used for farm land? Is a local farmer gonna be doing...?"

Watson: "I don't know that. I don't know that."

Franks: "I... Representative, I understand what you're trying to do here, but I think if we pass this we're all... we're committing an injustice. I would ask that this Amendment be taken out of the Bill, because we need a lot more

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answers. I just think on the face of this there are much too many questions on this land deal. When you look at it... any developer that I know would buy seven acres sight unseen for \$3,000."

Watson: "That's your opinion and you're entitled to it, but from a commercial standpoint that land is probably not as valuable as you think, because it's probably different than anything you've seen. And the other thing is, it did pass the Senate unanimously."

Franks: "Well, I would... it's a House Amendment. I don't believe that the Senate has seen this since this is a House Amendment. Would you be willing to take this Amendment out of the Bill?"

Watson: "Actually, I've been informed that it's exactly identical to another Amendment that was passed by the Senate."

Franks: "Well, if we're not... well, I... then go to the Bill. Then I'd encourage the Members of the General Assembly to vote against this Bill, reluctantly, because you have to be very careful in these type of land deals, especially and it's on... when we're spending \$47 thousand an acre for Peotone for an airport that's probably never gonna happen and here we are in my opinion giving away land to people we don't know at a time when we have a billion and a half dollar deficit and we're trying to find ways to solve the budget problem, we're selling land for under \$500 an acre. I think it's wrong and I'd encourage you all to vote 'no'."

Speaker Madigan: "Gentleman waives... Mr. Novak."

Novak: "Take.. no need to speak. Thank you."

Speaker Madigan: "Mr. Hassert to close."

Hassert: "I would just ask for an 'aye' vote. This is a typical land transfer Bill. I don't see any problems with it. I just ask for an 'aye' vote."

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Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 75 'ayes', 28 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bill 1966, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1966, the Bill's been read a second time, previously. Floor Amendment #2, offered by Representative Eileen Lyons, has been approved for consideration."

Speaker Madigan: "Representative Lyons. Representative Lyons."

Lyons, E.: "Thank you, Mr. Speaker. Amendment #2 to Senate Bill 1966 addresses the concerns of those who have been opposed to the Bill. We really tried to address those concerns by a few things. First of all, the language, up to this point has been permissive but there were some other changes as well. And that includes, the State's Attorney will come up with a plan that would require the cooperation of county officials. And also, the administration process would... the administration process would include a separate, impartial review. So, I'm giving the Amendment and trying to explain what we did in trying to address the concerns of the opposition. The portion of it that allows for the cooperation... incoop... The state's attorney's plan in the cooperation with the local county officials is intended to make sure that there is... the State's Attorneys Office keeps the county abreast of the development of the plan. And after the plan is developed the county would have approval. We addressed those concerns. We also addressed the concerns of the Chicago Bar Association. And I would

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ask for your support."

Speaker Madigan: "Representative Monique Davis."

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

Speaker Madigan: "Sponsor yields."

Davis, M.: "Representative Lyons, I was trying to hear your suggestions or, you know, ideas in this Bill and because of the level of the noise, it was very difficult to get your intent. So, would you repeat a little of what you said of what this Bill actually does? My understanding is it takes..."

Lyons, E.: "It takes the... the child support system in this state, as you probably know... is ineffectual. We have a 16% collection rate in the state of Illinois. We have a 14% collection rate in Cook County. There are single parents that cannot get their child support money. This is an effort to unify the child support system so that a person is not shuffled from one person to another, that they can go to their local State's Attorneys Office and a child support specialist will conduct their case... initiate... the case will be initiated there and followed up in the State's Attorneys Office. However, this is permissive. If a state's attorneys does not wish to do this, they do not have to opt into the plan."

Davis, M.: "Are there dollars that would go to the State's Attorneys Office?"

Lyons, E.: "Yes, when the State's Attorneys Office comes up with the plan, they would work with the Department of Public Aid, who would be funding the program, so... the plan would have to be approved... the plan would have to be approved by the department."

Davis, M.: "Is... Am I not correct in stating that the problems in support were problems at the Public Aid Department? I

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think we had a director who was dismissed. The director of Public Aid based upon the fact that this is where the problem existed. Because what you're saying, Eileen, is that Dorothy Brown's office is remiss, when all their office does is accept the payments from employers. Is that correct?"

Lyons, E.: "No, I am not saying that Dorothy Brown's department has been remiss. What I'm trying to say is that we have too many agencies that are involved in the child support system. What we're trying to do is unify it so that we have one-stop shopping that anyone applying for child support can go to their local State's Attorneys Office, and they won't be shuffled from the clerk's office to the sheriff's office to the Department of Public Aid. What we're trying to do is keep it a unified system that is more effective than the present system because the present system is not working."

Davis, M.: "Well, I think it's working better than it would work with the state's attorney because the role of a State's Attorneys Office is usually to prosecute criminal acts. And in Cook County, they really don't even have enough attorneys to deal with the twenty-four-hour need to be in court to prosecute to question to investigate. And I would certainly hate to think that in Cook County... and this applies to only Cook. Is that right?"

Lyons, E.: "No, Representative, this does not apply to just the Cook. In fact, if Cook County opts not to do this, they do not have to do it."

Davis, M.: "Well, what it does, Eileen, though, even across the state, it removes the talent, the money, and the time that a state's attorney should in my opinion be pursuing criminal behavior. I mean we... we talked recently about

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all kinds of new... collection of DNA and many other things in reference to what our criminal prosecutors will have to do and the budgets of these state's attorneys are really not that great. And I think many counties had set up a system that worked for them."

Lyons, E.: "Representative, again, this is separate from the other responsibilities of the State's Attorneys Office. Presently, the State's Attorneys Office, are a part of the child support system. They... they have responsibilities as part of that system. This merely completes their responsibilities, rather than having them... be taking place in other agencies."

Davis, M.: "Who would establish paternity and support amounts?"

Lyons, E.: "That would... paternity establishment would take place with the State's Attorneys Office."

Davis, M.: "Who does it now?"

Lyons, E.: "Department of Public Aid."

Davis, M.: "So, you would take establishing paternity from the Department of Public Aid and decide that now the state's attorney will decide who the father is or the mother is?"

Lyons, E.: "Under the same criteria that it's been done before."

Davis, M.: "So, here we would have many individuals who really have never been involved in a criminal court situation, or a prosecutor, perhaps a father who divorced long ago who perhaps lost track of his children and now he will be not with the Department of Public Aid, or not with the Clerk of the Circuit Court or the clerks, but he will now face a prosecutor in a State's Attorneys Office. I mean, it seems like we're gonna be criminalizing, or placing..."

Lyons, E.: "We're not criminalizing... we're not... Okay."

Davis, M.: "No, no, but you're placing them in a criminal environment when that's not where they should be."

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Lyons, E.: "No. Representative, I think you... this is with the criminal and civil division. But... but what we're really focusing on in this Bill is the non... the custodial parent and getting the money to those children. That's who we're focusing on in this legislation. Right now, because..."

Davis, M.: "No, no, no, no, no you're... you're focusing on the Department of Public Aid and removing their authority and giving..."

Lyons, E.: "No, the depart..."

Davis, M.: "You're giving it to the state's attorney."

Lyons, E.: "May... may I explain? The Department of Public Aid is still involved in this process."

Davis, M.: "How are they still involved?"

Lyons, E.: "They will be the administrator of the program and they will contract with the local State's Attorney Office who will manage the program. The state... the Department of Public Aid will be funding the program."

Davis, M.: "So, then we're really... So, then we're really not reducing the number of people involved in child support. Who are... who are you re... You said you wanted to reduce the number of people involved."

Lyons, E.: "No, I said I want to streamline the process so that people aren't shuffled, those moms who are looking for their child support are not shuffled from one agency to another as they are today. What we would like to see happen is that..."

Davis, M.: "Representative Lyons, I have been a Legislator for 15 years. I have had one child support case in which the children had reached the age of the majority and they were still being taken into court as having to pay child support. So, that it was a small matter of clearing it up. The state's attorney did not have to get involved. And I

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really feel that the frequency, the frequency of child support checks that are sent, I think there's a court set up. And to give this additional responsibility, especially in Cook County, to people who should be about the business of prosecuting and investigating crime."

Lyons, E.: "There is a civil division in the depart... in the state's attorney department."

Davis, M.: "We know they have a small part. And we... leave it like that. Why not... why not leave it that way?"

Lyons, E.: "Because I... as I said, we're trying to complete the process, not shuffle people from one place to another when that's not necessary."

Davis, M.: "Well, I don't know how many Legislators in here have received complaints since we solved their problem a couple years ago about child support payments. Remember, that they were not receiving their payments..."

Lyons, E.: "And that... and that had to do with..."

Davis, M.: "... and a director a director... was removed from her position. And I think Jackie Gardner is doing a very fine job in getting those checks to the clerk. And the clerk is doing her job, when they come from the employer, seeing that it goes to those parents."

Lyons, E.: "Representative, that is the... actually the State Disbursement Unit. That was the problem that we had..."

Davis, M.: "Two years ago."

Lyons, E.: "... that you're referring to. That is a separate issue than this one. The State Disbursement Unit has to do with the collection disbursement of... of the money that goes to the children. What we're talking about in this legislation is those custodial parents who initiate trying to get child support aren't presently shuffled from one place to the other and if they fall any place... if anybody

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drops the ball in that process, they fall through the cracks and they don't get their child support. What we're trying to do..."

Davis, M.: "So, what... what do you want Dick Devine to do or whoever is in the other state's attorneys', places? What do you want them to do? Prosecute?"

Lyons, E.: "No, what I want them to do is... they will initiate... they will take the intake for the the child support case will start at the State's Attorneys Office. And they will... a child support specialist within that State's Attorneys Office will see that case all the way through. They will not be shuffled from one place to the other anymore."

Davis, M.: "Well, to the Bill, Mr. Speaker."

Speaker Madigan.: "Representative Davis."

Davis, M.: "I believe that the problems that we have faced in the past have been resolved. I don't believe that sometimes a divorced parent who perhaps have not had all their issues resolved. Let me repeat that sometimes a divorced parent have not had all their issues resolved and I do not believe that they should have to go to the State's Attorneys Office to get these issues resolved. We have a process in Illinois where they go to a judge in a courtroom and the judge says to that parent how much he or she has to pay. It doesn't go to a prosecutor, it doesn't go to your state's attorney. It goes to the judicial system who makes that determination. And then the... the parent or the employer sends that check to the clerks office and it's... it's dispensed to the parent. Now, I don't know who's making this an issue. It is not an issue in most of our districts. What we're trying to do here is remove authority from one group and give it to another group and I

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really question why. I believe it is so serious at this point to remove the ability of a state's attorney to prosecute cases, and not deal with child support. The child support that he now is involved in, it's a very small process. It's not a big office and it shouldn't be. It shouldn't be. I don't want to hear from my state's attorney that he has a backlog of criminal cases to prosecute 'cause he's gotta deal with child support. You know, it just seems, we have a process in place and we should leave it that way. Now, even in your legislation you're saying that they will have a right to develop a plan. Well, the plan should be developed and it is developed. We developed one right here. And it should stay in place. I respect you as a Legislator, but I do not believe it is significantly important or valuable, I think it's harmful. Sometimes, we think we're fixing something, and all we're doing is fixing to have a major problem. This situation is not warranting taking our criminal prosecutors' time and giving this to the state's attorney and saying well, what's more important, you get this woman her child support. The judicial system, the courts, determine how much she gets and when she gets it and if she doesn't, that's what's available to her. Not the State's Attorneys Office, but the judicial... the judges. The judge determines if she gets it and when she gets it and if she doesn't, they go after him. Now, if you want Dick Devine to write out a warrant, that's one thing, but he should not be involved in this other process. This should be an easy 'no' vote."

Speaker Madigan.: "Ladies and Gentlemen, if I can have your attention. This Bill is on the Order of Standard Debate. Representative Lyons has spoken for the Amendment and

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Representative Davis has spoken in response. There are eight people seeking recognition. There will be four more speakers, and then we'll go to Roll Call. There'll be two more people in support of the Amendment and two more people in response. Now, the following people have sought recognition in the order that they sought recognition: McCarthy, Crotty, Flowers, Bellock, O'Connor, Soto, Righter, and Stephens. Now, again, there'll be two more for the Amendment and two in response. Now, Mr. McCarthy, do you stand in support of the Amendment or in the response?"

McCarthy: "Response."

Speaker Madigan: "Mr. McCarthy, in response."

McCarthy: "Thank you, Mr. Speaker."

Speaker Madigan: "Sorry, Mr. McCarthy, you're gonna get five minutes."

McCarthy: "Thank you, Mr. Speaker. The... first of all, because the Amendment adds on to Senate Bill 1966, which I am a firm supporter of, adding Amendment #2 would put 1966 in some jeopardy I would think. Therefore, I would request a Roll Call vote on the Amendment... Floor Amendment #2 to this Bill."

Speaker Madigan: "That may happen or it may not."

McCarthy: "Will that request be granted, please?"

Speaker Madigan: "State your question."

McCarthy: "I... I requested a... Roll Call vote on the Amendment, please."

Speaker Madigan: "The answer is 'yes'."

McCarthy: "Thank you very much. Will the Sponsor yield? Sponsor will yield?"

Speaker Madigan: "Sponsor yields."

McCarthy: "Thank you. Representative Lyons, of course we debated

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this for close to an hour in committee today. And... I know that your overall intent is laudatory, but I still have some questions with it, as you know because I voted against the Bill in committee, as well. I think we have some questions about the calender year, still. We're asking our Department of Public Aid to approve a contract with the local state's attorney and there really is nothing in the Bill that says exactly what those years will be. There was... there was, you know, committee testimonies saying that we do have different contracts, the department has now that don't apply to our fiscal year. But I think that that is, you know, somewhat something that should be questioned. Therefore, as far as the intent goes, what would... would you say that these contracts that should be with the state's attorney should be based on a fiscal year?"

Lyons, E.: "What I'm saying is that what's carried on today should continue. The department contracts with various entities that have different fiscal years and that should continue the same. We're not changing any of that."

McCarthy: "Okay. What about the question as far as Public Aid approving these contracts in December, and really, not knowing what their revenue source is gonna be until we approve our contract or... the next year fiscal year, at the end of May of this year. What would... what would your response to that be?"

Lyons, E.: "That... that would be the course of events that normally take place. I... I'm..."

McCarthy: "They would... they would... they approve the contract December 1st. Okay."

Lyons, E.: "Right. On projections, you're right. Correct on projections. And that happens all the time."

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McCarthy: "As far as contracts that they legally sign for the next fiscal year that are depending, of course, upon the revenue that they're gonna be granted in the budget."

Lyons, E.: "They wouldn't... they would be... The contract would be approved in December of the previous year."

McCarthy: "And it would be applicable to start seven months later, correct?"

Lyons, E.: "Correct."

McCarthy: "Then we were correct in saying that the first... the first contract this could be forwarding would be Fiscal Year 2005?"

Lyons, E.: "Correct."

McCarthy: "So, mid-year in December of 2... of Fiscal Year '04, they couldn't... where does it say that they can't set that contract until Fiscal Year 2005?"

Lyons, E.: "What does it do to do what, I'm sorry?"

McCarthy: "Where does it say that it can't start 'til then? If they can approve it, they can apply on July 1, 2003. It's the first day of '04, there's really nothing in it. It says, they couldn't approve something for '04, is that correct or...?"

Lyons, E.: "Because... because the Department of Public Aid's fiscal year starts July 1st. That's when the funding mechanism would be implemented because that's when the department's fiscal year starts."

McCarthy: "Well, I still think that's pretty confusing because the... but you're saying that they can approve contracts with other entities that have different fiscal years, so, I mean, why is it they can't do it for their own fiscal year, then? I mean, why... why can't they start somewhere in Fiscal Year '04, after December of '04, for that first contract that's approved."

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Lyons, E.: "That would... that would be up to the department. We're not... we're not... we're not micromanaging this. We're setting up a blueprint, we're setting up the guidelines."

McCarthy: "So. So, it could happen in '04, I'm on the clock. It could happen in '04, but the... the intent that we had in committee today, we thought it would start in Fiscal Year '05, as far as the department."

Lyons, E.: "Right, correct."

McCarthy: "Okay, how about the the problem with... if the Public Aid Department determines that they do not want to enter into this contract, did you agree or disagree with me saying that the fact that they have to offer two solutions as to why their disagreeing with it, I thought was somewhat unfair to the department."

Speaker Madigan: "Mr. McCarthy, you have less than one minute."

McCarthy: "Okay."

Speaker Madigan: "You have less than one minute."

McCarthy: "I may ask for extra time, Speaker. The... let me just ask the following questions that I asked right at the end of last time. Under the current system, the Department of Public Aid surely has a big part in the system. Would they under the new system? The answer was?"

Lyons, E.: "They... they will still have a role in the new system, yes."

McCarthy: "Okay. The Circuit Court Clerks, they have a role in the current system and they will have a role in the new system, correct?"

Lyons, E.: "Correct."

McCarthy: "All right. And the state's attorneys, basically, have a role in the current system and they'll have a role in the new system."

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Lyons, E.: "Correct"

McCarthy: "Okay, well, you know, I really hope that we were able to move this thing farther along to give more responsibility to the state's attorneys to take it away from some of these other things, so it really would be more unified. I know that was the original intent of the language, I think it was the original intent of the working group, and I don't think this does it. I think we still have too many of these entities involved and one day we gotta..."

Speaker Madigan: "Again, one person has spoken for the Amendment, two have spoken in response. The next person is Representative Crotty. Do you stand for the Amendment or in response?"

Crotty: "I stand for the Amendment."

Speaker Madigan: "Proceed."

Crotty: "Thank you."

Speaker Madigan: "Five minutes."

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

Speaker Madigan: "Sponsor yields."

Crotty: "Thanks. Representative Lyons, did we... did you have many... many hearings, many meetings on this? And was everyone invited? And who really came and testified? What were the meetings about?"

Lyons, E.: "Thank you, Representative Crotty. This has been the work of many entities, both inside and outside government. As you know, we passed a Resolution last Session to hold hearings. And we held many hearings where we got the input of those who actually are involved in the child support process: a the Center for Poverty and Law, the Appleseed Foundation for Justice. They actually interviewed everybody who participates in the process to find out what

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the problems are and how we can address them. We took those recommendations and put this... put them into this legislation, so that we could get their input and learn from the experts what was necessary to address the problems that we face today."

Crotty: "I think one important thing about the hearings, and I attended those, was testimony from custodial moms and dads. Would you have to agree that we heard some serious problems out there?"

Lyons, E.: "Yes and that was... there were very emotional stories that we heard. And it is rewarding, I think, to be able to face those people, and say we're trying to do something about it. As all of us as Legislators get calls, some constituents who are so frustrated with the system. And we are really optimistic that this is going to address those concerns, that they will go to one agency and have that agency follow their case all the way through."

Crotty: "And at times, I remember one of the hearings that someone had come up, I think it was a custodial mom and asked a question and had never gotten the answer and we had all the different agencies there. And I remember asking if that person could have that question answered before anyone left the room and at that time, if I... my recollection is correct, we didn't have an answer, out of everybody that was... was there. Am I right?"

Lyons, E.: "Correct."

Crotty: "Okay. To the Bill. Ladies and Gentlemen of the House, how many times do we pick up our telephone and there is a custodial parent asking us to help them intervene on behalf of them trying to get their child support payments? This Bill is not about any agency. It's not about any Clerks of the Circuit Court. This is about a mom or a dad who have a

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problem getting answers and at the end result getting the dollars that they so need to raise their kids and they so deserve because the courts have said that those are the dollars that go to kids. I have to say that Dorothy Brown's office does a wonderful job and all of us after our hearings, have even said that, that many of our clerks have done an outstanding job. That's why they're still in this program in this plan. The greatest part about this is there is going to be a specialist that when a parent has a problem or a question about their child support payment, that there is one person that will have that case and be able to follow it through the whole system. I want to commend the Sponsor. She has done an outstanding job, along with Representative Hamos on this Amendment. And I have... I have certainly learned a lot by being on this committee and quite honestly, I really joined this committee to... to be able to do just what we're doing today. And I think that's the reason why this committee was formed. It was unfortunate that the first year that we had the child custody... the child support committee that we had that snafu with the SDU unit which really has postponed us working on this major, major issue. So, I ask every single one of my colleagues on the House Floor for an 'aye' vote for every single one of those custodial parents that have called your office seeking for help. This is the first step in the right direction to help kids. Thank you very much."

Speaker Madigan: "The next person is Representative Flowers. For or in response? Flowers."

Flowers: "I'm against the Bill, Mr. Speaker."

Speaker Madigan: "Representative Flowers will be in response. There'll be one more for the Amendment. Representative

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Flowers for five minutes."

Flowers: "Representative... Mr. Speaker, would you lower the noise in the House, please?"

Speaker Madigan: "Representative Flowers for five minutes."

Flowers: "Excuse me, Representative. This Bill is called the Unified Child Support Service Act."

Lyons, E.: "Correct."

Flowers: "Is this statewide?"

Lyons, E.: "No, this is..."

Flowers: "Oh, excuse me. This is called the Unified Child Support Service Act."

Lyons, E.: "Right and it..."

Flowers: "And you said, it's not statewide."

Lyons, E.: "Well, because there... there's a..."

Flowers: "So therefore, it's not unified in this state?"

Lyons, E.: "What I was trying to point out is that the counties have the option of doing this or not. This is permissive."

Flowers: "Does Cook County have the option?"

Lyons, E.: "Yes."

Flowers: "So, what is the purpose of this? Is this Bill permissive or is it 'shall'?"

Lyons, E.: "It is permissive."

Flowers: "Why is it that this Bill is necessary specifically for Cook County because the biggest problem that we had in this Body with child support was in DuPage County. Is this applicable to DuPage County?"

Lyons, E.: "Yes it is. But the biggest problem we had in DuPage County had to do with the State Disbursement Unit. You're getting..."

Flowers: "It had to do with the disbursement of child support and a lot of children went without the due support that was intended for them 'cause it went some place else because it

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was not disbursed properly."

Lyons, E.: "Correct. That has nothing to do with this Bill."

Flowers: "Now, here... here this... so you're saying this Bill has to do with what, collections?"

Lyons, E.: "No, this Bill has to do with customer service. This Bill has to do with helping those custodial moms or dads who cannot get their child support and get the money to their children."

Flowers: "No, customer service... Let me explain something to you, Representative. It is up... see, let me explain something to you."

Speaker Madigan: "Representative Flowers and Representative Lyons, one at a time. One person at a time. Proceed."

Flowers: "It is up to the courts to make the decision in regards to child support. Am I right or wrong?"

Lyons, E.: "Yes, there are court orders for child support, correct."

Flowers: "So, once the court has made the decision that child support is supposed to be rendered to this child and if that parent do not adhere to that decision of the courts, then whose job is it then to go after that parent?"

Lyons, E.: "State's Attorneys Office."

Flowers: "Right now if... if the parent is paying the child support whose job is it now to disburse those dollars?"

Lyons, E.: "Well, it... it depends on what... if the... if the employ... if it's... the..."

Flowers: "Whose job is it now, Representative, once the court has made the decision that those dollars must be disbursed? Whose job is it now to collect it and disburse it to the parents?"

Lyons, E.: "State Disbursement Unit."

Flowers: "Pardon me?"

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Lyons, E.: "The State Disbursement Unit."

Flowers: "The state and whose... what does Dorothy Brown's office do? What does... forget Dorothy Brown. What does the Clerk of the City, what does that do? What does that office do?"

Lyons, E.: "That office keeps the records of the courts."

Flowers: "It keeps the records of the courts."

Lyons, E.: "Correct."

Flowers: "Does she collect the checks and disburse them?"

Lyons, E.: "No, no, she should not be doing that."

Flowers: "Pardon me?"

Lyons, E.: "No, she does not."

Flowers: "So, when you say this is going to be centralized, tell me the purpose that the State's Attorneys Office have to do this as opposed to the Department of Public Aid."

Lyons, E.: "Because as I explained before, right now under the present system, that is ineffectual because we only have a 16% collection rate in the State of Illinois, that means the status quo, what's happening right now, is not working."

Flowers: "If we have a 16% collection rate, so therefore it's not the Clerk's Office problem that the money's not being collected. It's not Public Aid's problem that the money's not being collected. It is whose problem that we're not going after the dead beat? Whose problem is it?"

Lyons, E.: "The problem is the system, Representative. It's not working."

Flowers: "What system... the Clerk has found..."

Lyons, E.: "The Department of Public Aid. You can name..."

Speaker Madigan: "Ladies, one person at a time."

Flowers: "The Clerk has found the parent guilty and that parent is supposed to pay. Who should go after that parent that's

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not paying, Representative?"

Lyons, E.: "State's Attorneys Office."

Flowers: "So, now if there's only a 16% collection and the State's Attorneys Office is supposed to go after that person, why would we want to give the State's Attorneys Office all this responsibility now?"

Lyons, E.: "Because of this right now the State's Attorney Office is hampered because we have a system including the Department of Public Aid, including the Clerk's Office, including the Sheriff's Office. We have so many agencies involved in this system that people are falling through the cracks."

Flowers: "Speaker..."

Lyons, E.: "And the State's Attorneys Office can only enforce with the information that they have. This is going to complete their responsibilities."

Flowers: "Speaker, Speaker."

Speaker Madigan: "There will be one more person speaking to this issue. And that person will be for the Amendments. Representative Bellock, you're the next. Are you for the Amendment?"

Bellock: "Yes but, Mr. Speaker, I'd like to allocate my time to Representative Soto, who is for the Amendment."

Speaker Madigan: "Soto for the Amendment, five minutes and then we'll go to Roll Call."

Soto: "In support of the Amendment. What I want to say is, I've been an employee of the Cook County State's Attorneys Office, the Child Support Enforcement Division and that system is broken. And if you do not understand that, you should. I've been there 20 years. If you're not working in the inside, believe me, you don't know what's going on from the outside. I am saying here, we are sent down here

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to represent these women. These women are victims of the system that is broken. And if you don't understand that, that's why I'm getting up to say it. I ran for office to try to help the process. I am working on a workshop over the summer to teach my constituents that come to me and tell me that these... these cases fall in between the system, in between the cracks and they do. I have seen it for 20 years and I can tell you I will work on these Bills until they get out of this House. We are women, we need to be sensitive to these issues and if you're not, shame on you. Why don't we fix the system? It is broken. That is the bottom line and I urge everyone here in this Assembly to support this Bill because it is important, it is too important to the people that we represent in the State of Illinois. Thank you."

Speaker Madigan: "The question is, 'Shall the Amendment be adopted?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Has Representative Kosel voted? The Clerk shall take the record. On this question, there are 96 people voting 'yes', 8 people voting 'no'. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Read the Bill for a third time."

Clerk Rossi: "Senate Bill 1966, a Bill for an Act in relation to child support. Third Reading of this Senate Bill."

Speaker Madigan: "The Chair will entertain considering the Bill on Third Reading now if there is no further debate. The Chair will entertain considering the Bill now on Third Reading if there's no further debate. If people wish to

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continue to debate the Bill, we're going to other business.
Representative Davis."

Davis, M.: "Mr. Speaker, according to the rules I think this
Bill, should remain on this Calendar, for how long?"

Speaker Madigan: "Constitutionally, under the rules the Bill is
prepared to be called. But we have fully debated the Bill.
Question is, 'Shall this Bill pass?' Those in favor signify
by voting 'yes'; those opposed by voting 'no'. Have all
voted who wish? Has Mr. Murphy voted? Clerk shall take
the record. On this question, there are 96 people voting
'yes', 9 people voting 'no'. This Bill, having received a
Constitution Majority, is hereby declared passed. Mr.
Clerk, what is the status of House Bill 5375?"

Clerk Rossi: "House Bill 5375 is on the Order of Concurrence. A
Motion to Nonconcur with Senate Amendments 1, 2, and 3 has
been filed to the Bill."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. I make a Motion to Nonconcur with
Senate Amendments 1, 2, and 3 of House Bill 5375,... drive
it to a Conference Committee Report."

Speaker Madigan: "The Gentleman has moved to nonconcur in the
Senate Amendments. Those in favor say 'aye'; those opposed
say 'no'. The 'ayes' have it. The House does nonconcur in
the Senate Amendments. On Supplemental Calendar #3 there
appears House Bill 1640, Mr. Rutherford."

Rutherford: "Thank you, Mr. Speaker. I would move that we table
Conference Committee #1 and request that we appoint a
Second Conference Committee."

Speaker Madigan: "You've all heard the Gentleman's Motion. Is
there leave? Leave is granted. The Gentleman's Motion is
adopted. Mr. Clerk. Mr. Clerk, Senate Bill 2393, 2393."

Clerk Rossi: "Senate Bill 2393 has been read a second time,

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previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hannig, has been approved for consideration."

Speaker Madigan: "Mr. Hannig on Amendment #1. Are you prepared to move the Amendment?"

Hannig: "Yes, thank you, Mr. Speaker. Would you wish to..."

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

Hannig: "Would you wish to adopt the Amendment and debate the Bill on Third, or shall we debate the entire Bill?"

Speaker Hartke: "Mr. Hannig, it's the wish of the Chair to debate the Amendment."

Hannig: "Very good. Thank you. Ladies and Gentlemen of the House, this last Monday the Governor of our state asked us to be here in Springfield for a historic event as he presented a revised budget for the Fiscal Year 2003. As we come to the end of our legislative business on this last day that we're stated... or slated to be here in Springfield, I offer before you a portion of that budget. What I have in my hand in this Amendment is the spending plan for the Fiscal Year 2003 budget. There are some changes from what the Governor introduced that this Amendment proposes. We propose that we'd restore the AABD expansion to 7102. We would restore pharmacy rates in nursing homes by \$30 million a piece. In higher education, we would restore the fifth year to MAP. We would also restore early childhood in K-12. We would put mandated categoricals at 95% of where they were, at 95% which is basically a bit higher than where they were in the introduced level. In Human Services, we would propose that there would be money available to continue to operate Zeller and Lincoln, and that there be monies in the budget so that there not be an additional fee for service. And

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that we'd also provide funding for services for children with AIDS. In Corrections, we suggest that the IYC Valley View remain open, that Sheridan be open, that there be a lump sum in this budget that would be available for the Governor should he sign the Bill outlawing privatization, that he could continue to fund those food services in our institutions. And we would leave the work camps at Paris, Greene County, and Hanna City, open. Public Health would include an additional \$300 thousand for the Penny Severns Breast Cancer Fund. And the Department of Agriculture would have an additional \$300 thousand for soil and water, and \$2 million more for CFAR than the Governor had proposed. This spending proposal base is a pork part of the overall budget that we'll need to adopt. We obviously know that there are some revenue streams that the Governor suggested that we enact. But I can tell you that if we would enact enough revenue to meet the Governor's mark on the revenue side, that then it's fair to say that the spending plan that I have presented to you at this time would be a balanced budget. That is, the ongoing base revenues would exceed our ongoing... our base expenditures. And, indeed, we would begin to accumulate again a ending balance which, frankly, at this time has been spent down to zero. So, that is the proposal that I have before you today for the spending plan for FY03. And I'd be happy to answer any questions."

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

Black: "Thank you very much, Mr. Speaker. Again, I'd just like to thank the Speaker for the Committee of the Whole. I think it helped a lot of us get a better handle on the budget. For the first time in several years, I have no

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complaint. This was not thrown on my desk 30 minutes ago. I was here until the wee hours. I think many of us have had a better opportunity to become involved in this process than we have had for the last several years. I hope we continue that. I think we could even do better, by going back to the appropriations process that we had 10 or 12 years ago. Having said that, I would like to ask the Sponsor a question or two, if he would yield."

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, I have a deep and abiding concern about language that appears on page 373. I'm sorry, we may have a different copy than you do. But let me just ask you, because this represents a change from what I was told last night. There is a lump sum contribution, a lump sum appropriation to the Department of Corrections in the amount of \$25 million. Now, at my last budget briefing I was told that that \$25 million would be specifically earmarked to run the food service operation at the Department of Corrections. I see no language that specifies that in this Implementation Act."

Hannig: "Representative, that's what, I believe, we all hope will be the case. But..."

Black: "I don't go to the bank on hope. I want language. Bill Clinton was from Hope. I'm from a small downstate community where you gotta show me the money. Show me the money and show me the language."

Hannig: "Representative, as we try to put the budget together..."

Black: "I understand that, and you did a good job, and many of us have been involved. But what happened to the specific language that said this would be used to continue the food service operation as it currently is constituted in the Department of Corrections?"

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Hannig: "Representative, we have a Bill on the Governor's desk to do that."

Black: "I understand that, as well. I..."

Hannig: "That's a substantive Bill, this is a spending proposal."

Black: "I understand that, but the Governor doesn't have to sign that Bill prohibiting privatization."

Hannig: "It's language that we believe can be accepted by all parties to solve the problem of privatization."

Black: "All right. Has this language, as vague as it is, been accepted by those people who maintain and operate the Department of Corrections on the line? Has it been accepted by them and are they aware that the language is more vague? You know, in all due respect to you, Representative, these people have a darn tough job and it hasn't been made any easier by all of the manipulations that have gone on all year long. I just want to make sure that those people who go into those institutions, and I know it's trite and many of you think it's a cliché, but when you walk into a prison and go to work, I want to tell you something, you don't have any guarantee you're gonna come out of there in one piece at the end of your shift. We at least owe them some degree of specificity on how this money's gonna be spent."

Hannig: "Representative, on the substantive side of this issue, we put a Bill on the Governor's budget, or on the Governor's desk which clearly has enough votes to override any veto. So, I think you can... anyone who cares can see the direction that this Assembly is going on that issue. We tried to construct a budget as best we can in the last hours that all caucuses could agree to, to try to insure that there would be funding for the Department of Corrections to feed the prisoners of the State of

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Illinois."

Black: "Representative, would you stat... would you be willing to state... I know you to be a man of your word. Is it the intent..."

Hannig: "It would be my legislative intent."

Black: "... of those who budgeted and negotiated this budget, would it be fair to say that it is your intent..."

Hannig: "Yes."

Black: "... and the intent of your colleagues that that money be used to operate the food service operation in the Department of Corrections as it is currently constituted?"

Hannig: "Absolutely, Representative, that is exactly my intent when we debate this issue."

Black: "Thank you. And it also includes operating the commissary system as currently constituted?"

Hannig: "Absolutely, again. I agree, Representative,..."

Black: "All right."

Hannig: "... that is the intention that I have and I don't know how to explain it any better."

Black: "Okay. Representative, you've always been a man of your word. I won't belabor the point. But let me just say for the record, I'm not as comfortable with this language as I could be if we had more specific language. But shame on anyone in this chamber if we vote for this and 30 days from now we find this appropriation is used for some other purpose other than dietary, commissary, and direct operation of the corrections system. Shame on all of us and shame on the Director of the Department of Corrections if this money is not used for that purpose. And if it isn't used, I intend to be back here in the Veto Session and I'll guarantee you I'll extract \$25 million of revenge for lack of a better word."

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Hannig: "And I'll be there with you, Representative."

Black: "Let me ask you a couple of other questions about the Department of Corrections' budget while we're on that Section. During the Committee of the Whole, the Director of the Department of Corrections pointed out that state funds were being diverted to the operation of the Chicago Adult Area Transition Center and closing of various downstate transition centers. Are any of the adult transition centers reinstated?"

Hannig: "I'm sorry, Representative. Could you repeat the question?"

Black: "When we met as a Committee of the Whole, the Director of the Department of Corrections indicated that he was transferring state funds, I think it was in the amount of \$6.9 million, to operate the Chicago Crossroads Adult Transition Center. Unfortunately, that means most of the downstate transition centers were left without funding. Is that the way this budget is constituted today?"

Hannig: "Representative, it's in a lump sum is what I'm told. And so, and that's the way that the budget has been prepared apparently in the past, as well. So, it gives the Governor some discretion, but I think we also made it clear in the Budget of the Whole where we would like to go."

Black: "Well, again, this made no sense to me in the Committee of the Whole that two downstate work camps were closed and then an amount of money more than they saved by closing those work camps were transferred to Cook County as a subsidy to run the juvenile detention center in the amount of about \$7 million and another million dollar subsidy to run the Chicago boot camp. You know, to the Chicago media, the Chicago television station that the other night ran 'an alligator tear story' saying that we Legislators had taken

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this money from the City of Chicago and the County of Cook.

What a bunch of baloney."

Hannig: "Representative..."

Black: "You can't get the story right, go back to Journalism 101 school. You took the money from downstate and you hijacked it to Chicago. That's what you did, as normal. The sponge still works. You sop up every dollar that's laying on the table down here. And I'm mad and I'm just sick and tired of it. I'm gonna tell you this, Representative. I congratulate you on the job you've done. But it's not right and it's not fair that you close downstate transition centers, downstate work camps, and then take general tax money and subsidize the Cook County Juvenile Detention Center. That is an agency of Cook County, not the State of Illinois. You're gonna start that, then we want money to run our juvenile detention centers, as well."

Hannig: "Representative..."

Black: "This budget has been very contentious simply in the Department of Corrections. I again say you've done an excellent job. You've done a much better job this year of involving all of us, but there are some things that I just get sick and tired of the Chicago media crying 'alligator tears' about how we're trying to steal money from Chicago. It's not that way at all. This is the reverse. You're closing downstate facilities so county facilities can operate. And that's not right."

Hannig: "Representative Black, the... all the work camps will remain open under this proposal."

Black: "All of the work camps, correct."

Hannig: "And in the past fiscal years we have funded the Chicago boot camps in the state budget. The Governor took it out in in his original '03 proposal. He put it back in his

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revised proposal that he gave us on Monday."

Black: "Representative, as I said earlier, you've always been a man of your word and I appreciate the fact that this has been a much more open process than in years past. And let me just say to that my friends in Chicago you live in a beautiful city. I love to visit. I hope international tourism is up a hundred percent this year. My daughter used to live in Aurora. And I don't want to inject... I've already injected the spectre of regionalism and I apologize for that. But let's get the story straight. If we steal money from Chicago you have every right to criticize us, but when we see money being diverted, state tax money, being diverted to run Cook County operations, I don't like that. I don't think that's fair. But when all is said and done, Representative, you have crafted a compromise that I think is as fair as we're going to get. And if compromise is the mother's milk of politics, we've got enough milk to feed the world in this budget for the next month. But I do, in all sincerity, and I mean this, you and our budget negotiators, and the Committee of the Whole, and those of us that have been involved, it's a much better process than we've used for the last several years. That's why I'm prepared to say that I will vote for it and I will vote 'yes'. But, I want to again be on the record. If there are any games and chicanery played with that appropriations to the Department of Corrections, I'll guarantee you I'll be down here in November. And if you think I can get excited, you ain't seen nothin' yet."

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

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

Speaker Hartke: "Sponsor will yield."

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Mulligan: "Representative Hannig, I would like to ask some questions about the Human Service budget. First off, I understand that the dollar an hour, which is approximately \$17 million for the homemakers, is not in this budget?"

Hannig: "And that's correct, Representative. It was not in the Governor's proposal and it's not in this budget."

Mulligan: "So, whether this..."

Hannig: "In his revised proposal."

Mulligan: "Pardon me?"

Hannig: "It was not in his '03 revised proposal and it's not in this Amendment."

Mulligan: "All right. I'm really concerned about that being eliminated and I want to be on record for that because I think what it will do, it's going to close down some programs, particularly those provided by Lutheran Social Services, Catholic Charities that have employees that provide services to the elderly. I understand this is a tough budget year. This would not be one of my choices of things to cut and I would hope that as the year goes on, if things change in the budget that this would be one of the first things that we would look at to restore. This is a program that hurts the elderly and certainly, the Lutheran Social Services provides good help in this area, Catholic Charities, other agencies. But those two large agencies are having a problem providing these services without that money. And I think what you're going to see is a loss of those services and a loss of jobs for the people that provide them. Could you give me a summary of any other major cuts in the Human Service budget from the '02 budget?"

Hannig: "Representative, my rack up is actually based on the Governor's '03 revised budget."

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Mulligan: "So, DD and Mental Health, is that totally restored, the funding for the developmentally disabled and..."

Hannig: "Yes, and the COLA."

Mulligan: "And the COLA?"

Hannig: "And the COLA."

Mulligan: "And when would the COLA start?"

Hannig: "April 1st, 2002."

Mulligan: "All right. So, the April 1st, 2002 was in there and then it will be in again for FY03? Is it annualized or will it remain the same as..."

Hannig: "It's 2% starting in April and that will continue across FY03."

Mulligan: "So, it'll continue to be 2%, not annualized, but it'll start..."

Hannig: "Yeah. It's not two and then an additional two. It's just two that runs across..."

Mulligan: "It's two across the board starting in April?"

Hannig: "Right."

Mulligan: "So, they'll have a quarter of this fiscal year and then the rest of the next fiscal year?"

Hannig: "Right."

Mulligan: "All right. Early intervention. Was early intervention cut?"

Hannig: "Representative, early intervention is at the Governor's introduced."

Mulligan: "I'm sorry."

Hannig: "It is at the Governor's introduced."

Mulligan: "All right. So, that means there's a cut of... almost 8%, part of this year and then part of next year?"

Hannig: "We believe that it's the same as '02, Representative. That '02 and '03 would be the same."

Mulligan: "So, it'll be the same for as '02 or less than '02?"

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'02 was cut at the end."

Hannig: "There's \$15 million from the '02 budget that's being reappropriated, as well."

Mulligan: "So, the amount... I'm sorry, say that again."

Hannig: "There's \$150 million in the '03 budget, and then \$15 million will be reappropriated from the '02 budget. The moneys that were not spent in '02 that will become available then in '03 to be spent."

Mulligan: "So, you're carrying some over for... or you think they'll... they think they'll be some carried over into... from FY02 into FY03?"

Hannig: "Yes. Instead of those lines lapsing they will be able to be carried forward."

Mulligan: "Can we move just for a moment to the early childhood block grant from Human Services?"

Hannig: "Early childhood. Is that what you said?"

Mulligan: "The early childhood block grant..."

Hannig: "In education?"

Mulligan: "... the 3.7 million that was cut, is being restored?"

Hannig: "It will be restored. That's correct."

Mulligan: "So, it will be at the FY02 level for FY03?"

Hannig: "'03 will be at the '02 level. That's correct. There'll be no reduction."

Mulligan: "Okay. And the categoricals for... in education, what is the cut in that?"

Hannig: "We will restore an additional \$33 million above what the Governor introduced and we think that that will be about a 95% proration for... you know, last year we had a hundred percent. We would have had to spend... initially we would be at 95%."

Mulligan: "What happened with Lincoln Development Mental Center?"

Hannig: "Lincoln would be re... this would be... This proposal

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would restore \$24.5 million gross to Lincoln."

Mulligan: "Excuse me for being so slow on this, I thought we were gonna go to caucus before we did this. How about the family center services?"

Hannig: "I'm sorry, what was the question?"

Mulligan: "Family center services, under DCFS?"

Hannig: "Yeah, I think that had been reduced 10 million in the '02 budget. Is that your understanding? And I believe we restored 5 in this document."

Mulligan: "So, it would be at a total of 15, or 5 total?"

Hannig: "Yes, there'll be 5, so the agency had initially proposed that we eliminate that program. This would allow them to survive at a lower level."

Mulligan: "What about immigrant services? Is it at 4.7 million?"

Hannig: "Okay. It's increased 1.7 million."

Mulligan: "For a total of 4.7?"

Hannig: "4.150. 4.150 is what we have."

Mulligan: "4.150? Teen reach? What happened with teen reach under this budget?"

Hannig: "It's almost... teen reach is almost restored to the '02 level. It's 19.925 million."

Mulligan: "How about the copay for day care? Is that going to go back to what the..."

Hannig: "It is restored, Representative."

Mulligan: "So, it'll be as it was introduced in the FY02 budget?"

Hannig: "Yes, that's correct and no copays."

Mulligan: "What about TANF services?"

Hannig: "They will be at the Governor's... the TANF increase will be at the Governor's level that he proposed here Monday."

Mulligan: "So, is that 5% instead of the 10%?"

Hannig: "That's 5%."

Mulligan: "How much was there in Human Services cut in

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administrative services?"

Hannig: "Did you say Human Services?"

Mulligan: "Yes, in the Human Service budget, we were wondering how much would be cut administratively?"

Hannig: "We believe it's 10 million, Representative."

Mulligan: "At least 10 million, did you say?"

Hannig: "Our staff is looking for an exact answer."

Mulligan: "All right. Do you know what the position will be on merit comp increases?"

Hannig: "Yes. Central office... to get back to your first question, central office will be reduced \$5.7 million. There'll be some additional operational cuts of 10 million. And then they'll be 11 offices that will be reduced... or closed for a total cost of 12.6 million. These are all gross figures."

Mulligan: "Representative, I was just informed that we're gonna do the full TANF increase but it would start January 1, rather than July 1?"

Hannig: "Representative, the amount of money that's in the budget, in the spending plan, is at the Governor's introduced level. What you suggested could be done, but that would be done... that could be done by the agency through policy. Representative, I can tell you the spending level is at the Governor's TANF spending level..."

Mulligan: "My understanding in talking to staff here, is that a certain amount of dollars will be put in for an increase. The option will be to spread it out for a smaller increase over the whole year or a larger increase starting at the half year."

Hannig: "Yeah."

Mulligan: "The larger increase starting at the half year would ultimately give them more for the long haul than the

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smaller increase over the whole year. So, the ultimate decision may be in the department to start it at January 1 with the larger amount."

Hannig: "What you say is correct, Representative. I'm talking about a spending..."

Mulligan: "All right."

Hannig: "... plan at last year's or at the revised level that the Governor..."

Mulligan: "But there is money in the budget for an increase, how they implement it will then be discussed afterwards?"

Hannig: "That's correct, Representative."

Mulligan: "All right. Let's move to Medicaid. Can you tell me what happened with restorations in Medicaid funding for hospitals?"

Hannig: "I believe that the Governor's budget, that he... his revised budget would restore about half of what he reduced out of the '02 budget. And this would not change that."

Mulligan: "What about for nursing homes?"

Hannig: "This would provide an additional 30 million in restorations above what the Governor had proposed in his revised '03 budget."

Mulligan: "So, what are they gaining? What would be the total percentage..."

Hannig: "I can tell you it's 50% plus 30 million. I'm not sure... I know that's apples and oranges."

Mulligan: "I know. I don't have the staff helping me and I'm trying to pull this off the top of my head right now, so I'm just... So, do you think it will be a 70% restoration?"

Hannig: "The cut, Representative, was like a hundred and five gross, so I assume we're gonna restore... the Governor would restore about, you know, 50 something. And then we're gonna say another 30."

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Mulligan: "Are you talking a hundred and five gross million or..."

Hannig: "Yeah. So, it's a hundred and thirty-five gross out of a hundred and seventy-five that he reduced, so whatever that percentage is."

Mulligan: "All right, because my staff is saying it's a hundred and seventy-one gross, a hundred and eighteen million restored?"

Hannig: "Those are probably... I'm trying to give you a ballpark figure. We're looking up the numbers, but to give you..."

Mulligan: "Give or take 20 is a lot. Can you tell me what happened with practitioners under Medicaid rates?"

Hannig: "There's a 50% restoration in practitioners."

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

Hannig: "In the budget, in the total budget, there'll be a 50% restoration."

Mulligan: "There's no restoration for practitioners, are you saying?"

Hannig: "Fifty percent."

Mulligan: "Fifty percent."

Hannig: "Half will come back."

Mulligan: "I'm sorry. It's just hard to hear in here."

Hannig: "Yeah, I understand, Representative."

Mulligan: "What are we doing with the Medicaid drug program?"

Hannig: "Could you repeat the question? I couldn't hear you, Representative, this time."

Mulligan: "What policy or what is in the budget for the Medicaid drug program? Are we going to go to the four nongeneric drugs under this budget?"

Hannig: "Representative, so the drug line got like 50% restored and another 30 million with this proposal."

Mulligan: "So, how much will the..."

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Hannig: "And they still have to... they still have to work out the details of how to spend that. I think the pharmaceutical people... the pharmacists will have an opportunity to try to work that out."

Mulligan: "So, what's the drug line for FY03 compared to what it was for FY02?"

Hannig: "We think they're going to have about a \$86 million increase over... restoration from where they were in '02, in the '02 adjusted budget. In other words, they get 50% back when the Governor introduced and then we proposed an additional \$30 million over and above that."

Mulligan: "In public health many of our colleagues were interested in whether the Penny Severns' Breast Cancer Fund would be..."

Hannig: "Yes, Representative, 300 thousand will be restored."

Mulligan: "And what will happen to local public health grants that have come through the tobacco settlement, under this budget?"

Hannig: "Yeah, they'll get 5 million which we think is about half of what they had last year."

Mulligan: "And is there... although I know family care is going... if we get the waiver will be a pass through. Is there money in this budget allocated to family care so that if the waiver goes through we can implement family care?"

Hannig: "The answer is 'yes'."

Mulligan: "And what is that amount?"

Hannig: "\$40 million. And if we..."

Mulligan: "I'm sorry, say..."

Hannig: "It's \$40 million to be spent only if we get the waiver."

Mulligan: "Only if we get the waiver. And that would cover 35 hundred individuals or 35 thousand individuals?"

Hannig: "I'm not certain, Representative. I'm..."

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Mulligan: "Yeah, I know. I can't find my notes, right now. I had 'em down but..."

Hannig: "But that's what the request was for."

Mulligan: "It was the amount that the Governor stated would be covered if we got the waiver."

Hannig: "Yes, Representative."

Mulligan: "All right. I have one other question that a colleague asked. Under this plan, is there going to be short-term borrowing that would pay the bills for the human service providers so that they don't go over the time limit?"

Hannig: "The way the budget is constructed we would put enough money into this document so that we could... we would anticipate that we could borrow up to a billion dollars and then we would have... we could make the interest payments back. This would be short term."

Mulligan: "All right. So, you're placing enough money in the budget..."

Hannig: "... to pay the bills."

Mulligan: "So that fund... that line item could receive short-term borrowing in order to pay providers in a timely fashion?"

Hannig: "Yes, we have enough money in the budget that we could make the interest payment on the short-term debt."

Mulligan: "All right. So, the anticipation is that in the Budget Implementation Act or when we go to it that we will authorize that?"

Hannig: "Representative, the budget would provide for the interest payments but we still need to get the Comptroller and the Treasurer and the Governor to agree to the process. But, I think, once we get this budget plan in place and we can demonstrate to those individuals that it's a sensible plan that's balanced, then they'll be willing to work with

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us. I think they've all said something to that effect."

Mulligan: "All right. So, you're placing enough money in there... in some instances those payments will be Medicaid matched but if we don't pay them first..."

Hannig: "Yes."

Mulligan: "...we don't get the Medicaid money. But, you're putting enough money in the line item to cover the possibility or the..."

Hannig: "Right. If we borrow the money there will be a cost, an interest cost, and we have the money to pay that in this budget. The cash... go ahead."

Mulligan: "How about... All right. Okay. Let's move to AIDS. How much money in the budget was placed for AIDS... additional money?"

Hannig: "Yeah, there's \$3 million restored above and beyond what the Governor spoke to us about Monday for AIDS' problems in minority areas."

Mulligan: "So, there's 3 million additional put in?"

Hannig: "I'm sorry. Pardon me?"

Mulligan: "You said 3 million?"

Hannig: "3 million, yes. And that's from tobacco settlement monies, Representative."

Mulligan: "I think that my memory is a little dead right now and I've come to the end of questions. Hopefully, if there's any more I'll pass them along to someone else. Thank you, Representative Hannig, for your information."

Hannig: "Thank you, Representative."

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

Hoeft: "Thank you, Mr. Speaker. Will the accountant yield?"

Speaker Hartke: "The accountant will yield."

Hoeft: "Figures are very difficult to grab hold of. Obviously,

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education is my focus. I'm looking at the aggregate amount of money that has been reduced from the budget this year over last year. Now, I have in front of me the Governor's introduced which was a hundred and forty-one million dollar reduction. Then I see a list here of add-ons which amount to \$34 million. So, we have a net, roughly, of a hundred and six million dollars less to the schools in the State of Illinois. Is there some way you can confirm in general terms whether, in fact, and please, Gary, I'm not asking for down to the cents, but we're roughly looking at a hundred million dollars less money to the schools in the state aid categorical grants, the whole bundle put together?"

Hannig: "Representative, you recall that when the Governor introduced his first '03 budget that it was down about 40 million... it was 40 million less than what we had spent or appropriated in '02. And we've..."

Hoelt: "That's why I'm struggling with trying to find..."

Hannig: "And now we think that that number has been reduced to 23 million. That is, the reduction went from being 40 to 23. So, we restored the difference, about 17... no, 27."

Hoelt: "I'm talking about categoricals, grants, state aid, everything going to the districts in the state."

Hannig: "Yes, Representative. So..."

Hoelt: "So, we're only losing 23 million?"

Hannig: "Now, Representative, let me be very honest with you. We're only down about 23 but there's another about a hundred and twenty-five million that will go out to the Teachers' Retirement System for our pension obligation under the continuing appropriation language. That's money that was in the schools in the classroom, that will now be going to pay pensions, so..."

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Hoeft: "That's why I'm asking specifically the question of money to the school districts, not education budget. My figures indicate that the school districts in the state will lose a hundred and six million dollars over what they had of last year. And if that's the case, we've never ever in our state's history had less... I mean, had a hundred million dollar deficit from one year to the next. This is very troubling to me and I just was hoping that I'm wrong."

Hannig: "Representative, though you also recall that in FY02 education got a net increase of somewhere around 4 or \$500 million even as the state lost or collected \$400 million less. So, I think if you would look at education spending over the last two years or even over the four years that Governor Ryan has been our Chief Executive Officer, you would see that, indeed, I believe that the Governor still has met his 51% pledge over that time. But, this..."

Hoeft: "And I truly appreciate that. You know, I'm not, I'm not blaming you, Mr. Accountant, I'm just asking for some figures so that I can get a logical vote on this. Anyway, I just would like to put into the record that according to my figures we'll have a hundred million dollars less totally to the districts. And I would like again, once more, to say that we ought to as a state remove the requirement of the Financial Watch and Warning List for the school districts for two years, because when we reduced monies that they had anticipated, I think it's unfair for the school districts in the state. One further question, Main Street Funds were never restored, so we have no Main Street Funds in the budget."

Hannig: "That's correct."

Hoeft: "I'd like to go on record..."

Hannig: "Excuse me, excuse me. I'm getting a signal that it's

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been... Okay, we're gonna to have an additional Amendment, Representative, that will deal with that issue. But, I was correct that in this underlying plan we're looking at now doesn't have it, but we're gonna to deal with it."

Hoelt: "I hope that there's a nice bottle of Excedrin for you tonight, 'cause God bless you, with all these figures, I appreciate your directness."

Hannig: "Thank you."

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

Johnson: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Johnson: "Representative, I, too, want to lend my voice to all and congratulate you for all the hard work and you get to take the heat on all of this. But I just have a couple of questions. This budget that I'm looking at on the screen, were it to pass and were we as a General Assembly to be submitting what is purported to be a balanced budget to the Governor, would presuppose additional taxes that we will have to approve in a subsequent Bill of how many dollars?"

Hannig: "Representative, I think I said that in my opening remarks that this... that when I say this budget is balanced, this spending plan is balanced, is based on the assumption that we also adopt some combination of revenues that equal the Governor's mark in his proposed... revised '03 budget."

Johnson: "And what is that dollar sum?"

Hannig: "I believe that dollar is 850 million."

Johnson: "Okay. So, it presupposes we will raise additional revenue of 850 million. Correct? And that will be coming, subsequently, should we approve this. Now, say we were to approve this, but we fail to approve those tax increases?"

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Then I presume this is going to the Governor along with the lesser sum and would it not be fair to say we would be back in the same boat we were two days ago, in which we will be just leaving it to the Governor to line item whatever he wants and we go home?"

Hannig: "Well, Representative, that could be one scenario. Another scenario would be that the Senate would simply not concur in the Amendment."

Johnson: "Well, I understand, but we've been down this track."

Hannig: "Well, Representative, at some point we have to move forward on a spending plan or the revenue side and we have some Members who say well let's vote... I want to see what's in the budget and others who say I want to see what the revenue stream is. We've gotta start somewhere."

Johnson: "Well, I agree. This is on Second Reading, though, it's not Third Reading and we're talking about the Amendments."

Hannig: "That's correct. That's correct."

Johnson: "So, would it be inappropriate and would you think it would be unfair then that since we now know what is in this budget and what we have to raise, that we then put the spending plan... or the revenue plan forward first and see if it's there. And if it's not, we should not be passing something like this or it's unbalanced again. Correct?"

Hannig: "Well, Representative, I think that we need to begin the process, though, of moving a spending plan forward and as you said, this is what we begin to do."

Johnson: "Okay. The other question I have is that you indicated that you anticipate that we will be doing approximately \$1 billion of short-term borrowing..."

Hannig: "Yes."

Johnson: "...and that the money is at least in this, to take care of the interest."

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Hannig: "Yes."

Johnson: "Now, short term is what? Six months, one year?"

Hannig: "It means that we will borrow it and repay it within the same fiscal year."

Johnson: "Okay, within the same fiscal year. Is there anything in this that puts in as a line item the payback of that whole billion or are we deferring that so that when we don't have the billion the Governor will once again have to just line item to take care of that short-term borrowing?"

Hannig: "Representative, the cash that we will borrow and subsequently repay, is only a cash flow tool so that we can pay this backlog of unpaid bills."

Johnson: "I understand, but we still have to pay the loan back."

Hannig: "That's correct and the..."

Johnson: "A billion dollars within this year. Is that in here?"

Hannig: "Well, Representative, the revenue is not in the budget and the expenditure side is not in the budget because we're required to pay it back within the fiscal year."

Johnson: "Okay. I understand."

Hannig: "But the interest is, because that will be an additional cost."

Johnson: "Okay. But, that conceivably is still a billion dollar hole somewhere within the next 12 months, is it not?"

Hannig: "I'm sorry, could you repeat that question?"

Johnson: "That still is a billion dollar hole at some point within the next..."

Hannig: "No. No, Representative, we're simply borrowing the money to pay our bills, then we're gonna to have a surplus..."

Johnson: "Yes, which I agree with."

Hannig: "So, Representative, so we know that it makes sense that we pay the Medicaid bills that are out there to

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pharmacies..."

Johnson: "I don't have any disagreement with that, it's important we do it."

Hannig: "... and doctors. That provides us, that provides us with a match from the Federal Government..."

Johnson: "Right."

Hannig: "... plus we understand that there's additional revenues that will be available to us because we're passing a budget that has more revenues than expenditures. So, that's how we can pay it back."

Johnson: "Where do you anticipate the billion coming in?"

Hannig: "Well, Representative, it's a cash flow tool."

Johnson: "Yeah."

Hannig: "It's not... it's not part of a budget to allow us to make expenditures that we can't support with ongoing revenues."

Johnson: "Yeah, but if we do not project paying back that billion within this line item... within the next 12 months, it either means that it's gonna to be continuing hole or it isn't."

Hannig: "Representative, if we're running in the black, it..."

Johnson: "Well, if we are, which of course, we aren't."

Hannig: "This document is based on a proposed... This document is a balanced budget that will provide us an opportunity to run the state in the black. We'll borrow the money and we'll pay it back as any business or individual does when they're running in the black. The difficulty would only come in if we're in the red, but we still would have the obligation to make these payments."

Johnson: "Okay. Well, the other question I have concerning the billion dollars of short-term borrowing, which we should have done a month or two ago as far as I was concerned, is

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were this to pass do we have any assurances that anything has changed where our Comptroller and our Treasurer in the past have refused to sign off on that? How do we know just because we pass it now... Do we have any assurance that there is a change of heart?"

Hannig: "I think I heard both of those constitutional officers make statements to the effect that if we had a balanced budget, a sound fiscal plan, then it makes sense to short term borrow."

Johnson: "Okay. Have they reviewed this and do they consider this sound?"

Hannig: "Well, Representative, it's a budget where the revenues exceed the expenditures and so it meets..."

Johnson: "Okay. All right. Thank you, Representative, and just to the Amendment."

Speaker Hartke: "To the Amendment."

Johnson: "I just... I just want to urge all of my colleagues in here to notice that were you to approve this budget and fail to approve about \$800 million of increased revenue or revenue enhancements or taxes or whatever you are going to call it that, in fact, we will be in exactly the same position of that which we rejected a couple days ago, namely, sending a budget to the Governor and saying go ahead and line item it out and sobeit. So, I just think it's important to know, to be consistent. Don't approve this with a lot of additional expenditures, if you're not prepared to approve the tax increases."

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

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

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

Mitchell, J.: "Representative Hannig, I just want to add my

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congratulations for your hard work and that of Representative Tenhouse on this Bill. I know you've spent countless hours working of this. My understanding is that there is still a partial opening for the prison at Thompson within the structure of the Corrections budget?"

Hannig: "I think that the plan would be that the Governor is looking at the option of opening part of Thompson sometime in the fiscal year."

Mitchell, J.: "My understanding is that in January there should be three cell houses that open and that certainly is a great start from where we were. I attended a meeting where it looked like it may be as much as two years away. Also, in the area of education, my understanding is that there's been money added to the poverty grants for... that particularly help downstate schools, as well as full funding of the categoricals which will help our colleagues in the suburbs."

Hannig: "Yeah, we don't, Representative. We don't under this proposal have full funding for the categoricals. We have about 95% proration for the mandated categoricals. And indeed, you're right in the 25 to 30 and 35 to 50 poverty areas there are additional dollars."

Mitchell, J.: "However, that's a... quite a step forward from the 84% that we thought we were looking at at one time."

Hannig: "Yes, Representative, I agree."

Mitchell, J.: "It looks to me like the net increases for education would be at around \$37 million. The hole that we had in downstate funding was about 57 million. We're not gonna get back to the levels that we had last year, but certainly we have given a lot more money to our schools so that they can survive this economic crisis and we've improved a pretty doom and gloom picture of about a month

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ago. Wouldn't you agree?"

Hannig: "Yes, Representative. And I would add for those who follow these things, that we anticipate that they'll be about an additional 200 and some million, \$200 million additional monies available to our schools from the Federal Government based on the latest estimates that we have on the No Child Left Behind Program that the Congress and the President recently enacted. So, that along with what we see as continuing increases at the local level in assessments, which translate into collections by our local schools, it would appear that, you know, at least two out of the three parts of the equation are very much in the positive and we're trying to do our best to stay about even on this third part."

Mitchell, J.: "Well, one of the printouts that I saw it looked like an estimate and I realize that estimates are not always accurate, but it looked like with what we had at that time in education, and that was certainly before the increases with this budget, plus the federal money, the federal help from No Child Left Behind and our local initiatives, we were only a million or so short of what we would have had last year, anyway. Certainly, with what we put in the budget now, we should actually have a slight increase overall in the amount of money. And contrary to what most people think, a lot of that federal money is not mandated to be used in a particular area. There's some attesting that it has to be used in that area but a lot of that generally can be used by the state and the districts as we need to educate our children. So, the picture for education certainly looks a lot better. Again, I want to commend you and the budgeteers that worked so hard to make sure that we got the best deal we could possibly get in

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crucial times. Mr. Speaker, to the budget."

Speaker Hartke: "To the budget."

Mitchell, J.: "Ladies and Gentlemen of the House, I do believe that this is about as good as we can get. It's been a long time coming. Everybody's held off as long as they can and I certainly plan to vote for this budget. I truly believe that this is about as close to reality that we can get. I also agree with my colleagues in the suburbs that said, if you vote for the budget you better vote for the revenue enhancements. I agree that you have to have the two together and I for one am going to be an 'aye' vote. Thank you."

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

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

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

Bost: "Earlier in debate, Representative Black was talking about the concern that many of us have, which is the privatization of the food industries in Corrections. There's no clear language that actually stops that from still occurring, or am I wrong on that?"

Hannig: "Representative, I told Representative Black and I can tell you that, you know, we passed the substantive Bill with overwhelming majorities in the House and the Senate. It's on the Governor's desk, that Bill that prohibits privatization. It clarifies that privatization is already illegal, is really what I should say. And then this is the money that we put in, in a lump sum for the purposes of allowing our prisons to continue those food services and commissaries."

Bost: "Okay. And some of this I just want to clear up so that those people that work in our correction industries

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understand this, as well. We have, with the substantive language that we passed, to say that we are opposed to privatization that we've already passed and the Senate passed and is now waiting on the Governor's signature. Along with the revenues that has been placed in this Bill, have done everything we can as a Legislature to..."

Hannig: "Yes, I believe that to be the case, Representative."

Bost: "Thank you. I want to compliment you on working very hard, you and Representative Tenhouse both and everybody that's been working on this budget. It has been a time that truly it's been the hardest time that all of us have seen while trying to work together and those things that we feel are important to be able to get in here. And I know there's many things that aren't able and were not able to be in here. Main Street Program, is that in?"

Hannig: "Representative, it's my understanding that there'll be an Amendment #2 that will deal with that issue."

Bost: "That's fine. That's what I wanted to know because I know that is a program that is very important in my area. I know that it's something that a lot of people have worked very, very hard on. And it is a benefit to our area. I wanted those two questions. I appreciate your answers. Mr. Speaker, thank you very much."

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

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

Speaker Hartke: "Sponsor will yield."

Righter: "Representative Hannig, I know that several of the Members here have thanked you for your hard work on putting this together. I want to join them in that. I know this has been a very, very difficult process. This is my fifth Spring Session. You've been here a lot longer than that,

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but I'm sure this has been your most difficult in those five years. I want to ask some specific questions. It's my understanding that this Amendment would add 200... about \$276 million in spending for FY03 over what the Governor introduced on Memorial Day, is that correct?"

Hannig: "That's correct, Representative, roughly. I think we say 275, but I wouldn't quibble about a million."

Righter: "Okay. Mr. Speaker, I couldn't hear a word he said."

Speaker Hartke: "Shh."

Hannig: "The short answer is 'yes'."

Righter: "Okay. Representative, can you... the four years, again the four Spring Sessions that I've been here before and voting in the budget process, we have always come out onto the floor. We knew what the budget package was. We knew what the Capitol Program might be. And we knew how much we were gonna have to vote to raise the state's debt ceiling. We knew how much we were gonna be asked to spend. We knew what the Budget Implementation Act was going to have. That's not the case right now. And..."

Hannig: "Well, Repre... you're correct. It's the budget is really a number of components. And you identified those. This is a part of that budget. This is the spending plan."

Righter: "Right. But we always have that. My point was is that we've always had the different components. We've known those before we came out to vote on any of them. And that's not the case this year, it's my understanding."

Hannig: "I think we know what the Governor has proposed for the revenue stream and the Governor proposed a bond Bill back in the earlier part of the year that will probably be mostly what we see here when we vote on it at a later time. There will be some changes, obviously. So, I mean, but your point is correct. It isn't all before us at one time."

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But we need to vote on these one at a time."

Speaker Hartke: "Mr. Righter, have you concluded your questions?"

Righter: "Representative Hannig, you referred to the Governor's speech of Monday night..."

Hannig: "Yes."

Righter: "... and what he outlined as would be the proposed tax increases or revenue enhancers."

Hannig: "Yeah. And the point that I made when I spoke in the beginning of this process is that we simply need to hit that mark. We need to find 850 million. And it really doesn't matter how we do it. Now, he laid out a plan, if your Leader or my Leaders want to do other plans. But I think we kind of know what the revenue's stream or at least the proposals are. Those are the biggies. The decoupling's already over in the Senate. We... We know about the cigarette tax. It's been on the table for a long time. The riverboat, we know that's been on the table for a long time. So, those are the kind of things that are out there."

Righter: "So, you're confident that the revenue sources have been identified."

Hannig: "Yes, I am, Representative."

Righter: "Okay. And can you tell me how much different... what kind of different mechanisms might be being employed from what we heard on Memorial Day?"

Hannig: "You mean what mechanisms to get to the final budget?"

Righter: "Yes."

Hannig: "We need the components that we need to put together for a final budget is this spending plan. That is..."

Righter: "I'm sorry. I meant revenue."

Hannig: "Oh, the components? I mean, what the Governor proposed, is that what your asking? What the Governor proposed? He

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proposed that we have an increase in gaming that would generate 185 million, that we raise cigarettes 50¢ a pack that would generate 300 million, that we decouple, which this Body has already passed for 240 million, that the photo processing tax that already exists would become a tax that the State Government would keep at 25 million. He also proposed a increase in the Real Estate Transfer Tax for a hundred and thirty-five million. That adds up to 880 million. The spending plan needs 850 million."

Righter: "Okay. Is the component of the Real Estate Transfer Tax that you just referred to that was in the Governor's Monday night speech, part of the mechanisms that will be used to pay for this?"

Hannig: "Well, Representative, what I'm suggesting with this spending plan is that we need to meet the \$850 million mark. Whatever it is that we want to do to get there, is really up to this Body and up to the Senate."

Righter: "Is there any securitization issues involved?"

Hannig: "I mean that has been an issue that's been on the table for a while. And that could be an alternative should we wish to do the Governor's proposal in a different way. But the point I'm trying to make is we need to meet the \$850 million mark. We can do it in a lot of different ways."

Righter: "Sure. Is the revenue plan and that'd be in the Budget Implementation Act, is that right?"

Hannig: "Yeah, those would have to be substantive Bills. We cannot raise taxes in a budget Bill."

Righter: "Okay. That's right. Is that..."

Hannig: "Go ahead."

Righter: "... agreed to somewhere?"

Hannig: "I think there are discussions going on in this building. I believe that all the principals understand what the mark

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is and they're working as hard as they can to find the best way to get to that mark. But the spending plan requires that we hit the 850."

Righter: "Right. And I think... And I understand that we know the mark we need to get to. I guess the question that I would have and I would think that it would be true from some Members on your side of the aisle as well as mine is that there may be certain things we're willing to vote for to pay for the budget and certain things we're not willing to vote for. And I just want to know whether or not what... whether or not how to pay for this has been identified and put down as an agreement?"

Hannig: "Yeah. I think the Governor had laid out a plan that was balanced. We made some modifications that continue to keep it balanced. And you know, we have to be willing to make the commitment on both sides if we're gonna make... if we're gonna pass the spending plan predicated on these new revenues, then we have to be willing to pass the new revenues. We really can't have it both ways, can we. So..."

Righter: "And that's exactly my point. You can't have it both ways and so, the question is whether or not, I understand what the Governor laid out and those components and I understand some of the other components that have been talked about here in the General Assembly and talked about in the media. My question is whether or not the specific components that are going to be used have been agreed upon?"

Hannig: "Representative, the... you know, we have Members that say they don't want to vote for revenues until they pass the budget. We have other Members that are now saying that we don't want to pass the budget until we pass the

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revenues. It's a chicken and an egg kind of argument. We have to begin the process on the last day of putting together the entire budget package. And this is a start."

Righter: "Okay. Do I know right now, can you tell me right now, what mechanisms are gonna be used to pay for this? We're not... when we vote on this later today, or tomorrow or whenever it is, can you tell me what mechanisms will be used to pay for this?"

Hannig: "I think we all understand what's on the table. We understand what the mark is. I think our respective Leaders on behalf of the four caucuses and the Governor are continuing to try to change the mix. And as you said, we could go back to securitization as an option. Perhaps another option could be there, but to get the spending plan to move forward we simply have to find a mix of revenues that add up to that amount. And that's all I am suggesting that we need to begin that process by passing this spending Bill."

Righter: "We've identified the number, like you've said."

Hannig: "Yeah. Representative, I don't know that there's a total agreement yet on the components, but there's an understanding of what that number has to be."

Righter: "So, we know how much more money we need to come up with, but we don't know exactly what we're gonna use and if that's true, certainly at not... not at what level we're gonna use those to get there. Is that fair to say?"

Hannig: "Representative, the Executive Committee sent the 50¢ a pack cigarette tax out to the floor for consideration. We've already sent the decoupling Bill to the Senate for concurrence. So those two items are... they're out there. The gaming component is probably still being worked out, but we know what the mark is that we have to hit. And

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photo processing is out there. And there are other options out there like the securitization that could supplement those items if we choose to do those... these other proposals at a lesser amount."

Righter: "Representative Hannig, then from your comments, it would be fair to say that there are still a number of details or still some debate that's gonna go on about what other mechanisms, other than what you've listed, which would be the decoupling, the cigarette tax, and the gaming. There's some others have to be added in there and we're not certain exactly what those are gonna be yet."

Hannig: "Representative, if you believe what you read in the newspaper, the Senate has told us that they want to see the spending plan before they'll pass the revenue plan. Now, we've gotta get off the dime and begin to move. And this is a spending plan that's very similar to what the Governor introduced on Monday. We need to send it to the Senate or at least adopt the Amendments and show them what it is we intend to do. And then we can begin, I think, to finalize the entire process. But we have to begin."

Righter: "I don't disagree with that, Representative Hannig, and that's really not the point of my questions. And I'm not trying to block this whole process, I'm just trying to... I'm just trying to ask a simple question about whether or not, that all the components that are gonna to be needed to pay for this have been identified and agreed to. That's it. And it's, I mean... if it's 'no', then that's fine, just go ahead and tell me that."

Hannig: "Representative, I am not a part of a discussion that allows me to say that the revenues are agreed to, nor can I say that they're not agreed to. I'm simply working on the spending side of the equation."

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Righter: "So, you don't know that there's been an agreement."

Hannig: "I just don't know, Representative."

Righter: "Okay."

Hannig: "I'm trying to work out the spending plan at the mark that I anticipate we will work to."

Righter: "Okay. Okay. Thank you, Representative. Thank you, Mr. Speaker."

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

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

Speaker Hartke: "Sponsor will yield."

Winters: "I would like to also join my colleagues, Gary, for your hard work on this budget. I have one... one specific area I wanted to delve into a little, but it may actually come under the budge... budget implementation plan. But in funding the budget that we're looking at here, there's been some changes made to the Real Estate Transfer Tax, as regards to its funding of the OSLAD and the natural areas acquisition funds. Are those changes that I understand are lowering considerably the transfers out of the Real Estate Tax, are those changes permanent or are they sunsetted after one or two years?"

Hannig: "It's my understanding that they would be permanent and that they would be a part of the Budget Implementation Act that we would have to vote on separately."

Winters: "Right."

Hannig: "This is only a spending plan."

Winters: "I understand that this is really the spending side of it, but I was just curious while we were on the, you know, starting on the major work of the day with the three Bills. I thought it was appropriate here before we look at how we spend these moneys, how we're actually deriving some of the

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moneys to put in this budget and to your knowledge it is a permanent change."

Hannig: "Yeah."

Winters: "We would then be able to come back next year or the year after and put in specific legislation that would move that back then, restore those funds."

Hannig: "That's what the Legislature does, Representative."

Winters: "Exactly. Okay. I just wanted to clarify before we moved forward. Thank you very much."

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

Smith: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Hartke: "The Gentleman will yield."

Smith: "Representative Hannig, I want... I too, want to thank you for all the work you put into it. And also thank our staff, I know you've put a lot of hours into the budget. And I'm sure you'd agree you couldn't have done it without your seatmates back here in the back row, right."

Hannig: "All of them. Absolutely."

Smith: "Representative Hannig, I have some questions about the appropriation for the Zeller Mental Health Center in Peoria. I understand that there is 18 million..."

Hannig: "17.6, is what I'm told, Representative."

Smith: "Okay."

Hannig: "...to restore that facility."

Smith: "I have an additional question, though. According to our analysis there is still an item of just under 9 million for costs that would have been associated had the facility closed. Can you explain that to me or...?"

Hannig: "Representative, I'm told that this is a pot of money that would be needed to be available to help the other facilities adjust their moneys if Zeller doesn't close, and

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the community agencies. So, it's to try to make the adjustments."

Smith: "Okay, but I understand then when the department came up with their plan for the closing, that amount of money was needed. And I understand where it might need to be reallocated to the state facilities. But the money that was going to the community providers was... my understanding was that it was new money. And I'm not sure, I mean does that... does that have to be reallocated?"

Hannig: "I mean this whole budget is or that line is new money. I guess I don't quite understand the question, Representative."

Smith: "Well, I guess what I'm trying to figure out is, would this money have been in the budget if Zeller had never been proposed to be closed?"

Hannig: "I'm told that, ya know, even without Zeller closing, we still need to have this money in the budget in order to transition things back to... and not only with Zeller but with all the other ones to where this budget will eventually bring them to. So in other words, we know that some change is already occurring. And if you're saying, well, now Zeller's gonna stay open and we have move things back. It isn't just a question of restoring the operations, we have to make some other changes to the facilities that are affected by it. In other words, there's costs associated with moving things, people around."

Smith: "Okay. Thank you very much, Representative Hannig. I commend you for the work you've done. And I think this is very much an improvement over previous versions we've seen."

Speaker Hartke: "Further discussion? The Chair recognizes the

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Lady from Grundy, Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

O'Brien: "Gary, I just have a couple of quick questions regarding the add backs. For those programs and closures, things that were added back into the budget, obviously, when you were negotiating this you've made the Governor's Office, they're well aware of what's been added back into the budget, correct?"

Hannig: "Yes, the Governor helped us, ya know, draft the budget. I mean, the document itself, the Bureau of the Budget put together."

O'Brien: "And provided that we provide the necessary funding for... on the items that we've added back, do you see any reason why the Governor would not honor the, ya know, the commitment of the General Assembly's made."

Hannig: "No, I think you... No, but I think you hit upon an important point, providing that we provide him with the revenues to make this budget work, the Governor, I believe, will honor his commitment."

O'Brien: "Correct. So, just as he said on Monday, if we..."

Hannig: "I mean, in the discussion that we've had with the bureau and the Governor, ya know, they don't want to close any facility."

O'Brien: "Right."

Hannig: "They're simply forced by economic difficulties to look at options."

O'Brien: "Right. So, it's safe to say then if we'd show that we give them the money that the things that we have decided by passing, if we pass this budget, by deciding the things that are important, and if we can find the money for them, that there's no reason to believe that the Governor would

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single any of those out and not fund them."

Hannig: "Right. This is a balanced budget. It provides more revenues than expenditures. If we provide him with the revenues, then what would be the point of vetoing anything in a balanced budget, except to save money but this budget would not need that kind of veto. And we'd only... the Governor would only be forced to veto items in a budget if we submitted him a budget that was out of balance, where expenditures exceeded revenues. But that's not the case with this document."

O'Brien: "Thank you very much. And thanks for all your hard work."

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

Lang: "Thank you, Mr. Speaker. I have no questions of the Sponsor. I just wanted to rise to state what I think is an obvious truth and that is that despite the fact that any of us could pick this budget apart and find places where we'd like to add and places where we might like to cut, that after a very long period of time with the staff and the budgeteers and the four Leaders and the Governor, they've put together a spending plan that is the best they can do. This represents the best we can possibly do for the citizens of the State of Illinois, all the citizens of the State of Illinois. And for that, I think all of the above should be thanked and applauded. I particularly thank the budgeteers and the staff who have worked very tirelessly to put this together. They've managed in this plan to add more money in for the mandated categoricals, to add substantial amounts of money for mental health and developmental disabilities, keep facilities open that the administration was planning to close. They've hit some of

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my high priorities. I'm pleased that they've done that.

And I'm proud to rise in support of this Amendment."

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

Erwin: "Thank you, Speaker. I, too, rise in support of this work product. And I, too, want to join everyone, Representative Hannig, in thanking you, as well as John Lowder and his staff and our Research and Appropriations Staff. I know this has been a very, very long week and long nights. And I appreciate your efforts. I'd like the Members particularly to note, that through the cooperation of all the caucuses we were able to add back some previous cuts for the Monetary Award Program. I'm just happy to point out that there will be an additional 35 million from the Governor's level that goes back into the... our needs-based state scholarship, which is a very, very important tool for access for low-income students. And the student profile of today is a very different student profile from when many of us were in college. It is increasingly an older student, many adults, we are... have successfully and thankfully helped a lot of working poor adults access higher education through our standing public university, private schools, as well as our community college system. And so, I certainly want to thank you but... and also urge that the Illinois Student Assistance Commission, I know that there still will be other... there still are demands. Enrollment is up. When the economy is down, the enrollments at colleges are up. And so, there will be hard choices that will need to be made. I would urge them to, as best they can, protect the most vulnerable students, those that tend to apply late, the less than half time, which is usually an adult, working adult, or welfare-to-work individual, as well as

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summer school. Which is in summer school is where we can make some progress in terms of time to degree, so we don't have to pay that fifth year MAP. So again, I want to thank you and thank everyone who's worked so hard on the Higher Ed budget."

Speaker Hartke: "Representative Hannig to close."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. Let me thank the Leaders, Speaker Madigan, and Leader Daniels who have done a lot more work on the budget this year than they've been forced to do in previous years, for the efforts that they've put out on our behalf. Let me thank, Art Tenhouse, the Republican Leader on the budget, who's done a great job. He's put in a lot of hours as well, as well as our staff. It would be... it's important that we recognize the contribution from all of these people. This is a compromise. It's a compromise that the Governor brought... it was important that the Governor brought forward a new budget on Monday. We've had our opportunities we need to have constitutionally to make some changes. That's what this Amendment will do, to move the budget forward in the correct direction. It doesn't do everything for everybody. But I really believe that when we vote on this on Third Reading that it is the best that we can do with what we have available. And for that reason, I'd ask that you adopt the Amendment."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #1 to Senate Bill 2393?' 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? Representative McKeon. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 90 Members voting 'yes', 24 Members voting 'no', and 2 Members

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voting 'present'. And the House does adopt Amendment #1. Leave that Bill on the Order of Second Reading. Mr. Clerk, you have an announcement?"

Clerk Rossi: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure/s was/we're referred, action taken on May 31, 2002, reported the same back with the following recommendation/s: 'to the floor for consideration' Amendment #2 to Senate Bill 2393, Amendment #1 to Senate Bill 1649, it recommends 'be adopted' to House Resolution 985."

Speaker Hartke: "Mr. Clerk, what is the status of Senate Bill 2393?"

Clerk Rossi: "Senate Bill 2393 has been read a second time, previously. Amendment #1 has been adopted to the Bill. No Motions have been filed. Floor Amendment #2, offered by Representative Hannig, has been approved for consideration."

Speaker Hartke: "Representative Hannig on Floor Amendment #2."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This is the Amendment that would restore the Main Street Program at \$1 million, which was the amount in last year's budget. And I'd move for its adoption."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to Senate Bill 2393?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "Senate Bill 2393, a Bill for an Act regarding

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Appropriations. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. We've had a long debate on the Amendment. The Amendment is the Bill. This is the spending plan for FY03. If we're able to put together the rest of the package, then we will have a budget in place before we leave tonight at midnight. So, I'd be happy to answer any questions, and I'd ask for your 'yes' vote."

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

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of 2393. But before I sit down, there are several things I'd like to say about this process that we've been in. First of all, I'm proud to say that we're sending to the Governor a balanced budget. In my 16 years of being here in the General Assembly, there was a comment made that during the Thompson years we used to send an unbalanced budget. Well, I don't recall sending an unbalanced budget since I've been in the General Assembly since 1987. But more importantly, rather than pointing fingers at our Leadership or at our Governor, we need to point the finger of blame at us, the Members. And I hope the Members are listening. Because we're the ones who have allowed ourselves to be put in this situation. Here again, here again we're voting on a one-Bill budget, 836 pages in one Bill. We must, we must insist from our Leadership that we go back to single agency budgets and line item budgets. We must insist from our Leadership that Floor Amendments on budgets are real Floor Amendments on budgets and that not go to the Rules Committee. We must insist and we have to look at ourselves in the mirror. The other day we had a

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Committee of the Whole that started at 9 o'clock in the morning and ended at 12 midnight. And the attendance after 7 p.m. was pitiful. For those of you who agree with me on single agent, agency budgets and line item budgets, let me tell you, it's gonna take long hours to go through a \$54 billion budget. And if you're not willing to give the time and sit in your chair and go through the budgets, give up the golf course, give up the dinner engagements, then it's no sense of us pushing a line item budget. If we're not gonna do the work that we were sent here to do, we don't need to be here. I've asked Leader Madigan next year that when we have five slow mornings that we have a Committee of the Whole for each Appropriation Committee. I hope he takes that under consideration. And for my colleagues who have not been here that long, we're not in overtime. We're just meeting the deadline of the Regular Session. You want to know what overtime is, July 19 or in this case June 19. A lot of you... many of you who have been here less than three terms don't know what an overtime is, so stop complaining. And lastly, lastly those of you who complain about the Governor's cuts and aren't willing to vote for the revenue to restore the cuts, you're a bunch of hypocrites. Stop hiding behind the Members who got backbones down here. It's easy to say restore this, restore that, Mr. Speaker. Restore this, Leader Daniels. But I can't vote to pay for it. What are you here for? As I've said time and time again, it's easy to vote on a budget or it's easy to vote on a Bill when it's a 118 to 0. That's the easiest vote to make. But you weren't sent here to make the easy votes. You were sent here to represent your district. And I'm not happy with everything that's in the budget. I'm not happy with what's not in the budget.

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I think home care workers should have been given their dollar wage, an hour wage increase. But that's not in the budget. But what's in the budget that I can take home? The restoration of daycare cuts, the restoration of some medical cuts, the TANF increase grant. There's other things that I can mention that I won't mention now. That's why I'm voting for this budget. But if we want not to end up in the same position again next year, maybe I should open up a pharmaceutical company and sell courage pills. Because it takes courage to be a leader. It takes courage to hit this button. It takes courage to represent your district. And those of you who don't have the courage, you don't need to be here. Thank you."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 2393?' 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 92 Members voting 'yes', 22 Members voting 'no', 2 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 7 of the Calendar appears House Bill 1961. Mr. Dart, on Senate Amendment #1."

Dart: "Thank you, Mr. Speaker, Member of House. House Bill 1961, should be on the Board. Yeah."

Speaker Hartke: "Excuse me, 1961."

Dart: "Thank you. I move to concur with Senate Amendment #1 to a House Bill 1961. The Amendment deals with some of the funding sides of it. This ties in a little bit with what Representative Black had talked about earlier. And about some of the disparities of the funding levels that have

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been going around dealing with Department of Correction. This is a program that we've talked about for a couple years. It's... it gets around the funding problems that we have right now, through this Amendment, by requiring that the people who are gonna run this program are gonna have to seek federal money primarily and also grants to get this going. I'm encouraging actively the state to get involved with this down the road. And I believe they should. It is in fact their responsibility. What this program does is it comes up with a unique way to try to deal with female offenders. Which is our... the largest group of offenders we have in prison right now, as far as on the increase. The male population has been somewhat stable. The female population has exploded. This is a unique way to deal with them in a setting that is more geared toward females, that should have had a... studies have shown we'll have a lot better results in the system we have now which frankly is quite broken. And I would appreciate a favorable vote."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1961?' All those in favor will 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? 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 1961. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 7, on the Order of Concurrence, appears House Bill 4353. Mr. Fowler, on Senate Amendment #1."

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Fowler: "Yes, thank you, Mr. Speaker. I move that the House concur in Senate Amendment #1 to that Bill and ask for a positive vote on that."

Speaker Hartke: "Did you explain the Amendment?"

Fowler: "Yes, what the Amendment does, the Senate Amendment does on that, it makes this a violation only if the person performing that service is paid for it, then it becomes a violation."

Speaker Hartke: "Is there any discussion on Senate Amendment #1? Seeing that no one is seeking recog... Representative Black. The Gentleman from Vermilion."

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, when this Bill left the House it was very clear cut, unanimous vote. Why did the Senate in their infinite wisdom feel it, feel in... that they had to amend it? I don't see that the Amendment did anything that the underlying House Bill didn't do."

Fowler: "Representative Black, I think that the only change that they made in it was that if the person performing the service or not installing an air bag back into that vehicle, for whatever reason, receive payment for it, then it became a violation."

Black: "All right. So, if I do it as a favor to you and knowingly do not replace it in accordance with the law, knowing that it isn't going to work but I don't charge you for it, I'm not guilty of anything?"

Fowler: "Well, I think under the current law according to my analysis, Representative, that there's currently no State Law concerning the tampering with these air bags or the air bag compartments. So, I think response to your question,

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yes, that would be correct."

Black: "Well, I think that that may create a loophole that somebody may use at sometime. I think your Bill, as it left the House, was in good form. This one says now as long as I don't charge you, even though I knowingly don't reinstall the air bag in a fashion that will protect you or your family, I'm not guilty of anything. That could, unfortunately the way society is today, that may be used as a loophole to let somebody off the hook. But, who am I to question the Senate. I don't think it's worth a 'no' vote on your Bill because I think the underlying Bill closed off a problem that does exist and needs to be closed. But now we've created a... if somebody finds out they may be under investigation they can just say, well, I didn't charge him, I had no intention of charging him. I just did it as a favor. Now, that kind of favor you don't need and I don't need. But still, the underlying Bill is vital and necessary but the Senate Amendment I think, in this case, may create a loophole of unintended consequences. But that's fine if you're comfortable with it, so am I."

Fowler: "Thank you."

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

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

Speaker Hartke: "Sponsor will yield."

Fritchey: "Representative, just curious, it's been brought to our attention I believe it was last year we had passed some legislation regarding hidden compartments in vehicles in trying to crack down on those individuals who may use a hidden compartment in a vehicle for purposes of stashing contraband, weapons, whatever the case may be. Has any thought been given to how this piece of legislation will

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comport with that, the concern being that if an air bag were removed and that was actually used then as a compartment for something else, I don't know that there may not be a conflict between the language in this legislation and the law that we passed last year."

Fowler: "I can certainly understand that, Representative, where you're coming from there. But no, in response to your question, that has not been brought up. But again, I can see where if that's an empty compartment it could be used. But again, I think this has a different reference to the law here."

Fritchey: "All right. And obviously, what you're trying to do here is well intended and I applaud you for doing it. My concern would be and I hope that, ya know, maybe since it hasn't happened yet that perhaps when it goes through review by the Governor's Office that they take a look to make sure there's not going to be a conflict between what we did and what we're trying to do. Thank you."

Fowler: "Thank you."

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

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

Speaker Hartke: "Sponsor will yield."

Osmond: "Representative Fowler, do you know that in your language in the original Bill there's been a lot of discussion on after-market parts for vehicles? Do you know whether or not the after-market parts that are out there now, do they comply with the federal safety regulations, because for a particular make?"

Fowler: "No, Sir. Representative, I do not have that information."

Osmond: "We've had a lot of discussions at the NCOIL meetings,

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with regards to whether or not an after-market part is an equivalent to an original manufacturer's part. And I think that's something that you may inadvertently have excluded, after-market parts, because they may not meet a federally regulated specification for a particular manufacturer. And I think that probably should be cleared up at some point and maybe with a recommendation when we pass this out, just as a further clarification as to whether or not the after-market part satisfy that requirement. Because you may be putting an air bag system back in, but one that doesn't meet a specific manufacturing standards. That's a very big debate going on right now on that issue. So, thank you."

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

Fowler: "I would just ask that the House give an affirmative vote on this Amendment."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 4353?' All those in favor will 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? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 4353. And this Bill, having received the Constitutional Majority, is hereby declared passed. On Supplemental Calendar #2, appears Senate Bill 727. The Chair recognizes Representative Franks for a Motion."

Franks: "I'd ask... that the Body refuse to recede from House Amendment 1 and send this to Conference Committee."

Speaker Hartke: "You've heard the Gentleman's Motion. All in

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favor signify by saying 'aye'; opposed 'no'. In opinion Chair, the 'ayes' have it. And the House does refuse to recede from House Amendment #1 to Senate Bill 727. And a Conference Committee Report is requested. On Supplemental #3 appears House Bill 1640. Mr. Rutherford, on Conference Committee Report #1. Out of the record. On page 9, on the Order of... the Order of Concurrence, appears House Bill 6004. Mr. Scully."

Scully: "Thank you, Mr. Speaker. I'd like to move to concur with Senate Amendment #1 to House Bill 6004 which added very appropriate details to this Bill creating the Pan-Hellenic license plate. I ask for your support and approval in concurrence in the Senate Amendment."

Speaker Hartke: "Is there any discussion? Chair recognizes Representative Lindner. She declines. Chair recognizes Representative Howard."

Howard: "Thank you, Mr. Speaker. As I have said in the past, this is a very good Bill. I rise in strong support of it. It is something that the Black Greeks of Illinois would be very proud to be a part of. Not only does it give honor to our sororities and fraternities and the good work that we've done for years it also allows us an opportunity to make educational scholarships available to deserving individuals across the state. As a member of Alpha Kappa Alpha Sorority and having spoken with many of the other Black Greek organizations, I urge my colleagues to be supportive of this and to give it your vote. Thank you."

Speaker Hartke: "Further discussion? Chair recognizes Representative Jefferson."

Jefferson: "Thank you, Mr. Speaker. I rise in support of this Bill. I think that Representative Scully has done an excellent job in carrying this and I just want to commend

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him and let him know that I am in support of him. Thank you."

Speaker Hartke: "Chair recognizes Representative Monique Davis, the Lady from Cook."

Davis, M.: "Mr. Speaker. I just wanna support this legislation and the bravery of the Gentleman who's carrying it."

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

Parke: "Can you just give me a clarification... Representative, about the scholarships, please?"

Speaker Hartke: "Sponsor will yield."

Scully: "As stated in paragraph 'd' of the Amendment, it creates the Illinois Pan-Hellenic Trust Fund as a special fund for the State Treasury, a with the funds to be distributed based upon the distri... the participation in the license plate program among a group of approximately nine different fraternal foundations."

Parke: "So, we don't know the amount. That it'll only be based on this surcharge that would be on the license plate fee and that surcharge will go into a fund to fund scholarships?"

Scully: "That's correct."

Parke: "Is that is that the way it goes?"

Scully: "Yes."

Parke: "And there... so there's no General Revenue Fund to this, it just simply from the license plate sale itself."

Scully: "I'm sorry, Representative, I didn't hear your question."

Parke: "There is no General Revenue Fund money in this scholarship. It is only monies that are received from the sale of these license plates. Is that correct?"

Scully: "That's correct. And the... the issuance of these license plates is also subject to the restrictions that we

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passed earlier this month on minimum participation."

Parke: "Thank you."

Speaker Hartke: "Chair recognizes Representative Rutherford."

Rutherford: "Mr. Speaker, thank you. Representative Scully, I want to tell you something. I'm not gonna vote for this Bill and it's because of the specialty plate. But I want everybody to know that we have the law on the books and Secretary White called me and he is going to promulgate the rules this summer to implement that thing. So, hopefully, if this... there's not enough plates out of this, which I hope does happen. But if there's not enough plates for the reserve and the bonding, this plate will not happen. Under the law we've already passed and Secretary White is gonna to promulgate the rules. Hopefully, it still can go ahead and go forward. So, I thank Secretary White for that."

Speaker Hartke: "Further discussion? Chair recognizes the Gentleman from Cook, Mr. Turner. Mr. Brunsvold in the Chair."

Turner, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. I have one question of the Sponsor and that is regarding the scholarships. Are the scholarships only good for students who go to Illinois school? I know they have to be a resident of the state, but will the scholarship be good at any school or is it Illinois-based schools only?"

Scully: "The funding will go to these scholarship foundations and we trust these foundations to properly allocate those dollars. It does not specifically restrict... nothing in this Bill restricts the distribution of those funds to children attending... students attending Illinois schools."

Turner, A.: "So, it doesn't make any difference what school that the student will go to then?"

Scully: "That's correct?"

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Turner, A.: "All right. And the student has to be a resident in the State of Illinois in order to qualify for the fund?"

Scully: "Yes."

Turner, A.: "Okay. Thank you."

Speaker Brunsvold: "Further discussion? Mr. Scully to close."

Scully: "Thank you very much. I ask for your support on this Motion to Concur."

Speaker Brunsvold: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 66004... 6004? This is final action. All those in favor to vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record yourself. Mr. Clerk, take the roll. And on that question, there are 111 voting 'aye', 5 voting 'no', and 0 voting 'present'. The House does occur... concur on Senate Amendments #1 to House Bill 6004. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lindner."

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

Speaker Hartke: "State your point."

Lindner: "Yes. I want to say all of you received a letter from the sixth floor crew, Bill Black, Kay Wojcik, and me. And I want to thank everybody who donated to the Fritz Kanady fund, my secretary. I want to state that the drawing for the DVD player will be tonight at 5 o'clock. And if you haven't already donated we would still receive donations. Thank you for... thank you everybody for your support."

Speaker Brunsvold: "Thank you, Representative. Page 3 of the Calendar appears Senate Bill 1649. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1649, the Bill's been read a second

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time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Miller, has been approved for consideration."

Speaker Brunsvold: "Representative Miller."

Miller: "Thank you, Mr. Chair. Amendment 1 on House Bill... excuse me, Senate Bill 1649 creates an Act entitled Illinois Brick Education and Research Act. The new Act establishes 11 Member Brick Education and Research Council. It would impose an assessment on each brick so to pay for education and research programs to promote the use of brick and building materials. The initial assessment will be no more than one half of one cent per brick, sold and kept at three quarters of one cents. The assessment is voluntary because brick purchasers may receive a refund from the council. I ask for adoption for this Amendment."

Speaker Brunsvold: "... Miller has asked for adoption of Floor Amendment #1. Is there any discussion? The Gentleman from McHenry, Mr. Franks."

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

Speaker brunsvold: "Sponsor yields."

Franks: "Representative, I've just saw this Bill. And as I read the analysis, is this a new tax of one half of one cent per brick that's sold in the State of Illinois?"

Miller: "No."

Franks: "What is it? 'Cause that's how I read it."

Miller: "Would you like for me to recite what I just said?"

Franks: "Well, I see that the Brick Council is trying to raise \$700 thousand and they're raising it through an assessment of one half of one cent per brick sold. Is that correct?"

Miller: "That's correct."

Franks: "So, wouldn't that be a new tax on bricks?"

Miller: "No, no. Because... any... person can ask for a refund

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on... on the amount purchased that was added on to the cost."

Franks: "But, ultimately, there's gonna be an add-on to the cost to pay for this assessment isn't that correct?"

Miller: "No, no, no. That's not correct, Representative Franks. It's... it can be... they can get it back by requesting a refund within 60 days."

Franks: "Okay. To the Bill. I..."

Speaker Brunsvold: "Proceed."

Franks: "The way I read this it seems to me that this is an additional tax. I understand what the Representative is trying to do, but this is something I'd urge the Members to vote against. I don't think that we need to increase costs for our homeowners and for our taxpayers."

Speaker Brunsvold: "Further discussion? The Gentleman from Vermilion, Mr. Black."

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

Speaker Brunsvold: "Sponsor yields."

Black: "Representative, you can dress a tax in a tuxedo and it's still a tax. It may be a better looking tax, but it's still a tax. Now, what is the purpose of levying a tax... what did you say one half cent per brick? One half of one half of one half of one half... I'm lost. What is the tax per brick?"

Miller: "Well, it's not a tax, so that's incorrect. But the cost is one half of one cent per brick and capped at three quarters a cent per brick."

Black: "Well, what do we call this one half of one percent fee per brick, a levy, an assessment, an enhancement?"

Miller: "An assessment."

Black: "So, if you wanna build a brick house, you're gonna pay an

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assessment per brick, right? I mean, all I can think of is the three little pigs. I mean why you want to tax the little pig who built his house out of bricks? We don't levy an assessment on sticks. We don't levy an assessment on straw. Why are we levying an assessment per brick? I honestly, I honestly don't understand this."

Miller: "That's an excellent question. The third reason is why we want a... this assessment is to help research the properties to and the qualities of brick construction. Number two, to improve the methods of installing the materials. And number three, promote brick as a building material. A similar legislation has passed in the petroleum industry, too. Excuse me, propane industry."

Black: "Well, was this a stand alone Bill earlier in the Session? Was it... was this House Bill 4054?"

Miller: "Yes."

Black: "And what was the fate of House Bill 4054?"

Miller: "It passed out of committee."

Black: "It did?"

Miller: "Yes."

Black: "What... what... what happened after it passed out of committee?"

Miller: "We were busy."

Black: "We were... we were busy. Well, bricks can get awful heavy. I understand that. I'm looking at the analysis of the original Bill. It says the facade on a 4 thousand square foot house would require 11 thousand 80 bricks. At the three quarter cent per brick rate, which would be at the top, I know that the top rate, that would add \$83.00 to the cost of the house. Now, it's not a great deal of money. And it's my understanding that the homeowner could get that assessment back if he or she asked for it back,

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correct?"

Miller: "Yes. On the asking for it back. But I believe your calculations... I differ with your calculations. But go ahead, I guess."

Black: "What... what if... what if the entity didn't want you to get it back? Do they have to refund the assessment?"

Miller: "Yes. They're required to refund the assessment."

Black: "You're absolutely required if you ask for it. Now, what constructive notice is given to somebody who's being transferred into Illinois, and you know, they... the family drives in or flies in. They look at the house a couple of times while it's under construction. Then it's moving day. They move into their new brick house... What constructive notice do they have that they may be eligible for hundred, two hundred dollar rebate of the assessment on the bricks?"

Miller: "It wouldn't... it wouldn't apply to the individual. It would apply to the contractor."

Black: "Would apply. Representative, do you really think that the contractor isn't gonna pass this cost on to the buyer?"

Miller: "Well, the contractor can get the money back. But that's up to the contractor. I would hope that they would remain fair and equitable."

Black: "Well... Representative, I... have a lot of respect for you and I don't... I don't want to delay this and I don't want to delay the work of the House. But I mean, just on the surface... To the Bill, Mr. Speaker."

Speaker Brunsvold: "Proceed."

Black: "I... there may be a very valid reason for this. I really don't know. I don't know the genesis of the Bill. I certainly assume that Representative Miller can tell us that in his closing. But on a day when we're adopting a budget that obviously is going to take tax increases to

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meet our spending, I'm not sure I want to go home, and also explain why my neighbor who has decided to build a house of bricks, is going to pay upwards of... the maximum of three... Well, according to him and I trust him, the homeowner wouldn't pay it. The contractor would pay the assessment for the brick. The money raised would go, I guess, to study how to build a better brick. You know, somehow brick house sounded better when the Commodores recorded it. I'm thinking of a rhyme but I can't go there. I mean, Ladies and Gentlemen of the House, this just doesn't seem to make real good sense in hard economic times. I can't... I grew up in the home-related industry. My brother runs a heating and air conditioning firm. I cannot believe that the contractor is not going to pass on, not only whatever the assessment per brick is, but would probably add a little fee, a little handling charge, if you will. And the homeowner's gonna pay that assessment, probably another half percent or a cent per brick, on top of that. The homeowner isn't even gonna know that there's an assessment on this. The contractor according to the analysis could get the money back if the contractor asked for it. This seems to be a really convoluted Bill studying an assessment or a tax, whatever you want to call it, on... on bricks. I can see the headlines now, 'brick tax levied, cost of lumber to go up'. I shouldn't laugh, I don't know the genesis of the Bill and it may have a very sound reason. But I... in all due respect to the Sponsor, I don't think I can explain this to my contractors. I certainly wouldn't want to try and explain it to a homeowner who ultimately is gonna bear this cost. When we stand on the Floor of the House and say that a business will bear the cost, seldom does a business bear the cost.

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It is passed on to the consumer. And I... I don't know in... at this hour, Mr. Speaker..."

Speaker Brunsvold: "Yes."

Black: "I'm joined by a sufficient number of colleges on my side of the aisle to ask for a record... recorded vote on the Amendment. And the Sponsor I'm sure is well-intentioned, but this just seems to be a rather confusing issue on a day devoted to budgets and perhaps taxes. And I just don't really want to go home and explain why I taxed a brick or assessed a brick or whatever you want to say. By the time I get home tomorrow, I think some of my constituents would like to show me a brick. I hope that doesn't happen. I... I would urge... and I've asked for the Roll Call and I'd urge a 'no' vote."

Speaker Brunsvold: "Further discussion? Gentleman from Cook, Mr. Turner."

Turner, A.: "Thank you, Mr. Chairman and the Ladies and Gentlemen of the Assembly. Will the Gentleman yield for a question?"

Speaker Brunsvold: "Gentleman yields."

Turner, A.: "How does this... proposed legislation affect the idea of buying used bricks? As you know, in the City of Chicago recycling bricks is a fairly large business. And in fact, many of those bricks are used in the rehabilitation of... trying to build affordable housing throughout the city. If I was to purchase a used brick, is... would the assessment be... also charged to those purchases?"

Miller: "Representative, thank you for the question. I believe it only applies to new bricks."

Turner, A.: "Only to new brick."

Miller: "Yeah."

Turner, A.: "I, like the previous speakers, have some concern

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about this additional assessment, or tax, or whatever you want to call it. I won't say it's a... but it certainly is not a carpenter. And I, to promote the use of brick buildings. I love brick structures, think that they're much... a much better built building. But in a time when we're trying to make housing affordable, to add this assessment on, be it 85 dollars, be it a hundred and sixty dollars, I think does an injustice when we should in fact probably be giving a discount to people who purchase bricks encouraging them to use that material as a better product. I reluctantly rise... in objection to this particular Bill. I think that it does not help keep housing costs affordable. I think the idea of promoting bricks certainly is a... laudable cause. But I think anything to raise the additional costs of affordable housing, be it a hundred dollars, be it five hundred dollars. I think it's unfair and does not help promote housing affordability, especially when we're raiding the Illinois Housing Trust Fund this year, taking money out to try to balance the budget, to now add on an assessment to a potential homeowner is not the right way to go. And I think to leave the burden of proof of getting the money back from the potential homeowner at 60 days after the purchase is not realistic. When you look at sometimes contractors wait as much as six months to get paid from when they're making those initial purchases. So, the period of time in which one could get his money back and the period of time that the contractors sometimes get paid is much longer than 60 days until... Although, I believe, what you're trying to do is laudable, and again I am a very strong promoter of brick structures, I don't believe that this helps keep housing costs affordable. And I think that... this assessment or tax or whatever you want

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to call it, that can be reimbursed 60 days later is the wrong way to go. And I intend to vote 'no'."

Speaker Brunsvold: "Further discussion? Mr. Miller to close."

Miller: "Thank you, Mr. Speaker. And thank you for an excellent debate on this issue. First, I'd like to say... this is not a tax, it's an assessment similar to other industries have done similar assessments to this. As I mentioned earlier, the propane industry, the pork industry, the corn industry, all have similar checkoffs. To make an analogy to this for the Members of the General Assembly, there's a popular program that we look in our magazines and that we see on commercials and stuff, and it's called, 'got milk', where we see an individual with a mustache whether an athlete or a movie star, or whatever with a milk of mustache. Well, this is a similar program such as this... which in that particular case does go... goes towards education of... educating the public in regards to the positive benefits of milk. And so, this is similar type of program as that. Second point is there have been some numbers discussed in regards to the cost of something like this per house. Right now, for a thousand bricks this would add an additional \$5 per thousand bricks. And on a commercial property it would... it would still be the same amount. So, we're talking for a basic residential property it would be about \$350. On the commercial property it would be about \$600, but regardless of that, the contractor could ask the money back. So, it is not a tax. And they would receive it. So, I'd ask for a favorable adoption of this Amendment. Thank you."

Speaker Brunsvold: "The Gentleman's asked for the adoption of Floor Amendment #1 to Senate Bill 1649. All in favor of the adoption should vote 'aye'; opposed 'nay'. The voting

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is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Dart, Mr. Acevedo. Mr. Dart, Mr. Acevedo. Have you voted? Wish to vote? Mr. Clerk, take the record. Mr. Miller, you've won the traveling McDuffy award. Mr. Winters, for what reason do you rise?"

Winters: "Mr. Speaker, I have in my hand a trophy."

Speaker Brunsvold: "Excuse me, Mr. Winters. That Amendment, having received 10 'yeses', and 102 'noes' and 3 'presents', fails. That Amendment fails. Mr. Winters."

Winters: "Speaker, this is a... this is a moment towards the end of Session. I didn't think we were going to see it this year. I have a letter in my hand from Michael Smith, who got 99 'no' votes and was unable to join the Century Club. But I have listed here a number of former Members and current Members of the Illinois House. We'd like to formally induct Representative Miller into the Century Club. His name will go on in infamy with the rest of us. And let me read the initial Members of this: Bob Churchill, Cal Skinner, Representative Lou Lang, Roman Kosinski, John Dunn, Phil Novak, Ted Leverenz, Pat Lindner, Ellis Levin, Dave Winters, and I believe we missed a couple of others, also. I think Mr. Leitch, Mr. Leitch, also has one. Anybody else that wants to... wants to admit to being a part of the Century Club, you're welcome to... join."

Speaker Brunsvold: "Mr. Black."

Black: "Yes. Mr. Speaker. For the benefit of Representative Miller, it's a little known rule but there is an assessment on any Bill that gets a hundred 'no' votes. The assessment is \$10 million per vote. That takes care of the budget hole. Let's go home."

Speaker Brunsvold: "Representative Feigenholtz."

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Feigenholtz: "Thank you very much, Mr. Speaker. On the order of landmarks and record breaking, we have a Member in the General Assembly, a dear friend of all of ours, who will be celebrating a birthday when we hopefully have been adjourned for a week. Turning 40 on June 7th, Representative Julie Curry. We have to embarrass her."

Speaker Brunsvold: "Happy birthday. Sara. Representative Feigenholtz."

Feigenholtz: "There's cake in the front row, for Julie Curry's birthday."

Speaker Brunsvold: "All right. There's cake in the front row... Members. Representative Lang."

Lang: "Thank you, Mr. Speaker. I'm proud to be a Member of that Century Club, but I just wanted to state for the record that while Ellis Levin's name appears there, it should have appeared there eight or ten times."

Speaker Brunsvold: "Mr. Clerk, further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. Representative Black, have you filed a... Motion or a note on this Bill?"

Black: "Yes. Mr. Speaker, we filed several notes on this Bill, as amended. It's actually the first legitimate use of the housing affordability note I've ever filed. Mr. Speaker, I would simply ask the Chair on Senate Bill 1649, because Representative Hartke let that Amendment go on, they... according to Rule 54, Section (a), if the parliamentarian would look. Any Bill that has an Amendment that fails to get even... 12 votes in affirmative, the Bill... the underlying Bill must be taken out of the record. He can't call it now."

Speaker Brunsvold: "I would... I believe, Mr. Black, you've withdrawn the notes on the Bill, with the Amendment having

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been defeated?"

Black: "Absolutely not. We expect Representative Hartke to file every note. I mean, there are houses heated by oil. That would... that would impact the affordability of the housing. Mr. Hartke... Representative, can you file the notes in appropriate amount of time?"

Hartke: "No, Sir. Thank you, Bill."

Speaker Brunsvold: "Third Reading on that Bill. Thank you, Mr. Black. Mr. Clerk, read the Bill for the third time."

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

Speaker Brunsvold: "Mr. Hartke."

Hartke: "Well, thank you very much, Mr. Speaker, Members of the House, thank you very much. I appreciate the opportunity to present this Bill again today. This piece of legislation is clean as it come over from the Senate. What it does it extends the deadline or the... time limit for the expiration of the Petroleum Resource Board. This board, if we do nothing today, will go out of existence on July 1st. It's a very much needed board, it educates individuals on the use of petroleum and the oil products in Illinois, as well as it assists in the clean up of our abandoned wells in the State of Illinois, our orphan wells. So, I would appreciate an affirmative vote. Be happy to answer any questions."

Speaker Brunsvold: "The Gentleman's asked for a passage of Senate Bill 1649. And on that is there any discussion? The Gentleman from Vermilion, Mr. Black."

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

Speaker Brunsvold: "Sponsor yields."

Black: "Representative, let's move now to more serious matters."

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Is the fund generated by this 1% of assessment on gross revenue? Is this... this fund is an auditable fund, auditable fund by the... say the Auditor General or some agency of State Government?"

Hartke: "You know, Mr. Black, I don't have the answer to that question. But I'm sure that it is. It is one of the... one of the funds we have."

Black: "All right. Most people in this chamber do not realize that we have currently over 18 thousand producing oil wells in this state. That creates an opportunity if those well are producing... unfortunately most of them don't produce a huge amount of barrels of oil per day. But one thing that I am interested in that you said, some of the proceeds from this fund are set aside to help clean up the area of those stripper wells when they finally exhaust the oil supply, correct?"

Hartke: "Yes, that is true. Mr. Black, we have scars in Southern Illinois from there... our past sins of the oil industry. And this fund is very helpful in contributing to clean up those abandoned and orphaned wells in Southern Illinois."

Black: "And this fund is a voluntary assessment on oil producers. It is not a tax levied by the State of Illinois."

Hartke: "Well, no, it is not a tax levy. It's a volunteer assessment that they've asked for, which they use for this thing. Like the previous Amendment that was on the Bill, and many other funds, individuals who contribute to this fund are given the opportunity to ask for a refund from that fund."

Black: "Okay. Fine. Thank you very much, Representative."

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

Hartke: "I would just ask for a favorable vote on Senate Bill

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1649."

Speaker Brunsvold: "The Gentleman's asked for the passage of Senate Bill 1649. 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... Mr. Clerk, take the record. And on that question, there are 102 voting 'yes', 13 voting 'no', and 0 voting 'present'. And Senate Bill 1649, having received a Constitutional Majority, is hereby declared passed. Representative Jones."

Jones, J.: "Yes, I would like to be recorded as an 'aye'. My switch didn't work on that."

Speaker Brunsvold: "And it will be recorded. House Bill 4357, Mr. Clerk. What's the status?"

Clerk Bolin: "House Bill 4357 is on the Order of Concurrence, with a Motion to Concur with Senate Amendment #1."

Speaker Brunsvold: "The Gentleman from Cook, Mr. Lyons."

Lyons, J.: "...Speaker... Thank you, Speaker and Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1 to House Bill 4357. The underlying Bill was a Bill that we sent out of here with 96 votes that was an initiative of the Department of Financial Institutions and the Illinois Credit Union League. We amended it here to meet some criteria and negotiated with the Illinois Bankers Association, then went over to the Senate. The Senate made a couple of the technical Amendments to it. It did pass out of there by a vote of 56 to 0. There... the technical Amendments the Senate put... Senate Amendment #1 is second... basically, it's the secondary capital doesn't count for meeting insolvency ratios. Secondly, it retains the authority for special regulatory exams of business subsidies for whom managerial authority has been delegated

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and that basically refers to the CUSOs, which are smaller operations, nonfinancially related to the credit union and similar to... part of the credit union, but usually in the term of a... of a travel agency or sometimes groups... group organizations that go together on a mortgage, mortgage-basis investment program together. And the third item here was it adds crime victim exception to authority to disclose confidential supervisory information. In other words, if there was a reason for a disclosure to be made on confidential materials of the supervisory meeting, in the case of a criminal situation it certainly would be made available. I think for the purpose of intent, Representative Currie has a couple of questions on that, Representative."

Speaker Brunsvold: "The Gentleman's asked for a concurrence in Senate Amendment #1. On that question, the Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker. If the Sponsor would yield for a couple of questions to establish legislative intent?"

Speaker Brunsvold: "Sponsor yields."

Currie: "I just want to clarify that the new Section, Section 9.1, tracks the existing law and the point is to provide that reports that are issued by the agency in connection with its regulatory examinations of credit unions are confidential but not intended to preclude an individual from getting the agency documents if they're relevant to his or her judicial proceeding."

Lyons, J.: "Correct, yes."

Currie: "And I got just three, three questions that I think if you answer in the affirmative, will do the job. Subsections 5(b) and 5(c) of this new Section, Section 9.1, are intended to be interpreted in a manner that respects

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the rights of parties to obtain information that is relevant to a judicial proceeding. Is that accurate?"

Lyons, J.: "Yes, correct."

Currie: "And Section... Subsection 9.1 5(b) is intended to refer to request for discovery of confidential supervisory information where there has been no consideration by a court on the relevance and legal necessity of producing such information. For example, to protect a constitutional right."

Lyons, J.: "Correct. That's right."

Currie: "And finally, subsection 9.1 5(c) relates to the entry of court orders. The automatic stay of the orders is intended to be limited to those orders that are entered pursuant to administrative, not judicial, review. Is that correct?"

Lyons, J.: "Yes, Leader. Thank you."

Currie: "Thank you very much."

Speaker Brunsvold: "On the concurrence Motion, Mr. Black. Does not wish to speak. Any further discussion? Mr. Lyons to close."

Lyons, J.: "I ask for your 'aye' vote."

Speaker Brunsvold: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 4357?' This is final action. 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? Please record yourself. Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 96 voting 'aye', 19 voting 'no', 1 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 4357. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 9 of the Calendar appears House Bill 4975. Mr. Hoffman. Mr. Clerk. Mr. Hoffman."

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Hoffman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4975 is essentially a product of negotiations between the new car dealers association as well as the Illinois Trial Lawyers Association. And what it does is it addresses the issue of the ability and the coverage of insurance when individual takes out a loaner car. I believe that there's no opposition to this. We have seen several different versions of it, several different Amendments. This is a Conference Committee Report that has been signed off by everyone and I would ask for an 'aye' vote."

Speaker Brunsvold: "And on Gentleman's Motion, Mr. Parke."

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

Speaker Brunsvold: "Sponsor yields."

Parke: "At first this was a little controversial, wasn't it, Representative Hoffman?"

Hoffman: "Yes. There were issues and concerns not only by the travelers' association, but also, I believe, there were concerns from various insurance groups. I think that that all has been taken care of in... and this one."

Parke: "So, as far as you're aware either they... the groups are neutral or in support. You know of no opposition to this legislation?"

Hoffman: "I don't know of any opposition that remains."

Parke: "Thank you."

Speaker Brunsvold: "Further discussion? The question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 4975?' This is final action. 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 116 voting 'aye', 0 voting 'no' and 0

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voting 'present'. The House does adopt Conference Committee Report #1 to House Bill 4975. And the Bill, having received a Constitutional Majority, is hereby declared passed. On page 9 of the Calendar appears House Bill 5874. Representative Kosel."

Kosel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would ask for adoption of the Conference Committee Report on 5874. This Bill and all its sections have never received a 'no' vote in either chamber of the House and do to a clerical error over in the Senate side we needed to do a Conference Committee Report. This is a Bill that we dealt with with child molesters and location of their residence across from victims and a Bill that also enables the State Police to receive funds from the Federal Government in the amount of \$2 million. And I would approve... I would ask for your approval. Thank you."

Speaker Brunsvold: "The Lady's asked for adoption of the First Conference Committee Report. Is there any discussion? Seeing none, the question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 5874?' This is final action. 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. On that question, there were 116 voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does adopt Conference Committee Report #1 to House Bill 5874. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1975, Mr. Novak. Conference Committee Report. Mr. Novak."

Novak: "Yes, thank you, Mr. Speaker. I now move that the House accept the First Conference Committee Report on House Bill 1975. The Conference Committee Report, essentially..."

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before I go into the text of it, the House concurs in Senate Amendments #1, 3, and 4 and then that the Senate recede in Senate Amendment #2. House Bill 1975 is the result of a task force that was put together by Secretary of State Jesse White dealing with the enforcement of collecting the mobile home privilege taxes on manufactured housing around the State of Illinois. The industry in Illinois is growing by leaps and bounds. More and more senior citizens and even many young folks... young newly married couples with children that don't wanna move into a real estate, many of 'em are deciding to use... utilize manufactured housing. The law that was passed for the taxes was way back in the 1970's is applicable to what they call a privilege tax and what this tax is based upon the size of the unit, the square footage, as well as the age. So, it's not... it's not... it is dissimilar to the real estate tax law. Now, we all know that if you do not pay your real estate property taxes in time to your respective county collectors... county treasurers for this matter your taxes can be sold at a tax sale. Well, if you live in a manufactured housing in this state there is no provision in the law that if you refuse to pay your privilege taxes to the local county collector that your taxes on a manufactured home can be sold. The only thing that can be accomplished where the county can collect this tax is the state's attorney has the authority to file a lien in court against the owner of the property so they can... they can recoup the taxes that are due to the taxing bodies within a respective jurisdiction. What this Bill does is that it provides for a mechanism that should individuals refuse to pay their taxes on mobile homes, manufactured housing, there's a provision that their taxes can be sold very

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similar to the property tax sales or tax sales that are conducted in every county throughout the State of Illinois.

Be more than happy to answer any questions."

Speaker Brunsvold: "Mr. Giles, for what reason do you rise?"

Giles: "Thank you, Mr. Speaker. I rise for a point of personal privilege."

Speaker Brunsvold: "Proceed."

Giles: "I would like for this august Body to help me to welcome Sumner Elementary Grade School here today in Springfield from the 8th District. I'd like to welcome them for comin' down today."

Speaker Brunsvold: "Welcome to Springfield."

Giles: "Mr. Spea..."

Speaker Brunsvold: "Mr. Novak has asked for the adoption of the First Conference Committee Report. And on that question, the Gentleman from Cook, Mr. Parke."

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

Speaker Brunsvold: "Sponsor yields."

Parke: "Representative, there is any number of citizen groups of homeowner groups or no, home renter groups from these associations, are they in the support of this legislation?"

Novak: "Yes, they are. When the Bill moved out of the House, Mr. Parke, they were in support of it, but some questions arose when the Bill was in the Senate. It was held over last... this last summer. Some Amendments were put on it at the request of the Mobile Homeowners... the MHOI, the Mobile Homeowners Association in conjunction with speaking with the industry and now we've been able to work out all those disagreements and the Bill is all agreed to."

Parke: "Do you know if Senator Radogno is one of the Sponsors in the Senate on this?"

Novak: "She is the Sponsor of the Bill in the Senate."

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Parke: "She is?"

Novak: "Correct."

Parke: "Okay. Thank you."

Novak: "You're welcome."

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

Novak: "Yes, Mr. Speaker, I simply ask that we move to accept the Conference Committee Report... the First Conference Committee Report on House Bill 1975."

Speaker Brunsvold: "The question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 1975?' All those in favor vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourself. Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 94 voting 'aye', 22 voting 'no', 0 voting 'present'. And this... the House does adopt Conference Committee Report #1 to House Bill 1975. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 9 of the Calendar appears Senate Bill 39. Representative Lang."

Lang: "Thank you, Mr. Speaker. I move that the House adopt the First Conference Committee Report to Senate Bill 39. This is a very technical thing that involves revival of judgements. When a judgement is old it has to be revived to be collectible. And this will create the appropriate due process to accomplish that goal. I would ask for your support on the Motion."

Speaker Brunsvold: "Gentleman's asked for the adoption of the First Conference Committee Report on Senate Bill 39. Is there any discussion? Seeing none, the question is, 'Shall the House adopt Conference Committee Report #1 to Senate

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Bill 39?' 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 'aye', 0 voting 'no', 0 voting 'present'. And this Bill, having received... And the House does adopt Conference Committee Report #1 to Senate Bill 39. And this Bill, having received a Constitutional Majority, is hereby declared passed. Members, we're going to page 10 of the Calendar on Resolutions. On page 10 appears House Resolution 565. Mr. Berns."

Berns: "Thank you, Mr. Speaker. This Resolution would recognize the efforts of Senator Stanley Weaver and his wife Mary in protecting Illini Grove at the University of Illinois Urbana-Champaign Campus."

Speaker Brunsvold: "Any discussion on the Resolution? The question is, 'Shall the House adopt House Resolution #565?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Let's back up a minute, Members and take a Roll Call on that Resolution. There is a plaque that has to be placed by the Department of Natural Resources. So, the question is on House Resolution 565, all in favor vote 'aye'; all 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 116 voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does adopt House Resolution 565. Now, you can give a round of applause. On page 10 appears House Resolution 668. Representative Flowers."

Flowers: "Can you come back to that, please?"

Speaker Brunsvold: "Yes, we may..."

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Flowers: "Thank you."

Speaker Brunsvold: "... we will. Page 10 of the Calendar appears House Resolution 687, Mr. McKeon. Proceed."

McKeon: "Thank you, Mr. Speaker. We have Amendment 1 approved for consideration by the Rules Committee."

Speaker Brunsvold: "Okay. Proceed on Floor Amendment #1."

McKeon: "Floor Amendment 1 amends the paragraph on page 2 of the Resolution. It's recommended by Representative Parke in committee. And the Rules Committee released it to the floor. The underlying Resolution deals with a State of Illinois vendor who has been found responsible for firing employees who have been... attempted to organize a union in violation of the National Labor Relations Board. I urge adoption of the Amendment."

Speaker Brunsvold: "The Gentleman has asked for the adoption of Floor Amendment #1 to House Resolution 687. Is there any discussion? Seeing none, the question is, 'Shall the Floor Amendment #1 be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments, Mr. Clerk?"

Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Mr. McKeon, on House Resolution 687 as amended."

McKeon: "House Resolution 687 deals with a major contractor for interp... interpreter services for the State of Illinois known as OnLine Interpreters, formerly Midwest Translations. It holds contract with the State of Illinois to provide telephone translation services to various state agencies in a number of foreign languages. OnLine Interpreters is... as result of a finding by NLRB has engaged in union-busting activities and fired employees for their attempts to have a fair election among the employees."

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Those in... the National Labor Relations Board has ordered on two separate occasions that OnLine Interpreters rehire those employees and comply with Federal Law. The Resolution does not take a position on the merits of the issue, but only encourages the parties involved to comply with Federal... Federal Law and as appropriate hold an election among the employees with respect to the union. I'll gladly answer any questions."

Speaker Brunsvold: "The Gentleman has asked for the adoption of the Resolution. Is there any discussion? Seeing none, the question is, 'Shall the House adopt House Resolution 687?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the House does adopt House Resolution 687. Page 10 appears House Resolution 668, Representative Flowers."

Flowers: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill or Res... House Resolution 668 urges President Bush to release appropriate funds for the LIHEAP program to reduce the energy burden on low-income families. And I would urge the passage of the Resolution."

Speaker Brunsvold: "The Lady has asked for passage of the Resolution. Is there any discussion? Seeing none, the question is, 'Shall the House adopt House Resolution 668?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Page 10 appears House Resolution 703, Mr. Novak."

Novak: "Thank you, Mr. Speaker. Ladies and Gentlemen, House Bill (sic-Resolution) 703 urges the United States Congress, specifically our Illinois delegation, to sustain President Bush's actions with respect to designating permanently a repository to store our high-level nuclear waste. The State of Illinois stands out as the state in the entire country that has the largest number of nuclear reactors in

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the United States. You see that most of them are concentrated in Representative O'Brien's district, as you see she is, I think, also a Sponsor... a cosponsor to this. For too many years the Federal Government has dragged its feet on designating a repository for high-level... storage of high-level waste. For many, many years legislation was passed, it was vetoed by President Clinton and Presidents before that. It was... it's been bogged down in a political quagmire for decades. Billions of dollars... billions of our tax dollars have been spent on research for the site in the Yucca Mountain area in Nevada. What this Resolution simply does is says... tells... urges our Congress to say, let's designate one safe facility in the entire country as a repository for high-level nuclear waste instead of having hundreds, literally hundreds, of sites around the nation where spent fuel rods are stored at either nuclear power plants or other electric generating facilities or other nuclear waste from other operations around the state... around the country. So, that's essentially what this Resolution does. I think it's time that the Federal Government and the US Department of Energy come in agreement with Congress and make the decision to provide a reasonable area in the country to store this waste. And I ask for your support."

Speaker Brunsvold: "And on the Motion to adopt the Resolution, Mr. Fritchey."

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

Speaker Brunsvold: "Sponsor yields."

Fritchey: "Representative, I fully agree that this is an issue that needs to be dealt with. I'm curious, do you know what the position is of the environmental groups with respect to the Yucca Mountain site?"

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Novak: "Well, I know there's a number of groups. I believe the Sierra Club is probably opposed. I believe Mr. Craft's organization at Evanston is probably opposed. They've been opposed... most of these... some of these environmental groups don't wanna see this happen and for some reason, I don't know why. Now, I know there's an issue about transporting high-level nuclear waste from point (a) to point (b). Now, if it's under the auspices of the military, the Depart of... Department of Energy, I mean that... that... that material has to get from one point to the next. And if it's under their auspices and authority, it's done correctly, we should just, ya know, get this issue behind us, quit wasting taxpayers dollars for more studies and more studies when everything has borne out that this is the safest site; seismologically, hydrol... hy... I can't even say the word, as well as..."

Speaker Brunsvold: "Hydrologically."

Novak: "... hydrologically... Thank you, thank you, Mr. Speaker. Geologically, as well as other indigenous qualities of the area. So, yes, there are environmental groups that opposed it."

Fritchey: "If I'm not mistaken Yucca Mountain facilities in Nevada?"

Novak: "Correct."

Fritchey: "It's about an hour and a half from Las Vegas?"

Novak: "Well, I guess, I've never been to Vegas."

Fritchey: "Do you think that there's a concern that Las Vegas is probably the fastest growing metropolitan area in the country and we're looking at making it the principal facility for depositing nuclear waste?"

Novak: "Well, it's on government property and it's in the desert. Now, I guess we can... we can discuss... get into some

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rhetorical question, of where do you put this stuff? I mean, I mean, we just certainly can't put it in outer space. I mean, it's gotta be buried somewhere safely. And the Act that was passed years ago that required the Federal Government to locate a site with all the scientists and geologists and the Department of Energy, they have come up with this site as the most appropriate site. Certainly would be better than outside of metropolitan Chicago or Los Angeles."

Fritchey: "Speaker, to the Bill."

Speaker Brunsvold: "Proceed."

Fritchey: "I... This is a classic example of 'not in my backyard' for good reason, nobody wants this near them. It's a problem with no good solution. One thing that has been agreed upon by the environmental community and many others is that this is a bad solution to this. I don't know what the answer is. I hate to oppose an effort to do something without having a counter availing proposal in its stead, but if you are concerned about the environmental issues and what these groups have said upon studying this, I have to urge you to oppose this Resolution. Thank you."

Speaker Brunsvold: "Further discussion? Mr. Durkin, is that... is your light on or is there a reflection from the sun coming through the window?"

Durkin: "Yes."

Speaker Brunsvold: "Proceed."

Durkin: "To the Resolution. I can respect the statements of the last speaker. It is a classic NIMBY argument, however, we're talking about a location which is in the middle of nowhere in Nevada which has been designated safe for years by the Department of Energy. Ya know, as for years as taxpayers we've been paying into a fund to have this

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nuclear waste removed and it's... I think it's about time in which we have this material removed from this state. We have the most nuclear reactors of any state in the nation, with that we have the largest amount of spent nuclear fuel. And I think it's incumbent upon all Members of our Congressional Delegation to take that into account. The families who live around the reactors... let's move this along the way. Quite frankly, ya know, the transportation issue, if there's a problem moving this waste across state lines then there wouldn't be a problem with these tankers that we have running up and down our highways with gasoline and chemicals. So, I think that's a false argument and I'll just say I think its incomprehensible of any Member of the Illinois Congressional Delegation to vote against this Bill, it's a vote against the families that live around these reactors. Thank you."

Speaker Brunsvold: "Thank you. The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I rise in reluctant opposition as I have great respect for the Sponsor and I appreciate that he's trying to urge a solution to the problem that we face with nuclear waste. The problem however, is first of all, that the Governor and the Senators from the State of Nevada oppose this particular solution and they do so with, I think, appropriate scientific backing. According to a General Accounting Office study the rock at Yucca Mountain is porous the containers, in fact, are not time-tested and there is a significant risk to the water supply. The water supply not just for the few people who live right there, but for people who live as far away as Las Vegas. I would submit that this is not in fact a permanent solution to the

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problem. Not long after its opening Yucca Mountain will be filled and we'll still face the problem of 44 thousand tons of nuclear waste stored here, stored there, and everywhere. And finally, Speaker and Members of the House, I would not discount... I would not discount the problem of transportation. In a time when we are encouraged to be on the alert to terrorist threats I should imagine that shipments of nuclear waste criss-crossing the country and in particular, criss-crossing the State of Illinois, will be a significant problem and I'm not sure that anybody has figured how to make sure that we will be secure. So, I would in deference to the Sponsor, I would nevertheless urge a 'no' vote."

Speaker Brunsvold: "Further discussion? The Gentleman from Winnebago, Mr. Winters."

Winters: "Thank you, Speaker. I rise in support of House Resolution 703. Some of the previous speakers have brought up the idea that the rock at this mountain is not the type that would hold out rainwater, that we would have continual flux of water moving down through the groundwater. The rainfall and the evaporation from the surface in Nevada is so... the low... the rainfall is so low that they simply do not expect any water to penetrate more than about ten feet deep. It is... the mine is hundreds of feet deep. There is no current groundwater there until you get thousands of feet deep and that is permanently sealed by hard layers of impermeable rock. The NIMBY aspect that the Senators from Nevada are highlighting is actually a false 'not in my backyard', because the local community, the one where this nuclear waste will be stored is very supportive of having Yucca Mountain be the depository for high-level nuclear waste. We deal with transportation issues. You have to

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understand that currently we have hundreds of sites around the country where permanently our communities are endangered by the storage of this in, not permanent, in very short-term storage. Now, some of these places have held nuclear waste for 20 and 30 years. We've already invested \$7 billion in studying Yucca Mountain. It is the best place they've been able to find in all of North America. What is holding the process up? We're simply urging Congress to take action. I think the scientific arguments against Yucca Mountain are not good arguments. And we simply need to get the nuclear waste that's stored in our own communities, throughout Illinois, transported safely over the rails, they will not be on highways, but on rail transit guarded by the Armed Services on its way there. I see no reason not to proceed forward with this and urge the adoption of the Resolution."

Speaker Brunsvold: "Further discussion? The Lady from Peoria, Representative Slone."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I also rise in support of the Gentleman's Resolution. I serve as a member of the National Conference of State Legislatures' Environment Committee. We received an extensive briefing on the Yucca Mountain project last year. Had I known that this was going to be debated today I would've brought some materials on that. Everything that can possibly be done to insure the safety of this facility is being done. Where the nuclear waste is currently stored now in spent fuel rods at nuclear sites with inadequate security all over this country, and I might include particularly all over this state, I think argues strongly in favor of the Yucca Mountain solution. Having this material appropriately guarded at a central facility, I

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think ultimately will be in the best interests of all of us. And I would urge that you support Mr. Novak's Resolution."

Speaker Brunsvold: "Further discussion? Mr. Black. Mr. Black."

Black: "Thank you very much, Mr. Speaker. I simply rise to support my friend and colleague, the Gentleman from Kankakee, on the Resolution. I think the Gentleman has clearly explained that there is probably more danger in having this high-level radio active waste spread all over the country where security may in fact be a more... a more difficult issue than it is to have it centrally located and we've been discussing this for a number of years. And I think the time, in fact, after September 11, is to begin taking action to consolidate and safely store the high-level radioactive waste generated largely by our nuclear power plants. I would like to give an editorial comment on the statement made by the Majority Leader, who I hold in the highest regard, and she raised a very legitimate argument and that is the transportation of this waste to the site in Nevada. I have... I have twice written the Chair of the Rules Committee trying to get Senate Bill 1582 out of the Senate... out of the House Rules Committee that deals with the safety of our transportation of our gasoline network. This passed the Senate some time ago. There have been warnings from Home Land Security that vehicles carrying gasoline may very well be targets of terrorists or gasoline terminals. This Bill passed the House and the Senate overwhelmingly. This sets up a task force to establish safety procedures for our gasoline terminals and those vehicles that transport gasoline, but we've had absolutely no luck in getting that out of Rules and that is indeed just as much a

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transportation problem as the transport of nuclear waste may be. And, in fact, there was just an attack in Israel on a gasoline transport that was foiled, but again the Bill is being held in House Rules, it's Senate Bill 1582. I would hope that we might yet get to act on that, if not before we adjourn maybe in November. But be that as it may, I think, Representative Novak is doing the responsible course of action with his Resolution."

Speaker Brunsvold: "Mr. Osmond."

Osmond: "Thank you, Speaker. I would like to rise in support of the Resolution. As many of you know, Zion Nuclear Plant is located right on the shores of Lake Michigan. The only thing separating that facility from the water that millions of people in the Chicagoland area drink is a sandy beach. Federal Government promised that the nuclear waste would be taken away from these facilities when used. It's time that we hold them to that commitment. The facilities that are storing the nuclear waste now were not intended as long-term and permanent storage places for it. We have an opportunity at a site that's been tested. We should move the nuclear waste now. And I urge a strong support for the Resolution. Thank you."

Speaker Brunsvold: "Mr. Novak to close."

Novak: "Yes, thank you, Mr. Speaker. And I appreciate very much the comments of those that... in support of this Resolution I've offered today. I think it's time that the Congress move on and get realistic about designating where this repository is going to be. The House of Representatives overwhelmingly approved the administration's Resolution, I believe, to support the Yucca Mountain site, overwhelmingly approved. Now, the ball is in the Senate's... is in the Senate chamber now and if they sustain President Bush's

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action, then the designation will be official. So, maybe this Resolution will help our leaders in the United States Senate make the right choice. And please vote for House Resolution 703. Thank you."

Speaker Brunsvold: "Question is, 'The House adopt House Resolution 703?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the house does adopt House Resolution 703. Mr. Hartke in the Chair."

Speaker Hartke: "On page 10 on the Resolutions appears House Resolution 715, Representative Novak. Mr. Novak."

Novak: "Thank you, Mr. Speaker. Ladies and Gentlemen, Resolution... House Resolution 715 directs the Illinois Environmental Protection Agency to do a study of the effectiveness of multiple liners in landfills. This is kind of a localized issue as far as myself is concerned. Presently, there are two huge landfills being considered in Kankakee County at the handle, not only waste that is generated within the county, but also waste that may come from outside the county. Currently, our County in Kankakee has a contract with Waste Management that precludes the importation of out-of-county waste. So, there's a potential here that massive amounts of trucks will be coming into our county to deposit waste in two new landfills. The sitting hearings are gonna beginning... are going to begin very shortly. Essentially, this Resolution directs the EPA to use either an independent contractor or a... their in-house expertise to do a study on dual liners, the plastic liners that protect the leachate from getting into the... into our municipal or private potable water supplies, which is a very, very serious public health issue. And the study will be done by the end of the year. Hopefully, it'll show that we will need these liners for

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new expansion or new construction of landfills in Illinois.
Ask for your support."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 715?' All those in favor will vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 Members voting 'yes', 0 voting 'no', and 2 Members voting 'present'. And the Resolution is adopted. House Resolution 824, Representative McKeon. Out of the record. House Resolution 826, Representative Reitz, on the Resolution."

Reitz: "Thank you, Mr. Speaker. House Resolution 826 urges Federal Commerce Commission to deal with the 618 area code. Ask them to look at allowing us some flexibility in overlay or a split situation. Appreciate your support."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 826?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. House Resolution 841, Representative Coulson on the Resolution."

Coulson: "House Resolution 841 is an emergency service priority access to cell phones Resolution. I would like to make sure that emergency services in an emergency would be able to have access to those cell phones over other people. And I can answer any questions."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 841?' All those in favor signify by

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saying 'yes'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. House Resolution 844, Mr. Parke on the Resolution."

Parke: "Yes, thank you, Mr. Speaker. I'm asking for the House to support House Resolution 844. It supports Taiwan's admission as an observer to the World Health Organization and expresses the belief that the Republic of China should be permitted to participate in a meaningful and appropriate way in the World Health Organization. I would ask that the Body support this Resolution."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 844?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. House Resolution 852, Representative Kosel on the Resolution."

Kosel: "Thank... thank you, Mr. Speaker. Resolution 852, this Resolution directs the Department of Human Services to work with the agency to review the current CILA rate model relative to whether DHS is reimbursing 100% of actual costs incurred by community agencies. The group assembled by the secretary is expected to report back to the House and Senate no later than December 1st, 2002."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 852?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. House Resolution 854, Representative Flowers. Out of the record. House Resolution 865, Representative Feigenholtz."

Feigenholtz: "Thank you very much, Mr. Speaker. House Resolution 865 directs the Illinois Department of Public Aid to

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conduct a study of the feasibility of establishing a Medicaid spenddown prepayment program. And I believe that this Bill.. Resolution was amended to change the reporting date from December 31 to March 31, 2003."

Speaker Hartke: "You've heard the Lady's Resolution, is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 865?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all vote 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 adopt House Resolution 865. House Resolution 866, Mr. Biggins on the Resolution."

Biggins: "Thank you, Mr. Speaker. House Resolution 866 expresses appreciation to the President of the United States for his condemnation to the vicious terrorist acts committed against the Nation of Israel. We urge him to continue to support Israel in the future in its fight against terrorism. Mr. Speaker, these acts are verifiable massacres that have occurred in Israel's cafes, wedding halls, and on street corners and buses. Do the Palestinians have any issues? Well, sure they do. So did the Germans in the 1930s. They thought the Versailles Treaty was unfair. So did World War II Japanese. But that grievances don't justify gas chambers, the atrocities of the Holocaust, or the atrocity of the emperor's army or homicide bombers. I urge the adoption of the Resolution."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 866?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair,

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the 'ayes' have it. And the Resolution is adopted. House Resolution 869, Mr. Moffitt on the Resolution."

Moffitt: "Thank you, Mr. Speaker. House Resolution 869 asks that the Illinois Community College Board and the Illinois Student Assistance Commission hold meetings to discuss recommendations for improving accessibility to post-secondary education for Illinois students and families and that they have these meetings by October 15, 2002. The intent of this... actually, I believe the Amendment then changed that to December on the report date. The intent of this is especially around the border of the State of Illinois, students that it might be a lot closer for them to go to a community college. I'll give you an example, Carl Sandburg College. If a student is from Hamilton, Illinois, it's a hundred and eighty miles roundtrip to Galesburg. It's 84 to Burlington for the Burlington Community College there. It'd be a 96 mile difference. Under current law, they would not be eligible if the course is offered at the Galesburg campus. So, we just felt it would be good if the community colleges and the Student Assistance Commission would meet and discuss educational opportunities. No opposition. It's an Agreed Resolution."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 869?' 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 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does adopt House Resolution 869. House Resolution 854, Representative Flowers on the Resolution."

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Flowers: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I urge the passage of House Resolution 854 for the need of blood donation. I'll be more than happy to answer any questions you may have in regards to this matter."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 854?' 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 Younge, Representative Klingler. Mr. Clerk, take the record. On this question, there are 112 Members voting 'yes', 0 voting 'no', and 2 Members voting 'present'. And this Resolution is adopted. House Resolution 892, Representative Erwin, on the Resolution. You wanna take this out of the record?"

Erwin: "All right, no."

Speaker Hartke: "You just filed..."

Erwin: "Thank you."

Speaker Hartke: "Well, you just filed an Amendment."

Erwin: "I... I'm sorry. I'm a little slow this afternoon."

Speaker Hartke: "And on the Amendment?"

Erwin: "Actually, I did file an Amendment. But ya know what, I think that we could probably do it without it. House Resolution 892 addresses an issue that many of the large states with growing immigrant populations are having to deal with and that is the status of college students or students that wanna go to college that are undocumented students. Illinois is one of five states with the fastest growing immigrant populations in the United States. And while it is true that the Latino population is the fastest growing, we also have among the larg... well, we have, I

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think, the largest Polish immigrant population in the United States. We have an increasingly large Russian population, South American, African, worldwide. We're finding... have had actually a couple of instances where valedictorians of high schools have not been able to qualify because they're not yet citizens, because they were not born into his country to qualify not only for financial assistance but also for in-state tuition in some instances. There are, as I mentioned, Florida, Texas, and California are dealing with this issue. All this Resolution does is ask the Board of Higher Education to examine the issue, to study what's going on around the country, to work with the Federal Government, which is looking at the changes... some changes in foreign student visas, this frankly isn't directed at that issue, but the fact of the matter is that when we're talking about a noncitizen some of the issues do overlap. And unfortunately, I just... I don't think the Legislature, that we are as best equipped to deal with this. So, it just simply asks the Board of Higher Education to examine the issue and get back to us. And I'd appreciate your support."

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

Davis, M.: "Thank you, Mr. Speaker. Madam Chairman of the Higher Ed Committee, let me ask, does this in anyway relate to what the Federal Government is attempting to do in reference to making certain that all undocumented students are... what... in some way, recorded as undocumented students?"

Erwin: "Representative Davis, as we discussed in committee the... some of the questions do converge, but the difference is that we're talking about Illinois residents. We're talking

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about people that live in Illinois, may be working in Illinois, paying taxes in Illinois, property taxes in Illinois. The Federal Government is mainly dealing with foreign students that are here on student visas, nonetheless, this is why specifically we are asking the Board of Higher Education to examine these issues and get back to us with what they think."

Davis, M.: "Representative, were any of those terrorists, those 911 perpetrators, students?"

Erwin: "Well, Representative, I... ya know, really like you, only know what I read in the papers but you're not... you're talking about students from other countries who were here on visas. That is not the subject of this Resolution, is not the subject of this Resolution."

Davis, M.: "I understand. All I'm saying, Judy, is that I know the Federal Government is attempting, if they have not already done so, to draft some legislation to require universities to know who their undocumented people are and to know if their visas are still proper, their papers... ya know what I'm sayin'? So, all I'm sayin' is we wanna make sure... I support your Resolution, I do support it, but I do think that in the State of Illinois we should be cognizant of the fact that the Federal Government is attempting to protect all of its citizens by making sure that undocumented people are not in any way involved in something that would be dangerous to the United States' citizens. But I am supporting your Resolution, Representative. Thank you."

Erwin: "Thank you very much. I would appreciate your support."

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

Acevedo: "Thank you, Mr. Speaker. I'd like to commend

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Representative Erwin, who's done a tremendous job as far working with some Members here who decision was very important to our constituents in our community. Ladies and Gentlemen, let's not get all out of hand here with these terrorists who are undocumented, let's not make this what it's not really is. This is about helping students further their education. This is about someone at the age of two or three years old who comes to this country and they may be 16, 17 years old is not a citizen yet, but wants to further his education and go on to college. Why stop that? I thought we're here... done here in Springfield for one reason to further the education and make education for... equal opportunity for each and every student here in the State of Illinois and that's exactly what this Resolution is doing. Is helping these children for a brighter future, to look forward to a further education to get their associates, get their bachelors, go on to get their masters. I had the opportunity to sit down as I was coming up in the rotunda with some students from River Grove and Melrose Park and I'm telling them exactly about this undocumented Bill... that Resolution that Representative Erwin's brought up. And they were asking all kind of questions. And they thanked me and they thanked the other Representatives who are working on this issue to help them further their education. This is what it's all about. This ain't about teaching terrorists to come and blow up this country, this is not what it's about. Let's just not... Let's stop with these scare tactics in this House. This is about doing what's best for the State of Illinois and what's doing best for the future of these students. Thank you."

Speaker Hartke: "Further discussion? Chair recognizes the Lady

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from Cook, Representative Soto."

Soto: "Yes, thank you, Chairman. I rise in support of this Bill. I mean, I'm sorry, of this Resolution. And I just wanna say this Resolution is about the 'American Dream'. It's about what you want for your families, it's the same thing that we want for our families. To me this is very important, as a Mexican-American. I like to urge everyone here in this House to support it, it's very important to us. And I urge your support and I thank you for your support and I'm sure that the children of the State of Illinois thank you for your support, too. Thank you."

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

Morrow: "Yes, thank you, Madam... thank you, Mr. Speaker, Ladies, and Gentlemen of the House. I'm not against House Resolution 892, but I'm tired of the double standards that we have in this General Assembly. When we try to help young people who have messed up at an early age and not committed a felon, committed a misdemeanor and we've asked this General Assembly to help cleanup their records after they served their time, where were some of the people in favor of this Resolution then? I'm in favor of this Resolution. But you want me to support your people? Support my people. We've asked you to support young people who've messed up at an early age, not a felony, but a misdemeanor and then law abiding citizens after they serve their time. So, don't have a double standard. I'm voting for this, but vote for expungement Bills next time they come before this General Assembly."

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

Erwin: "Thank you, Speaker. I... Repr... I appreciate, rather,

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the comments of some of the other speakers and let me just add that Representative Morrow and all of my colleagues, I can think of no more important thing for us to do than to work to provide access and opportunity to every single Illinois resident regardless of whether they are in low-income communities, whether they are in rural communities, whether they are immigrants, whether they are... whatever they are. And yes, Representative Morrow, those that have... had some trouble in their younger years, I will tell you, I was among those that fought vigorously for Illinois not to adopt efforts that would've cut off student aid for any student that had a minor drug offense. There was legislation that was ready to go that would've said if you were arrested for possession of marijuana you'd never have access to scholarship money, which I thought was one of the dumber ideas people have come up with. We need to do everything we can do to open the doors to access to ensure that whether or not you are in a poor community, whatever your ethnicity, whether you're immigrant status is in question or not, the fact of the matter is the doors and keys to success is through education. This Resolution simply asks the Board of Higher Education to analyze this issue along with what California, Texas, and Florida are doing and they will report back to us. I likely will not be here to receive the report, but I trust that the rest of you will do a great job in implementing some good recommendations. Thank you. I urge you all to support it."

Speaker Hartke: "The question is, 'Shall the House adopt House Resolution 892?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all

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voted who wish? Mr... Representative Zickus, Representative Franks. Mr. Franks. Mr. Clerk, take the record. On this question, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Resolution is adopted. House Resolution 910, Representative Hamos."

Hamos: "Thank you, Mr. Spea... I'm supposed to say not Mr. Speaker, but something else Speaker. We're supposed to be changing the way we refer to this. But..."

Speaker Hartke: "Mr. Speaker's fine."

Hamos: "Ladies and Gentlemen, this particular Resolution refers to a piece of litigation which is going to be resolved momentarily in Illinois and I wanted all of us to be all aware of it, 'cause I think it's very interesting for us. The Tobacco Products Tax was passed in 1995 to help fund nursing homes. That Tobacco Products Tax has been litigated ever since and the Illinois Appellate Court just decided again, this case has gone up and down the court system, in April that it was a perfectly legal tax. Now, all of this time, it's in the Supreme Court right now, but all of this time the Tobacco Products Tax has been collected, there's \$71 million sitting there for nursing homes. When matched with Medicaid, that means a hundred-forty million dollars. I originally put in this Resolution to think that it could be part of the final budget deal but better yet as soon as this... this is to urge the Attorney General to make sure that he's on top of this and to run into the Supreme Court to ask for release of that escrow. And for those of us here in the House and in the Senate who are interested in looking at disparities in nursing home rates and interested in looking at changing the process from IOC to MDS this will be an available fund

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next year that we will be able to use to help reform the nursing home rate system. And that's what this Resolution does."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 910?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. House Resolution 914, Representative Bost. Representative Bost. Mike Bost, House Resolution 914. On the Resolution."

Bost: "Thank you, Mr. Speaker. House Resolution 914 simply encourages the... SIU to pursue the premium meat program, which is a marking of pork products and other meat products similar to the USDA grading. It allows for quality meat products and that study to be done at SIU at no cost."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 914?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution's adopted. House Resolution 824, Representative McKeon. On the Resolution."

McKeon: "Thank you, Mr. Speaker. House Resolution 824 deals with unemployment insurance policy at the federal level. As we all know, unemployment insurance is the bedrock of our social safety net for workers who have been laid off and are seeking jobs and is the first line of defense during economic downturns. The Federal Government is considering modifying the Federal Law that would transfer the responsibility and funding for the management of state unemployment health insurance from the Federal Government to the State Government and has the impact of adding up to a hundred and twenty-four million dollars of liability..."

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unfunded liability on State Government. This is still under discussion. The Resolution merely urges the Congressional delegation and the Governor to look closely at this legislation as it develops and to avoid any unanticipated, unfunded mandate on the State of Illinois. I'll gladly answer any questions."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 824?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. House Resolution 927, Representative Mendoza. Representative Mendoza on the Resolution."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 927 is basically just supporting the... the US transportation of campaign of Click It or Ticket. We understand that in Illinois we have a high... amounts of people who die over Memorial Day weekend and other special occasions. And starting May 20 there was a campaign, I'm sure you may have been seeing some of the commercials on TV, some of the written literature that you may have available in your districts that basically just asks people to remember to click it or ticket when driving on our highways. I would ask for an 'aye' vote."

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

Black: "Yes, thank you very much, Mr. Speaker. Would the Sponsor yield?"

Speaker Hartke: "Sponsor indicates she will yield."

Black: "Thank you so much. Representative, was this Resolution for the Memorial Day just passed or is it being pro-active for the Memorial Day next year when we sta... when we may

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and the way things are going we may be here Memorial Day next year?"

Mendoza: "That's a good point. It was actually for the Memorial Day that just passed, but it began May 20 and we're currently in the click it or ticket period of the campaign so..."

Black: "I'm not in any click it or ticket period. What period is that?"

Mendoza: "Excuse me, you're not familiar with the campaign? The campaign..."

Black: "What... oh, absolutely, absolutely. I would not think of getting in my car without clicking it so I wouldn't get a ticking it. I'd like to have a seat belt in my chair."

Mendoza: "I think you need a seat belt in your chair sometimes."

Black: "I did... I got one once. Yes, I did. So, even though this is retrospective you think we should still adopt it?"

Mendoza: "Absolutely. I think it encourages us to just remember we should be abiding by the State of Illinois laws regarding seat belts. It saves lives, it's an important... it's an important reminder I think to our constituency. And would ask for your support."

Black: "All right."

Mendoza: "Thank you."

Black: "Well, when I first saw it I thought it was an old Rolling Stones tune, click it or ticket. But this is the promotion that they run on Memorial Day but Memorial Day's already passed. So, we'll just say it's..."

Mendoza: "Well, when I filed it..."

Black: "Well, we can say it's for Flag Day..."

Mendoza: "... it was prior to Memorial Day."

Black: "... Fourth of July, right?"

Mendoza: "Sure, we'll count it that everyday."

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Black: "All right. What could be more important and more American than click it or ticket, right? Let's dress it up in red, white and blue and run it up the pole."

Mendoza: "Well, apple pie, apple pie might be, but..."

Black: "Absolutely."

Mendoza: "Thank you."

Black: "Mr. Speaker..."

Speaker Hartke: "Yes, Sir."

Black: "... you've missed a titillating discussion, because I saw you putting your head in your hands."

Speaker Hartke: "Mr. Black, I was listening."

Black: "This is... this is every bit as important as that oil well tax, you're not fooling me."

Speaker Hartke: "I was listening very intently. Further discussion? Since no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 927?' All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Motion (sic-Resolution) is adopted. House Resolution 928, Representative Watson."

Watson: "Thank you, Mr. Speaker. House Resolution 928 simply recognizes May as National Military Appreciation Month. It also recognizes McDonalds for the support they have given in veterans in the past. As someone who has served overseas, it... when you see friendly... when you see companies sending stuff it means a lot. So, I ask for your support."

Speaker Madigan: "Is there any discussion? Since no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 928?' All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. House

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Resolution... House Joint Resolution 55, Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. House Resolution (sic-House Joint Resolution) 55 asks the American Red Cross, who plays a very crucial role in the International Federation of the Red Cross and Red Crescent Society, to consider and continue supporting Israel's entrance into the International Red Cross. Recently, President Bush submitted to his administration in the 2003 budget a request to Congress and in this budget, interestingly enough, there are several provisions that are very important to Israel, foreign aid and defense. In one of these issues he's encouraging the International Red Cross to include Magen David Adom, the Israel Red Cross, as a full participant. So, this Resolution I'm hoping will pass so that I can send it on to Washington, D.C., and appropriate parties to continue encouraging them to enter Magen David Adom in the International Red Cross."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt House Joint Resolution 55?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution... House Resolution is... Joint Resolution is adopted. House Resolution 950, Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. House Bill 950... Resolution 950 is seeking Juneteenth, June 19 as Juneteenth Day. It's a celebration that takes place... it began in Texas and it is the date that is celebrated for when the slaves first found out they were free. There was no telephones or technology, no CNN and the word traveled very slowly. So, it was a year later when a number of blacks or Africans

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found out they were free from American slavery and that date all over the United States is celebrated June 19. So, we ask that the State of Illinois proclaim June 19 as Juneteenth Day. Thank you."

Speaker Hartke "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 950?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. House Joint Resolution 60, Mr. Wirsing on the Resolution."

Wirsing: "Thank you, Mr. Speaker. House Joint Resolution 60 is encouraging medical professionals to provide a course of education for Illinois citizens who are progressing towards kidney failure or better known as the end stage renal disease. There are certain categories of people who... who are liable to have... to develop a kidney... a serious kidney issue and ultimately go on dialysis. And so there is a national approach to this issue of having medical professionals who are in that field and can identify those individuals to educate 'em on certain things they can do, whether it's diet, a living style that will slow the progression for... ultimately for their having the kidney disease. That's simply the purpose of this is to encourage the medical community to do that and also couple up with the national program."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt House Joint Resolution 60?' All those in favor will signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House Joint Resolution is adopted. House Joint Resolution 64, Representative Garrett."

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Garrett: "Thank you, Mr. Speaker. House Resolution... Joint Resolution 64 directs the Office of the Auditor General to conduct a special audit of the State Universities Retirement System, the Teachers' Retirement System, and the Illinois State Board of Investment. This special audit is to focus on the investment of public employee retirement system assets in the stock obligations and securities of the Enron Corporation. The special audit is to answer questions concerning the investments in Enron."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt House Resolution... House Joint Resolution 64?' 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 110 Member... 111 Members voting 'yes', 2 Members voting 'no', and 1 Member voting 'present'. And the House Joint Resolution 64 is adopted. House Resolution 6... excuse me, 769, Representative Howard. Out of the record. House Joint Resolution 73, Representative Bellock on the Joint Resolution."

Bellock: "Thank you, Mr. Speaker. House Joint Resolution 73 urges the Illinois Council on Developmental Disabilities to support efforts that would identify ways in which the state could enhance its ability to capture more federal funds for programs and services with persons with developmental disabilities. This is at no cost to the State of Illinois."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition on House Joint Resolution 73, all those in favor signify by saying 'aye'; opposed 'no'. In the

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opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. House Joint Resolution 77, Representative Holbrook on the Resolution."

Holbrook: "Thank you, Speaker. This timely Resolution is for the annual celebration of National Tourism Week, which took place May 4 through the 12. And I'd urge its adoption."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt House Joint Resolution 77?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution's adopted. Senate Joint Resolution 57, Mr. Turner."

Turner: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Senate Joint Resolution 57 urges the United States Congress to adopt legislation requiring that oral anticancer medication, which is a new... newly... newly found innovation regarding cancer treatment, that it be utilized and be part of the coverage in terms of... coverage for cancer medication. And I move for the adoption of Senate Joint Resolution 57."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Senate Joint Resolution 57?' 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. Senate Joint Resolution 75, Representative Giles... Currie. Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This Resolution... this approves four waiver requests, one from Antioch, which wish to... to duck out of the state-required testing and two that dealt with substitute certification..."

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Speaker Hartke: "Is there anyone seeking rec..."

Currie: "... and one that deals with the limitation of the cap on administrative costs. This Resolution passed the Senate without any negative votes and I hope it will do as well here. I'd be happy to answer your questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Senate Joint Resolution 7... Mr. Black, are you seeking recognition?"

Black: "Yeah, Mr. Speaker. This is one of those things that we do every year and we make this same mistake. If we're going to waive them, they... both chambers have to do the same Resolution, correct?"

Speaker Hartke: "Yes."

Black: "And sometimes a 'yes' vote means 'no' and a 'no' vote means 'yes'. Perhaps, if we could wait until we... we don't... it isn't on the system. We don't have a list of the waivers, and you have to know exactly how you're gonna vote on this or you'll vote the wrong way. This is part of... ya know, now we're dissolving into a school board and everybody will vote 'yes' and it may be that you wanna vote 'no' bec... and I'm not being facetious, this is one of those when you approve the mandate sometimes you vote 'yes' to disapprove and 'no' to approve and I... we just ought to take a little time with this. It's a little more complicated and we get into this issue every year."

Speaker Hartke: "Mr. Clerk, is this Senate Joint Resolution on the system?"

Clerk Rossi: "Yes."

Speaker Hartke: "Mr. Black."

Black: "Well, if I could figure out where the little thing goes here, hang on."

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Speaker Hartke: "You have to update it once in a while."

Black: "I thought it was supposed to do that all by itself."

Speaker Hartke: "As fast as we're moving it probably has a hard time keeping up. Mr. Black, while you're updating your computer... Mr. Black."

Black: "Mr. Speaker."

Speaker Hartke: "Yes."

Black: "Perhaps Representative Cowlshaw could shed some light on this. I believe there are five denials and it does make a difference how you vote as to whether you are upholding the denial or you want to overrule the denial and perhaps Representative Cowlshaw could remind us what we're supposed to do on this thing."

Speaker Hartke: "Will do. Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I stand in strong support of Senate Joint Resolution 75. The correct vote for anybody in this chamber on this Resolution is a 'yes' vote. One of the things that is contained in this Resolution, which is of real importance to us particularly in this budget crunch, is that one of the requests came from Antioch Community High School District 117 to substitute a local test for one of the statewide tests that is presently given to every public school district in the state. If we do not have one statewide test that is given in every school district in the state, we are no longer in compliance with the Federal Law, in particular, the brand new No Child Left Behind Act and as a result we could be subject to the loss of federal funds for our schools. We cannot afford to lose any federal funding simply because of acquiescing to a request from one school district not to give the same test every other school district in the state gives. And so in

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answer to the question by Representative Black, I would say the correct vote on this Bill... this Resolution is definitely a 'yes'. Thank you."

Speaker Hartke: "Further discussion? Chair recognizes Representative McCarthy."

McCarthy: "Thank you, Mr. Chairman, Ladies and Gentlemen of the chamber. I certainly appreciate Representative Cowlshaw's remarks and I actually mentioned her name in debate so that maybe she can speak again and answer the... my question. There were a hundred and ninety-seven of these requests that came to the State Board, they approved a hundred and forty of 'em or they ruled on a hundred and forty of 'em. I don't know what their ruling was. And then they sent 57 to us. So, they turned down three of fifty-seven or they recommended turning down three of the fifty-seven, which one of them was Antioch. They have also a Savanna District and a Freeport District that it looks like they're turning down. So, if we vote 'yes', then we're saying that they were correct in approving fifty-four of the fifty-seven and turning down the three of the fifty-seven. And I'd appreciate... it seems like Representative Cowlshaw's an expert on this and I'd appreciate her answer to that."

Speaker Hartke: "Representative Cowlshaw, would you like to clear up Representative McCarthy's mind? A monumental task."

McCarthy: "I requested Representative Cowlshaw, I did not request Representative Giles."

Cowlshaw: "Mr... Mr. Speaker, I will try the best I can to answer that issue, at least to the best of my knowledge. The business of whether a request for a waiver is to be handled by the State Board of Education or forwarded over to the General Assembly for action is something that has

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evolved over a goodly number of years ever since this waiver program was first instituted. After the first couple of years when everything came here, which believe me, was very burdensome, we soon discovered that it was probably wise if there were certain kinds of requests that the General Assembly repeatedly and almost always without exception turned down. If we could just let the State Board of Education do that and not bother us with it. And over the years, that system has become more and more refined, until now, generally there is some understanding between the State Board of Education and the Legislature as to which kinds of things they will deal with and not send over here for us to be bothered with at all and they will only send us the kinds of things for which there is no precedent or that involve funding or that have the potential to be controversial. Generally, those are the three things now that get sent here and although I am not at all sure that that is what it says in the original legislation, because I was here when that was adopted, but that is the custom that has developed over the years. So, what one is voting on in this Resolution is not some approval for some process by which certain of these things are dealt with elsewhere and certain are forwarded here, that is not part of this Resolution. All this Resolution deals with is four of those waiver requests that were forwarded over here by the State Board of Education that the committees in both the House and Senate that handle these kinds of waiver requests decided should be denied and those things are in here in particular, the one for Antioch, because we are really concerned about the possibility of having some of our federal funding for schools denied. Thank you."

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McCarthy: "Okay... and the State Board had the power to do the other 54?"

Cowlshaw: "Oh, yes."

McCarthy: "'Cause I only had the three so, we're only voting on, you said four, I have the names of three but there is a fourth one somewhere, too?"

Cowlshaw: "The Antioch one is the fourth."

McCarthy: "I have Antioch, Savanna, Freeport and that's it."

Cowlshaw: "That's it."

Speaker Hartke: "Let's hear from the chairman, Mr. Giles."

Giles: "Thank you, Mr. Speaker. I was wondering when I would get the opportunity to respond. The actual number request is... it was five in total, but the State Board asked us to disapprove four here, I'm going to name each one them out: Lyons Township 103, some limitation on administrative costs; Zion 6, substitute certificate; Harvard 50, substitute certificate; Antioch 117, assessments and there were one more, Waukegan 60, but this was pertaining to the substitute certificate to be... is approved for only one year rather than the request of five years. So, there were five requests in total, so what they decided in Waukegan it would only be approved for one year instead of the five."

Speaker Hartke: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. Representative Giles, I know that there... that there is concern on the Board of Ed's part that federal funding might be lost if Antioch's waiver is granted. When we met with them... has that been absolutely confirmed or is it speculation on their part that it might happen?"

Giles: "Representative Osmond, I think we had talked about this. At this time, I can't give you a 110% confirmative on your answer, but I would highly believe that the data and the

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information that's been given to us is somewhat exact."

Osmond: "In keeping I remind that Antioch's request is not to be exempted from all parts of the test, it's only certain parts of the test that they requested and that did not make a difference in the eyes of the Board of Ed?"

Giles: "That is correct, Representative."

Osmond: "And the other thing that Antioch's big concern was, was the way that the program is currently administered and the disruption to the rest of the school with regards to the requirements on the ACT and the certain requirements as far as spacing and no noise and everything. And I'm sure it's not just Antioch that was disrupted, but they lost two full days of school in the implementation of this and that's one of the major reasons why they requested for the waiver. There was also a request on Antioch's part to the Board of Ed to see whether or not the state would look towards the programs that they're using to be the number one test then that could be used, because it not only assesses the student but it also, excuse me, not only measures but also gives them some tools to work with to improve on curriculum on an individual basis for students. Did the Board of Ed come back to anything recently on that, to look to see what the costs might be to change that test?"

Giles: "Representative Osmond, to my knowledge they have not shared any information concerning the actual cost, but I... I think the... what happened in this particular situation as we talked previously and Antioch 117 when they made a presentation before the committee made an excellent presentation. However, I think Members... I think the scenario changed this year, this particular year in which the Federal Act No Child Left Behind sort of changed the tune to things this year in which we were very concerned

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about the loss of federal funding in which a previous Member just spoke of."

Osmond: "I would just like... I don't know whether this is gonna pass, I suppose that it will. We've talked about another Resolution down here, House Joint Resolution, and I think it was 76, that's received a lot of attention. In that Resolution and I don't... have we... I don't even know, Representative Giles, have we voted on that? I don't know the status of that Resolution?"

Giles: "Yes, we passed that and it went over to the Senate."

Osmond: "In that Resolution also and maybe it came up and I just don't recall the debate, but I know the Board of Ed was afraid in that Resolution that if passed the Board of Ed was not gonna be able to do anything until the task force had met and made their recommendations and the Board of Ed at the time was concerned that they weren't gonna be able to fill out the paperwork to complete the No Left... No Child Left Behind and they thought they were gonna lose their funding at that point. I'm certainly sure that all of us are concerned about federal funding. This will probably be accepted and Antioch's request for a waiver will probably be denied, but I think the message is there is that the state testing still needs to be looked into. We should be able to develop one test that's gonna assess and also give us some didactic tools for... we're not keeping a large open enough mind on this. And that's all I have to say to the Resolution."

Giles: "And Representative Osmond, I think that's an excellent point and I think that was one of the main reasons why when the Senate sent the Resolution over previously, Antioch was not included. So... and I think the debate should continue, I think they make an excellent argument."

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Speaker Hartke: "Further discussion? If not, Representative Giles to close."

Giles: "Thank you and I urge an 'aye' vote on this Senate Joint Resolution. I urge that it is adopted."

Speaker Hartke: "The question is, 'Shall the House pass Senate Joint Resolution 75?' All those in favor will vote 'yes'; those opposed vote 'no'. The voting is open. To remind Members, a 'yes' vote is to deny the waivers, a 'no' vote is to support granting the waivers. 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 93 Members voting 'yes', 23 Members voting 'no'. And Senate Joint Resolution 75 is adopted. Chair recognizes Representative Dart, for what reason do you seek recognition?"

Dart: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Hartke: "State your point."

Dart: "In our glee of last week of so soundly thrashing the Senate I don't think we fully acknowledged who was the real brains and the architect behind that and that of course was our coach, Joel Brunsvold, who put it all together and we have a little gift for him here today."

Speaker Hartke: "Congratulations coach, you did a great job."

Brunsvold: "Thank you, Mr. Speaker. The little plaque says, 'Coach of the Year, Joel 'The Brain' Brunsvold', I don't know about that. And a few of these cigars, I hope they aren't on the tax plan. So, thank the team, they do a great job, they work hard, come to practice, and that's why we can win and people like Art Turner, who is one of the mainstays, who leads everything off but bats first, he does a great job. So, thank you, team."

Speaker Hartke: "On page 8 of the Calendar on Concurrence appears

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House Bill 5278, Representative Black. Mr. Black in the chamber? Is Mr. Black in the chamber? We're certainly glad that Mr. Black has arrived after being stuck in the elevator again. Mr. Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This deals with the plumbing license law that passed a year ago. The Department of Public Health was granted rule-making authority to set the renewal fee for a plumber's license. They used their ability by emergency rule to set that fee at \$300. That has, needless to say, in some parts of the state subjected many of us to a barrage of letters by our plumbers who weren't happy about that. Now, it's my understanding, that the Department has agreed with JCAR that they will put that fee back to a hundred dollars. So, this Bill may, in fact, be redundant. But I've learned over the years that sometimes you go ahead and move the law that's... or the Bill that is ready to be moved and if it is redundant, we can take care of that later. Be glad to answer any questions that you have and would urge an 'aye' vote on the Concurrence Motion to Senate Bill 1582."

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

Stephens: "Mr. Speaker, I think we... we should all pay attention to this. What we have is a case where a State Representative has gone way beyond the boundary of good taste. Representative Black, you're not gonna get away with this. We stand united behind 'Skip' Saviano. I'd like you to tell me, Sir, how did this Bill wind up in your hands?"

Black: "What."

Speaker Hartke: "Mr. Black?"

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Black: "What? I heard, 'we stand united behind Mr. Saviano', that's... okay."

Speaker Hartke: "Would you repeat the question?"

Black: "Oh, how did the Bill wind up in my hands?"

Speaker Hartke: "Yes."

Black: "Oh, I see. All right."

Stephens: "Mr. Speaker, we're gonna have to have an investigation. Take the Bill out of the record. We gotta have an investigation."

Black: "No, it's taken me days to get this Bill called. I prefer that we run it and concur with Senate Amendment #1 that reduces the plumbing license fee from \$300 to a hundred dollars."

Speaker Hartke: "Further discussion? The Chair recognizes Mr. Lawfer."

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

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

Lawfer: "Does this have anything to do with any fees for presale certificates?"

Black: "Does this have anything to do with fees on fleas? What'd you say?"

Lawfer: "Presale certificates."

Black: "Presale certificates?"

Lawfer: "Right. The Department of Public Health issues presale certificates in the movement of food and we had a discussion on that yesterday on a fee for that."

Black: "Yes. The fee... That's a trailer Bill. The fee for a free certificate will go up to a hundred dollars which, I think, explains this whole process that we've been involved in today."

Lawfer: "Thank you very much for your answers."

Black: "I'm more than happy to answer."

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Speaker Hartke: "Representative Black to close."

Black: "I... I request an 'aye' vote on behalf of the plumbers of the free world."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 5278?' 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. Klingler... Representative Klingler. And Representative Howard. Mr. Clerk. Representative Klingler. Mr. Clerk, take the record. On this question, there are 103 Members voting 'yes', 12 Members voting 'no', 0 voting 'present'. And the House does concur with Senate Amendments #1 to House Bill 5278. And this Bill, having received the Constitutional Majority, is hereby declared passed. On Supplemental Calendar #2 appears House Resolution 973, Mr. Franks."

Franks: "This is a Resolution that I thought would be on the Agreed List, but I'm very happy to present it. This Bill... this Resolution would honor the City of Woodstock for its 150th anniversary on June 22 and it extols all the virtues of the loveliest town in Illinois. And I'd just like the Body to acknowledge its 150th anniversary."

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

Black: "Yes, Mr. Speaker. I just want to join in this. I went to Woodstock. It was the best con... best concert I ever attended. And I'll tell you what, I'd love to go back. So, I wanna congratulate Woodstock. That was a great time in my life and they put on one heck of a concert. Those people in Woodstock are really nice folks."

Speaker Hartke: "Do you remember being there?"

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Black: "I've vague memories of being there, yes."

Speaker Hartke: "Mr. Franks to close."

Franks: "Mr. Black, I was six years old. I'm glad you were there. We need ... we need the money there. You're all invited to Woodstock. Come and see what a wonderful town it is. Thank you."

Speaker Hartke: "The question is, 'Shall the House adopt House Resolution 973?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. House Joint Resolution 79, Representative Stephens."

Stephens: "First of all, Mr. Speaker, I don't know about you but I just noticed something that I think we ought to talk about and... Representative Franks says he was at Woodstock. You... Have you ever noticed how much he looks like Representative Black?"

Speaker Hartke: "That had not occurred to me."

Stephens: "Mr. Speaker, House Joint Resolution 79, I'd like to note that Joe Lyons is added as a cosponsor and several others as... the paperwork was handed in a few minutes ago. It proclaims the week of July 1 of this year as 173rd Airborne Brigade Week. The 173rd Airborne Brigade is one of America's proudest and longest-serving military combat units in the... Although it's only a brigade, much smaller than a division, they hold 13 Medals of Honor from the Vietnam Conflict. The most recent Medal of Honor winner was just last... two summers ago, finally recognized and given his Medal of Honor. Over 1500 173rd Airborne comrades of mine have their name engraved on the Vietnam Memorial. And I would ask everybodys' consideration. The purpose of this this year is that the 173rd Airborne Brigade which has been redeployed to Italy after a 30-year

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standdown are having their reunion in the City of Chicago. I want to thank the Majority Leader for making sure that this got taken care of and ask for your 'aye' vote. Thank you."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from DuPage, Mr. Marquardt. Mr. Mar..."

Marquardt: "I'm sorry, Mr. Speaker. I was... where were you in the budget here? What's that?"

Speaker Hartke: "Would you like to address the Resolution?"

Marquardt: "I don't know what Resolution it is, Sir. I was reading the budget."

Speaker Hartke: "Okay. He declines. The Chair recognizes Representative Lyons."

Lyons, J.: "Thank you, Speaker. I just want to stand here in support of this wonderful recognition for a fabulous part of the armed forces of the United States with a fabulous, fabulous history. I have a cousin, my cousin Bobby Getz, was a member of the 173rd. Terry Gannon, a great friend of mine from Chicago and so many wonderful people have done this. I sponsored the request for the Airborne license plate... special license plate last year that, unfortunately, didn't make it. And nothing ever dies around here, we'll continue to have... fight to pass that in recognition for their contribution to the safety and the legend of the country's armed forces. And to their special program they're gonna have this summer, Ron, it should be a great thing in Chicago, the first couple days in July. So, God bless the 173rd. It's a great Resolution. Proud to be the cosponsor."

Speaker Hartke: "Representative Stephens to close."

Stephens: "Appreciate your 'aye' vote."

Speaker Hartke: "The Chair recognizes Representative Eileen

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Lyons. She declines. The question is, 'Shall the House adopt House Joint Resolution 79?' 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. Representative Bugielski, for what reason do you seek recognition?"

Bugielski: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Hartke: "State your point."

Bugielski: "Just as... Since we are at ease and everyone is a little tired right now, Comptroller Dan Hynes, in the south corridor now, is serving ice cream cones. So, feel free to get out there; they're dishing out the ice cream, hand-dipped cones. On behalf of Comptroller Dan Hynes, come and get 'em."

Speaker Hartke: "Mr. Clerk, 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 31, 2002, reported the same back with the following recommendation/s: 'direct floor consideration' for Conference Committee Report #2 to House Bill 1640."

Speaker Hartke: "Mr. Clerk."

Clerk Bolin: "Supplemental Calendar #5 is being distributed."

Speaker Hartke: "On Supplemental Calendar #3... Representative Winkel, for what reason do you seek recognition? Mr. Winkel. Do you have an announcement? He declines recognition. Representative Biggins, for what reason do you seek recognition?"

Biggins: "Mr. Speaker. I rise on a point of personal privilege."

Speaker Hartke: "State your point."

Biggins: "Mr. Speaker, these... these times call for tough

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action. These are tough times. Mr. Speaker, I know on our side of the aisle we have, I think, four Members that are seeking to run for the Illinois Senate. Now, on your side of the aisle, I know at least one. Mr. Speaker, these times call for the brightest minds available. That chamber, on the other side of this great building, needs help and I don't think we can wait until November or January of next year. I think we should lend our fine House Members that are seeking those Senate seats the time to go over there and help that crowd out."

Speaker Hartke: "Great suggestion. Representative Crotty."

Crotty: "Thank you, Mr. Speaker. And I think Representative Biggins goes to great lengths to get everyone to get out of line for him to get another ice cream."

Speaker Hartke: "Mr. Biggins, did you have ulterior motives?"

Biggins: "Mr. Speaker, did Representative... future Senator say one scoop or two?"

Speaker Hartke: "Two."

Biggins: "It's a deal."

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

Biggins: "Mr. Speaker, I have an inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Biggins: "You know, I... about an hour ago suggested that we lend some of our fine talent to that chamber across the way. I wondered if that's happened and if indeed, you might be interviewing a replacement up there for a... perhaps a new position in the Illinois House. And maybe you could introduce the individual next to you in the podium there. Is that one of our new... our new potentials?"

Speaker Hartke: "Mr. Biggins, that happens to be the wife of one of the Members here."

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Biggins: "Oh, oh my. Well, fortunate man he is. Thank you."

Speaker Hartke: "The House will come to order. Representative Currie for a Motion."

Currie: "Thank you, Speaker, Members of the House. I move that we suspend the posting requirements so that House Resolution 947 can be heard on the Committee on Commerce and 965 in State Government Administration and House Resolution 966 in Transportation."

Speaker Hartke: "Is there leave? Leave is granted. The Chair is prepared to recess in order for us to go to committees and we will return at 7:15. Mr. Clerk, would you please read the committee schedule?"

Clerk Rossi: "A committee schedule is being passed out. The following committees will meet: the Commerce & Business Development Committee in Room 122-B, the Executive Committee in Room 114, the Judiciary II-Criminal Law Committee in Room D-1, the State Government Administration Committee in Room 115 and the Transportation & Motor Vehicles Committee in Room C-1. The Judiciary I-Civil Law Committee has been canceled."

Speaker Hartke: "The Members should stay very close and check back at 7:15 for an announcement. The House stands in recess until 7:15. Attention Members of the House. The House will remain in recess until the hour of 7:45 p.m."

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on May 31, 2002, reported the same back with the following recommendation/s: 'to the floor for consideration' a Conference Committee Report #1 on House Bill 5652, a

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Room."

Speaker Madigan: "Mr. Durkin. Mr. Durkin. There's a Conference Committee Report on House Bill 5652. Mr. Durkin on the Conference Report."

Durkin: "Thank you, Mr. Speaker. The Conference Committee Report on House Bill 5652, it does three things. It addresses the Supreme Court decision from three months ago, People v. Walden which struck down a portion of the 15-20 life provision based on the disproportionality of the sentencing based on the armed robbery without a firearm and the armed violence statute. It also provides for truth-in-sentencing provisions to apply to aggravated... driving under the influence. It also... the same type of sentencing provisions for cannabis and controlled substance trafficking."

Speaker Madigan: "The Gentleman moves for the adoption of the Conference Committee Report. Is there any discussion? There being no discussion, the question is, 'Shall the House adopt the First Conference Committee Report on House Bill 5652?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. The House does adopt the Conference Committee Report on House Bill 5652. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Eileen Lyons. Conference Report on House Bill 5996."

Lyons, E.: "Thank you, Mr. Speaker. I'd like to make a Motion to Nonconcur... no."

Speaker Madigan: "Adopt."

Lyons, J.: "Adopt, I'm sorry. Conference Committee Report on

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House Bill 5996."

Speaker Madigan: "Did you want to give us a little hint as to what's in there?"

Lyons, E.: "I'm sorry. The Senate amended the Bill that had to do with bringing consistent dates for registration... no, that's the wrong Bill. I'm sorry. This is the Bill that will allow 12- and 13-year-olds to work as umpires for park districts and local youth clubs. There were concerns about adults being present and these adults refereeing and umpiring for those who are three years younger than they. And addressed the concerns of those who thought that we needed to make sure that these young umpires were... there were safeguards. That's essentially what the Conference Committee does."

Speaker Madigan: "The Lady moves for the adoption of the report. The Chair recognizes Mr. Dart."

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

Speaker Madigan: "The Sponsor yields."

Dart: "Representative, and so, can you just walk me through this? So, this would allow 12- and 13-year-olds to perform just umpiring duties?"

Lyons, E.: "Correct."

Dart: "So, it's just limited to that one type of role."

Lyons, E.: "Activity. Right now there is an exception made for cad... golf caddying, but that's separate. This would allow 12- and 13-year-olds, yes, to umpire."

Dart: "So, but that's the only activity this Bill deals with is umpiring?"

Lyons, E.: "Correct."

Dart: "Okay."

Speaker Madigan: "The Lady moves for the adoption of the report. The Chair recognizes Mr. Black."

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Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Conference Committee. We often talk about the common sense that we expect state agencies and departments to exhibit in carrying out the law. This is a classic example of what they did not do. The Department of Labor in its infinite wisdom decided that having 13- and 14-year-olds umpire youth league baseball games was a violation, open and nefarious I might add, of the Child Labor Act and would require that they... we hire, I guess, professional umpires to make sure we can umpire youth league baseball. It was a classic overreaction by a unit of government that was well-documented by newspapers throughout the state, quite frankly, an embarrassment to the Department of Labor as well as the State of Illinois. It's time to pass the Conference Committee Report."

Speaker Madigan: "The question is, 'Shall the House adopt the report?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. The House does adopt the First Conference Committee Report on House Bill 5996. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Julie Curry. House Bill 6012."

Curry: "Thank you, Mr. Speaker, Members of the House. If you will recall, we had debate on this issue earlier in this Session. It involved the Municipal Infrastructure Maintenance Fee that is currently charged by local municipalities. And at the time, I indicated when we were debating the legislation that when it was sent over to the

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Senate that there would be additional work on the legislation and that is the result of Conference Committee Report #1. Basically, what this report does is set into motion and in place a mechanism by which consumers can protest to their local telephone companies if they believe they are unfairly taxed this maintenance fee. It provides that they file a written complaint with the telephone companies, that the telephone companies notify the municipalities for information and evidence and then they make a determination. If the consumer does not agree with the determination by the telecommunication company, then they can petition the Department of Revenue for further arbitration. I think the other important thing that this legislation will do is establish a mechanism for the telephone companies to make sure that they're getting accurate information from the municipalities. A lot of the problem is is that the telephone companies receive lists and sometimes those lists aren't current and up-to-date and many times individuals who live outside of the municipal boundaries will be taxed. This happens more in rural communities than larger communities and I think, for the very first time now, we have a provision in the law that takes care of many of the complaints that I've had in my legislative district and I believe that many Representatives have had across the state. And I'd ask for the adoption of Conference Committee Report #1. I'd be happy to answer any questions."

Speaker Madigan: "The Lady moves for the adoption of the report. There being no discussion, the question is, 'Shall the House adopt the First Conference Committee Report on House Bill 6012?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all

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voted who wish? The Clerk shall take the record. On this question, there are 116 people voting 'yes', 1 person voting 'no'. The House does adopt the First Conference Committee Report on House Bill 6012. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 2 of the Calendar, on the Order of House Bills-Third Reading, there appears House Bill 4787. The Bill will be presented by Representative Black. Mr. Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4787, under the astute guidance of the Speaker and others, will be passed... it's our intent to pass the Bill over to the Senate in shell form. It may be used for negotiations with a professional sports franchise who may become disenchanted in the state that they currently are located and may be enticed to perhaps move to the great State of Illinois. But we have to get that Bill ready to go in case that opportunity should arise in the next few months. Be glad to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Mr. Clerk, read the Bill for a third time."

Clerk Rossi: "House Bill 4787, a Bill for an Act in relation to sports facilities. Third Reading of this House Bill."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 88 people voting 'yes', 23 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of Senate Bill 4157? Mr. Clerk, House Bill 4157. What is the status?"

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Clerk Rossi: "House Bill 4157 is on the Order of Concurrence. A Motion to Nonconcur with Senate Amendment #1 has been approved for consideration."

Speaker Madigan: "Mr. Schoenberg."

Schoenberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like the House... I'd like to request the House to nonconcur in Senate Amendment #1 to House Bill 4157 for the purpose of sending it to a Conference Committee."

Speaker Madigan: "The Gentleman moves that the House nonconcur in Senate Amendment #1. Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it. The House does nonconcur in Senate Amendment #1 to House Bill 4157. On Supplemental Calendar #5 there appears House Bill 1640. Mr. Rutherford. Mr. Rutherford."

Rutherford: "Thank you, Mr. Speaker. This is a Conference Committee Report that eliminates a number of boards and commissions that are obsolete in the state. Some of them were eliminated by the Governor by Executive Order and that's why we went in for our second Conference Committee to get those that were not and there's approximately nine of 'em."

Speaker Madigan: "The Gentleman moves for the adoption of the Conference Committee Report on House Bill 1640. Is there any discussion? There being no discussion, the question is, 'Shall the House adopt the First Conference Committee Report... strike that. 'Shall the House adopt the Second Conference Committee Report on House Bill 1640?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0

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voting 'no'. The House does adopt the Second Conference Committee Report on House Bill 1640. And this Bill, having received a Constitutional Majority, is hereby declared passed. Rules Report."

Clerk Rossi: "Representative Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on May 31, 2002, reported the same back with the following recommendation/s: 'to the floor for consideration' Amendment #3 to Senate Bill 2212."

Speaker Madigan: "Mr. Hartke. Mr. Hartke. Mr. Hartke, in the chair."

Speaker Hartke: "Representative Hartke in the chair. On page 5 on the Calendar, on Second Reading appears Senate Bill 2212. Representative Beaubien. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 2212 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Joe Lyons, has been approved for consideration."

Speaker Hartke: "Representative Lyons on Senate... on Floor Amendment #1."

Lyons, J.: "Thank you, Speaker, Ladies and Gentlemen of the House. It's my intent to withdraw Floor Amendment #1 from Senate Bill 2212."

Speaker Hartke: "You've heard the Gentleman's Motion. All those in favor signi... withdraw Amendment #1. Further Amendments?"

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

Speaker Hartke: "Representative Currie on Floor Amendment #2."

Currie: "Thanks. Thank you, Speaker. The Amendment contains two provisions. One would provide that if an entity that owned

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a tollbridge or a tollroad were to lease that equipment... that property to another entity that continued to provide the same services that that entity would not be subject to property taxes. The second portion of the measure provides for repeal of language that would enable the City of Chicago to require retailers outside the city to send in to remit use taxes on objects bought by city residents. I know of no opposition. Would be happy to answer your questions and appreciate your support for the Amendment."

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

Beaubien: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I was distracted. Did we approve both the second and third Amendment?"

Speaker Hartke: "The first Amendment was withdrawn."

Beaubien: "And we've approved the second and third?"

Speaker Hartke: "We haven't got to the third yet."

Beaubien: "I believe... Repr..."

Speaker Hartke: "Would you like to discuss Floor Amendment #2?"

Beaubien: "I would urge its passage. I have no..."

Speaker Hartke: "Well, okay. The Chair recognizes Monique Davis."

Davis, M.: "Mr. Speaker. I'm sorry I didn't hear Joe Lyons tell what Amendment #1 does. Oh, you withdrew Amendment #1."

Speaker Hartke: "We are working on Floor Amendment #2. Floor Amendment #1 was withdrawn and we're now on Floor Amendment #2."

Davis, M.: "Thank you."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to Senate Bill 2212?' All those in favor signify by saying 'aye'; opposed

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'no'. In the opinion of the Chair, the 'ayes' have it.
And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #3 offered by Representative
Barbara Currie."

Speaker Hartke: "Representative Currie on Amendment #3."

Currie: "Thank you, Speaker and Members of the House. This
Amendment just provides that that second section that I
described to you in Amendment 2 applies only to cities with
populations over five hundred thousand."

Speaker Hartke: "Is there any discussion? Seeing no one is
seeking recognition, the question is, 'Shall the House
adopt Floor Amendment #3 to Senate Bill 2212?' All those
in favor signify by saying 'aye'; opposed 'no'. In the
opinion of the Chair, the 'ayes' have it. And the
Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, call the Bill."

Clerk Rossi: "Senate Bill 2212, a Bill for an Act in relation to
taxes. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Beaubien."

Beaubien: "Yes. The second and third Amendment have already been
discussed. This is the Department of Revenue income tax
cleanup Bill. Contains numerous technical changes of the
Act. And I would urge its passage."

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

Miller: "Will the Sponsor yield? Just one question."

Speaker Hartke: "The Sponsor will yield."

Miller: "In regards to the Amendments that have... I'm a little
confused here. Amendment #2 and 3 were adopted to this.
What exactly does this do?"

Beaubien: "I would request that Representative Currie answer that

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question since they're her Amendments."

Speaker Hartke: "Representative Currie."

Currie: "You want to know what Amendments 2 and 3 do?"

Miller: "Yeah. Exactly, as a total package. What does this do?"

Currie: "Well, the first part of the Bill, as Representative Beaubien mentioned, is cleanup language from the Department of Revenue having to do with the Illinois Income Tax. Amendments 2 and 3 provide that the City of Chicago could enter into a lease agreement with respect to the Chicago skyway, for example, and that any entity that leased that skyway would be exempt from property taxes. And it further provides that the City of Chicago may not require retailers outside the city limits to remit use taxes on items bought by city residents back to the City of Chicago."

Miller: "Would this be, Representative Currie, would this be considered a tax break for those if the... I guess, if the city is acquiring from the skyway? Is that correct?"

Currie: "Well, the idea that apparently in Detroit there was some kind of financing involving the Windsor Tunnel. In Toronto, there was some kind of helpful financing project with other entities in respect to a tollroad. So, the ideas that there might be tax savings to somebody who might wish to enter into a long-term lease with respect to the Chicago skyway, I don't know that there are any details, in fact, as I understand it, there's nobody waiting in the wings. But the city people thought that it might be a good idea to have this property tax mechanism in place so that should something come along they'd be in a position to take advantage of it. The second part that I mentioned would, in fact, be interpreted as a tax decrease for people who live in the City of Chicago. And certainly an end to a potential headache for retailers of large merchandise in

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the suburbs."

Miller: "Okay. Last question. Next to the skyway, is there any other areas in and around Chicago that this would apply to that you know of?"

Currie: "Only to the City of Chicago."

Miller: "But the... as far as... You'd mentioned the skyway. Would it be any other roadways or anything like that?"

Currie: "No. The legislation is specific to tollroads and tollbridges and I don't think there are any others in Chicago."

Miller: "Okay. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Schoenberg. He declines recognition. The Chair recognizes Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. Inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "Just to make sure that we're all on the same page. Floor Amendment #1 offered by Representative Joe Lyons is not on the Bill. Correct?"

Speaker Hartke: "It was withdrawn."

Black: "The only two Amendments are 2 and 3."

Speaker Hartke: "Yes. They were both adopted."

Black: "And Amendment 3, sponsored by the Majority Leader, says that you can sell the Chicago skyway if you find an unsuspecting downstater willing to buy it. That's in effect what it says. Is that something like that?"

Speaker Hartke: "I'm not sure of the exact language, but you'll probably be close."

Black: "Well, I'm sure they'll be looking for somebody from Effingham or Danville to buy that. Are you interested?"

Speaker Hartke: "No, Sir."

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Black: "Okay. Well, it sounds like a good idea to me."

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

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

Speaker Hartke: "The Sponsor will yield."

Davis, M.: "Representative, has this..."

Speaker Hartke: "Sponsor, Representative Beaubien."

Davis, M.: "Oh, I'm sorry. Okay. Has... The City of Chicago is going to privatize a skyway facility. Is that correct?"

Beaubien: "I can... Send it back to Barbara Currie. It's her Amendment, please."

Speaker Hartke: "Representative Currie."

Currie: "Thank you, Speaker. I asked that question directly. It's my understanding if there were this lease arrangement, all the labor and other contracts would continue as is. So, no, they're not attempting to privatize in the usual meaning of that term."

Davis, M.: "So, they will lease out the facility. Is that correct?"

Currie: "As I say, they have assured me that any use that they might make of this legislation would not change any of the labor relations between employees and the skyway management."

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

Speaker Hartke: "The Chair recognizes Representative Yarbrough."

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

Speaker Hartke: "The Sponsor will yield. Representative Currie."

Yarbrough: "Representative, I'm looking at the reason for this provision. It says this'll allow the City of Chicago to lease the skyway tollroad to a private organization with

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the property tax exemption still in place. Is that... I don't understand that. Does that mean a private organization is gonna have the opportunity to have a tax exemption? I'm..."

Currie: "The idea is that some creative financing projects in other parts of North America have led the City of Chicago to believe that they might be able to do some kind of project, some kind of..."

Yarbrough: "Mr. Speaker, I can't hear in this chamber."

Speaker Hartke: "Shh..."

Currie: "... with some kind of entity that might be of a... give tax advantages, federal tax advantages to that unnamed, unknown entity. All this measure does is to say that if they were to engage in such a long-term lease with somebody else who would then be the holder of the obligation to operate the skyway that the tax, property tax exempt status of that roadway, would continue. We've done exactly the same thing with respect to the Chicago Housing Authority when they are using private landlords to provide housing for CHA residents."

Yarbrough: "Well, I do understand that, but I don't quite understand giving property tax exemptions to a private organization."

Currie: "It... that would... only because they would be performing the identical public service that the skyway management performs today."

Yarbrough: "Oh, okay."

Currie: "So, it would be no change in the operation of the skyway. It would still have the public purpose of providing transportation. And the only way they could entice somebody to do a financial boost would be if there were no change in the property tax exemption."

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Yarbrough: "Thank you."

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

Morrow: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. Would the Lady yield?"

Speaker Hartke: "The Lady will yield."

Morrow: "Representative Currie, so when this was a person who was to run the... the operations of the skyway, will they still be under the MAFBE and Female Enterprise Act?"

Currie: "I have been assured by the city that any kind of arrangement they would enter into would keep all of their labor relations exactly as they are today."

Morrow: "All right. Thank you."

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

Johnson: "Will the Sponsor yield?"

Speaker Hartke: "The Sponsor of the Amendment will yield."

Johnson: "Yeah. Representative, just a couple questions here. Currently, the Chicago skyway is owned and operated by the City of Chicago. Is it not?"

Currie: "That's my understanding."

Johnson: "And that's a tollway. Is it not?"

Currie: "It is a tollroad."

Johnson: "Okay. And, as I understand it, it's currently under major repair. Is it not?"

Currie: "It has been..."

Johnson: "Or reconstruction?"

Currie: "... although I think, I think much of the... much of the repair is finished."

Johnson: "That's right, but it is under a major reconstruction over a year or two ago."

Currie: "It had been. It had been, yes."

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Johnson: "Okay. And are they raising the tolls at the same time?"

Currie: "They have not."

Johnson: "Okay. Have we ever subsidized that skyway..."

Currie: "No."

Johnson: "... through the General Assembly?"

Currie: "No, not to my knowledge."

Johnson: "'Cause I recall, it was in difficulty here a few years ago."

Currie: "Yes, but I do not believe they ever got a penny from us."

Johnson: "Okay. Has there ever been a separate audit on the management and the tolls collected on that skyway and if so, why not or if not, why not?"

Currie: "I don't know whether there has been and if you want to introduce a Resolution calling for that audit, you are free to do so."

Johnson: "Okay. Has Representative Schoenberg ever looked into this thing? And could he have added it to his audit Resolution this morning? Maybe you'd like to take that up, Jeff? I take it, he's never asked you, right?"

Currie: "He... I haven't checked his record."

Johnson: "Okay. Well, maybe he will. Thank you."

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

Schoenberg: "Thank you, Mr. Speaker. My name was used in debate. I'd just like to address the point that Mr. Johnson made and what some of the others have alluded to. It wasn't that long ago when a Cook County judge was running the tollway and the Cook County courts because the bonds were near default, the Cook County courts were actually setting the rates of the tolls to insure that the skyway did not

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default on the bonds. As a result of the refinancing of the bonds, the City of Chicago has been able to undergo major reconstruction and major improvement. This is a potentially, an extremely sound means of insuring the financial viability of the Chicago skyway. And as someone who grew up in the shadow of the skyway in the old 10th Ward, I'd certainly urge your support for this. Thank you."

Speaker Hartke: "The Chair recognizes Representative Johnson. Yes, your name was used in debate."

Johnson: "Yes. My name was used in debate and I guess that's my point, Representative Schoenberg, is that it was run so badly that the court had to take it over and how do we know, now that the court has released it again, that this thing is operating sufficiently or is this thing just getting set up for some outside lease and somebody else to make some money on it especially after you guys just fixed it all up?"

Speaker Hartke: "Representative Beaubien to close."

Beaubien: "Thank you, Mr. Speaker. I think we've thoroughly discussed Amendment #2. Amendment #3 is a strongly supported item by IRMA. And the underlying Bill which I am responsible for, again is technical changes to the Income Tax Act. And I urge its passage."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 2212?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Mr. Black."

Black: "Inquiry of the Chair, Mr. Speaker. Does this take a three-fifths vote?"

Speaker Hartke: "It's kind of untimely to be asking..."

Black: "Well..."

Speaker Hartke: "... this question now."

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Black: "... better late than never."

Speaker Hartke: "I think it's gonna make it. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 98 Members voting 'yes', 18 Members voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrence on the regular Calendar, on page 8 appears House Bill 5240. Representative Bellock on Senate Amendments #2 and 3."

Bellock: "Thank you, Mr. Speaker. This is a Motion to Concur with Senate Amendment 2 and 3 to House Bill 5240. These made changes in the penalties for driving around the railroad crossing gate or barrier while it is closed. This Amendment simply changes the pedestrian fine for people who go around the gates to \$250 or 25 hours of community service which is what it is now for a car that goes around the railroad tracks. One of the major changes is this allows community service which the Bill from the previous year did not allow. It passed the Senate unanimously."

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

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm not against Senate Bill 5240, but it's strange that if a person violates this Act and they're given the choice of paying a \$250 fine or performing 25 hours worth of service, so that means that for each hour of community service is worth \$10 an hour. And it's strange that we, as a General Assembly, couldn't find the money for home care workers who make \$6 an hour to get paid \$7 an hour. Boy, what a system that we have down here."

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

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, the Senate Amendment #2 requires the suspension of a driver's license for a second violation. Now, that's what bothers me. It doesn't say conviction, it says a second violation where you would drive around a crossing gate, correct?"

Bellock: "Right."

Black: "Okay. Now, let me give you a hypothetical. That's why I've always been very leery of this Bill. In rural Illinois where crossings... you may look both ways and you may see five miles in either direction, we often have signal malfunction. The lights are blinking and gates are down and you can sit there all day. Now, the law says that if I drive around that gate, even though I stop, I look, I get out, I finally figure out there's a malfunction, there's no train coming. So, I drive around the gate. Under the existing law, I'm guilty of violating that crossing law, so if a deputy sheriff happens to be on that road and sees me, that's a violation. A second violation two weeks, six weeks, six months later, same situation, a malfunction of the crossing gate, I go around it, whoops, second violation. It doesn't say conviction. Second violation and I lose my license. Now, at high speed rail crossings in your area this may make imminent good sense, but when this Bill was passed originally, I had convened several very contentious meetings with my police departments and fire departments and the Commerce Commission, who was at that time charged with enforcing this, and our fire chief just said, 'Okay. We're called to a fire and there's a malfunctioning gate, I will simply

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tell the fire truck it will stay there for as long as that gate is down, we'll radio for another truck.' This is like... this is what I say often on this floor is the law of unintended consequences. Now, given the hypothetical that I've just given you, that isn't really that hypothetical in my district, how in the world... how in the world do I explain to my constituents at a rural crossing where there's a malfunction that you are risking your driver's license if you go around that malfunctioning gate?"

Bellock: "I think that you're able to challenge that in court if there's a malfunction because you can go to court on these."

Black: "But why wouldn't the... why wouldn't the Amendments clearly specify that if you were convicted of violating this law, meaning that there obviously was a case where a train was on the track or going to the crossing, rather than just specify violation?"

Bellock: "In the law, it says, 'has committed an offense for which mandatory revocation of a driver's license or permit is required upon conviction, has been convicted of not less than three offenses against traffic regulations governing the movement of vehicles committed within a 12 month period.'"

Black: "Now, is it true that this maintains the law that if a pedestrian decides to go through the downed gate or around the downed gate that the pedestrian will, in fact, be fined?"

Bellock: "That law is already in effect, Representative Black. What this..."

Black: "So that doesn't change."

Bellock: "No, that does not change. All that changes here is

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that that comes in line... right now, what's happening is for a pedestrian when they go around the gate it is a \$500 fine with no community service. But for a vehicle to go around a gate, it is only a \$250 fine with 25... a \$250 fine. What this Amendment does is to put them in line with one another that they will both be \$250 fine with allowing 25 hours of community service which is what every state's attorney and police department in Illinois has suggested."

Black: "Well, let me make sure I understand this. If I get out and walk through the crossing that's a \$500 fine. Correct?"

Bellock: "Right now in laws, yes. That's correct."

Black: "But if I drive through the crossing it's a \$250 fine."

Bellock: "Correct."

Black: "Now, you're going to correct that so that both violations will be a \$500 fine."

Bellock: "No. Both violations will be a \$250 fine with 25 hours of community service upon a judge's discretion."

Black: "Okay. Thank you very much, Representative. I appreciate your forthright answers. Mr. Speaker, Ladies and Gentlemen of the House, to the Bill as amended. I'm not trying to make light of this. I know it's a serious problem, there have been deaths and injuries, but I'm also being very serious when I say this created great consternation in my district when it was originally passed. It still is an item of discussion with our emergency vehicles. The police department, for example, if on a call, they're not sure that they should drive around a gate that they determine to be malfunctioning even on their way to an emergency call because if somebody sees them then obviously they say, look, the police can violate the law, I can violate the law as well. I know that wasn't the intent. I know it was

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a... the Bill was drafted to address serious problems in high-density population areas with a number of trains travelling at high speed. But it just doesn't have the same impact in rural Illinois that it does in the Sponsor's district. I have not supported the Bill in the past even though I know that the intent is clear. I just have had too many contentious meetings with, how in the world does this work in a rural area. I didn't support it then, I can't support it now."

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

Bellock: "Thank you very much. And I respect Representative Black's opinion. This is an extremely important issue in our area. We had 17 deaths in 5 years, a hundred and thirty-four trains a day. This is an issue that has been proven... a large article written about it in a national paper, 90% correction of people abusing the railroad safety laws. And I encourage your support for this important law. Thank you."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendments #2 and 3 to House Bill 5240?' 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? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative May. Mr. Clerk, take the record. On this question, there are 93 Members voting 'yes', 21 Members voting 'no', 3 Members voting 'present'. And the House does concur in Senate Amendments #2 and 3 to House Bill 5240. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Reitz is there. House... On the Supplemental Calendar #4 appears House Bill

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4090. On Senate Amendments 2... 1 and 2. Mr. Reitz."

Reitz: "Thank you, Mr. Speaker. House Bill 4090, I'd like to concur with Senate Amendments #1 and 2. It has expedient acquisition language in there for communities of Baylis, Bartlett, Natural Resources, and some in Lake County, and the original Bill had Monroe County. I'd be happy to answer any questions."

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

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

Speaker Hartke: "Sponsor indicates he will yield."

Garrett: "Representative, I've heard from a constituent in my district who is very concerned about this quick-take proposal and feel that... feels that her family is being deprived of their property rights unjustly and I would ask that you give us information as to why this Bill is necessary."

Reitz: "Well, the unit of government in this case, I would think it would be Lake County, but more than likely the county engineer has requested that this property be acquired through this fashion. There are a number of hoops that they'd have to jump through... so, I'm still here... so... a unit of government, so they had to notify them, I mean, through... the Senate has a pretty good procedure before they act on any... anything there and I'm not sure which Senator offered this up in that... in this particular case and I don't know the particulars of what... why the land is being taken, but it's one of... whatever Senator in that area offered that up."

Garrett: "Well, the family that I'm speaking to feels very strongly that they've had no due process and that their property rights have been denied and I've heard from them

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several times. They have tried to contact their Senator on this and really haven't had the opportunity to have any kind of a conversation which I have to tell you very frankly, they're offended. And you know for people... when we have these quick-take Bills, people in this General Assembly should know what is at stake. Many times peoples' personal property is being taken away from them, only by the approval of everybody in this Body and I would recommend that in this case at least, because I know firsthand what has happened, that we would consider voting 'no' on this. I feel very strongly about that."

Reitz: "Well, I appreciate your concerns. But in most cases that, you know, that is the case. They may want more money than it's actually worth, more than the appraised value or just impede the progress for whatever reason. So... and I apologize for not knowing the particulars of that, but that's in the Senate Amendment."

Garrett: "To the Bill. I would suggest that it's not the Sponsor's fault that he doesn't have all the details, but all too often we hear these kinds of scenarios when people are in a situation where they have no recourse and then a Body like ours takes their property away from them. This is just one more example of how that happens. And I... I hope very strongly that my colleagues vote 'no' on this."

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

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

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

Righter: "Representative Reitz, and I apologize if I ask some questions that were asked earlier. I can't... couldn't quite hear everything that you... that was being asked or your answers. The underlying Bill just applies to Monroe

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County, is that right?"

Reitz: "Correct."

Righter: "Okay. And as I read the analysis, Monroe County needs 4.77 acres to do a project?"

Reitz: "That's correct. The Monroe County project is the original Bill. It... it... Monroe... Monroe County... The Monroe County project according to Representative O'Brien, our spellcheck person over here and enunciator, it is for a road that goes from the high school out into another road, basically, to go through some property and they have some in... some land that is caught in the state, in that case I know. That's the original... the original Bill. As I said, the Senate Amendments are for Lake, for a Village of Baylis and Bartlett and then some ground that the Department of Natural Resources is trying to acquire."

Righter: "Okay. Representative Reitz, I know I and I think a number of the Members on this side of the aisle are always... want to be very cautious when a local government with a county or municipality or whoever it may be, comes to the General Assembly and basically complains to us that they can't get a deal with the local landowner, so they need State Government to come in and order that the property be taken. Now, you referred to the fact that this road project is related to a school. Is that right?"

Reitz: "Correct."

Righter: "Okay. And the road is going from the school to where?"

Reitz: "It's going to a road basically just a little bit outside the city limit to release congestion from the school."

Righter: "Our analysis indicates that part of the problem Monroe County says it's having is that federal funding is available and it needs to move the pro..."

Reitz: "Correct. They're definitely... that is... probably

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that's the underlying... the main reason for... for this is we don't we really don't have time to wait on that. There are federal funds that are at risk that we have to expend by a certain time frame. And hope... and we really don't know. We have another month, I guess, until they make a decision if they're going to need to take it or not."

Righter: "How much is the project cost and how much is the Federal Government picking up of it?"

Reitz: "I don't have that with me right now. I don't... I'm sorry... I don't have that... It was a 50% match from the Federal Government. But I don't have a number for the project. Don't have that file with me."

Righter: "So, are you saying that, it's your understanding that the Federal Government is paying for half the project?"

Reitz: "Correct."

Righter: "Okay. Our analysis also indicates, Representative, that the land is worth between 10 and \$50 thousand. Is that right?"

Reitz: "That sounds right."

Righter: "Is there an appraisal? That's a pretty broad range."

Reitz: "Yes. There was an appraisal by the... by the county engineer."

Righter: "What's that appraisal?"

Reitz: "I don't have that on me either. I don't... I apologize, but I don't know right now. I don't have that file with me."

Righter: "What... have the landowners in this instance been offered money for the property?"

Reitz: "Some of them have. And some I..."

Righter: "How many landowners are refusing... How many landowners are we talking about taking the property from?"

Reitz: "In this case, I believe it was two. Two..."

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Righter: "Okay."

Reitz: "... is my recollection."

Righter: "Do you know if either of them have been given an offer as far as what the local municipality would pay for the land?"

Reitz: "I believe they have. My... from the county engineer, my recollection is that they have been... they have been offered through an attorney in some case, because there's... one is in estate. It's an estate that they're trying to work with."

Righter: "Do you know how much that offer was?"

Reitz: "Not offhand, no. My action is just mostly on behalf, as I said, on behalf of the county engineer in this case and try to move this project along so that we can capture these federal dollars and remove the unbelievable congestion for the people in front of me here in Waterloo."

Righter: "Now, is there litigation now on this?"

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

Righter: "Well, our analysis says, is that... that Monroe County does not want to wait on the traditional court process and that's why they're here. Is that right?"

Reitz: "That's a lot of the reason. That's correct, to try and... to try and make sure that we can move this through in a quick enough manner to get... One, to get the road finished and two, to capture the federal funds that are available."

Righter: "Well, now and I want to just stay on the underlying Bill for a moment, Representative. I guess, my first concern about that would be that the Body here that is being asked to approve the eminent domain request, doesn't know what the landowners have been offered, doesn't know how much the property is worth and we don't know how long

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the court process would take."

Reitz: "We are... and that is a valid concern. What we have a problem with is... is in our analysis even... and with the, with the county engineer, is trying to make sure that, that we have an adequate appraisal. As I said, I don't remember what the appraisal is, but they're still in negotiations, trying to make sure that, that they have a fair offer to the property owners and as I said..."

Righter: "They have made an offer to the property owners?"

Reitz: "In some cases."

Righter: "Is that what you said?"

Reitz: "Yes. Of the ones they could find."

Righter: "In this case?"

Reitz: "In this... to some of the property owners. I'm not sure they've made an offer to all of the property owners."

Righter: "Okay. Is it... is it a requirement, Representative, that before the state can authorize eminent domain that there be an effort by the local government in terms of maybe an offer, before they can just come in and take the property?"

Reitz: "Yes, it is. They have to notify them. They have to notify them by registered mail, I believe, they do that. And then they have to... and they have in this case posted all the notices, had public hearings to try and make sure that they give them an adequate chance to, to seek remediation somehow through the normal process, through the county engineer. And they've actually went through a number of hoops. The... actually, the Amendment that Amendment #1 set out a procedure that the Senate uses to make sure before they put any type of quick-take on this... allow any type of quick-take to move through the Senate and it sets up the procedure that the interested party will be

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notified by certified mail, that they will... the unit of government will have a public hearing, that the unit of government will officially notify their State Representatives or Senators that they're interested in this. And they set the public hearing up and then not less than 30 days following the notice to the property owners, they notify the chief unit of... elected official... the chief unit of government before they do that. And there's a number of procedures that they go through or have went through before they even think about quick-take procedures. And I said earlier, they are trying to... trying to work this out in the case of Monroe County."

Righter: "Those... All those requirements that you just listed, Representative, those are in Senate Amendment 1. Correct?"

Reitz: "That... That's the procedure that was used. Actually, that was in Amendment #1, but Amendment #1..."

Righter: "That's the procedure that..."

Reitz: "... is not part of this Bill. I should clarify that. That's the procedure that the Senate has used before they will allow any language to be put in for quick-take. Their original... the Amendment #1 was trying to put that procedure into law, but that is not part of this Bill. It's just that... for any... to set aside any confusion on that point. That's not part of this Bill, but that is the procedure that was used for all of these quick-take provisions that are in here, to assure that we're doing the right thing on the state's part. But Senate... The Amendment #2 becomes the Bill, and the language and the procedure that set out actually in the Senate Rules or the in the Senate, I'm not sure it's in their rules, but it's the Senate procedures they use, will not become law in this. But I'm sure it's still the same criteria that the

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Senate will use in any case of quick-take legislation."

Righter: "Representative, currently, does State Law require an offer be made to the landowners to buy the property before a quick-take can take effect?"

Speaker Hartke: "Mr. Righter, was that a question?"

Righter: "That was a question."

Reitz: "Yes. I... you know I believe... yeah they have to. I believe that they make an offer and I'm... your staff was over there some... maybe we can ask them, but I... you know, it's my understanding that they make an offer. I know they have in the case of Monroe County. They make an offer before, of some sort, or else they would never get to quick-take proceedings before they realize they've reached an impasse."

Righter: "So, State Law requires an offer, first? That's what I'm asking. I don't know the answer to that question. Does State Law require an offer be made by the local government to buy the property before a quick-take from State Government can take effect?"

Reitz: "We were... let me defer that to one of our staff here and I will answer that in a second... I believe it does, but I hate to answer that on the record without checking with staff. Representative Righter, we have..., unfortunately, I'm a coal miner, not an attorney and the answer to that question, that you've probably forgot by now is, yes. They have to enter into negotiations on the land before they... and make an offer before they... before they proceed with any type of quick-take procedure."

Righter: "Who provided you with that answer?"

Reitz: "Our staff."

Righter: "All right."

Reitz: "Who is waiting for admittance to the House Floor so that

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he could help us out, and now we're in good shape."

Righter: "It requires... it requires negotiation."

Reitz: "Correct."

Righter: "But it doesn't require that some kind of litigation have been undertaken. Is that right?"

Reitz: "No. No, it does not require that litigation be entered into before they start proceedings or approach the Legislature for remediation on this."

Righter: "Now, Representative, going to then the Amendments, Amendment 2 cleared off the language that was in Senate Amendment 1. Is that right?"

Reitz: "Excuse me?"

Righter: "Going to the Senate Amendments, Senate Amendment 2 removed the language that was in Senate Amendment 1. Is that right?"

Reitz: "Correct."

Righter: "And Senate Amendment 1 had the... for lack of a better term, the procedural protections that the Senate uses before they'll approve any quick-take legislation. Is that right?"

Reitz: "That's correct."

Righter: "Okay. Obviously, at some point, the Senate thought it was appropriate to incorporate what... their procedures into State Law and then suddenly decided not to do that. Can you tell me or enlighten me on that? Why this is not a good idea? Why the procedural protections contained in Senate 1... Senate Amendment 1 are not a good idea for us to follow in the State Law?"

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

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

Speaker Hartke: "Sponsor will yield. Yes, Mr. Righter."

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Righter: "Mr. Speaker, I had asked a question of the Representative and had not received an answer. And I think it was a fair question to ask concerning the substantive protections that the Senate uses on under... before undergoing quick-take legislation. It was in this Bill. Then it was taken out of this Bill and I wanted to know why, and he didn't get a chance to answer that. Is there a... are we on time... am I on a clock?"

Speaker Hartke: "No, I apologize. I thought you had concluded your remarks. Mr. Righter (sic-Reitz) would you like to answer the question?"

Righter: "Thank you, Mr. Speaker. We're not on the clock."

Reitz: "Could you repeat the question?"

Righter: "Sure. The question was, is that why did the language in Senate Amendment 1, with regards to the procedural protections, and what has to take place before the Senate will approve a quick-take, why was that taken out of the Bill?"

Reitz: "The... all I know, I believe... we believe it was put in another Bill that the Senate has, but we also... you know, all I know is that Amendment #2 deleted... became the Bill and this language wasn't in there."

Righter: "Well..."

Reitz: "But..."

Righter: "Go ahead."

Reitz: "Okay. That language passed the Senate in another piece of legislation."

Righter: "Are we gonna act on that?"

Reitz: "Let me ask the Speaker. I'll be right back. I don't know. I don't know where it is."

Righter: "Okay, that's fair."

Reitz: "I don't know what legislation."

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Righter: "That's fair or you can..."

Reitz: "Thank you."

Righter: "So, it's your understanding since this has... this has not cleared the Senate... the Concurrence Conference Committee Report has not cleared the Senate, has it?"

Reitz: "This is not a Conference Committee Report."

Righter: "I'm sorry, the concurrence. This... so, this has cleared the property transactions that you're talking about in here, the quick-takes. Those procedural protections that are listed in Senate Amendment 1, which is not on the Bill, were followed though. Is that right?"

Reitz: "They were followed. Correct."

Righter: "They were followed."

Reitz: "It is my understanding that everything in the procedure that the Senate uses has... what has been the case for the last year or two that I'm aware of at least, maybe even before then. The Senate follows this procedure that is out in Amendment #1, but Amendment #2 stripped that, did not put this language in there. So, when we adopt this, we'll adopt the quick-take procedures that are... that the descriptions that are in there but not these, not this description."

Righter: "Okay. Representative, the final area I want to ask about is, in Senate Amendment 2 and in our analysis, it's described as quick-take for the Illinois Department of Natural Resources to make improvements to drainage ditches to reduce flooding in Ashland."

Reitz: "Which... Could you tell me what line you're on? What page?"

Righter: "I'm looking at... I'm sor... Representative, I'm looking at an analysis. I don't have..."

Reitz: "Oh, okay."

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Righter: "But are you familiar with the provision I'm referring to?"

Reitz: "No. Which town? Which village or..."

Righter: "Ashland."

Reitz: "No. I am... I apologize, I'm not familiar with the... you know, with the provisions with that one or actually with the Baylis or the Bartlett provisions either, what its quick-take is. It's my understanding that those are just land adjacent to DNR property that they're trying to make improvements on."

Speaker Hartke: "Mr. Righter, are you concluded?"

Righter: "No, I think he's looking for an answer, Mr. Speaker."

Speaker Hartke: "Would anyone like for me to put the timer on?"

Righter: "I'm about to finish, Mr. Speaker. But I appreciate very much your indulgence."

Reitz: "There is one. I don't see it in here, actually what... everything within the... within the provisions in here are just descriptions. There is one... it's in Senator Watson's district, which would probably be Senator Stephens or Representative Stephens' district, would be my guess. Is that right?"

Righter: "Ashland is in Senator Watson's and Representative Stephens' district?"

Reitz: "Representative Stephens isn't even sure. So, that's in Representative Wat... or Senator Watson's district, so I'm sure it's bigger than some of the towns I have in my district, but it's not big enough for me to know about. Yes. It's in the legislation here, though."

Righter: "Okay. Can..."

Reitz: "I can assure you that."

Righter: "You referred earlier that you're not familiar with the... the quick-take with regards to Baylis or the Lake

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County or the Village of Bartlett. Do you... can you... do you know whose... in whose areas those... those quick-takes would fall?"

Reitz: "The Baylis and Bartlett would be in Representative Tenhouse's areas."

Righter: "Okay. Representative, thank you very much for answering the questions. I appreciate your patience and yours, too, Mr. Speaker. Thank you."

Speaker Hartke: "Thank you, Mr. Righter."

Reitz: "You're very welcome."

Speaker Hartke: "Chair recognizes Representative Simpson."

Simpson: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Simpson: "Representative Reitz."

Reitz: "Yes."

Simpson: "Is it not true that on quick-takes, that it... the parcel that I'm speaking of in particular is in Lake County, 'cause it's my district. As a matter of fact, I was at the public hearing for the widening of this road. It's been in the process for two years. Federal funds are in jeopardy if this road is not widened within the year. So, I am firmly behind you on the Lake County portion of this Bill. I'm intimately acquainted with it because as township supervisor I've had to negotiate nearly half a mile of that right-of-way with the Lake County Department of Transportation. And is it not true, that even with quick-take, that the Department of Transportation must negotiate with the property owner? They could take the property, but the price is negotiated through the courts."

Reitz: "Right. That they've... probably... they have entered into negotiations already on this and they've reached impasse for some reason and they will reach a just price

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for this land through some part, through the quick-take. And they can still go to court as, yeah... as determined by the court. This just sets up the mechanism... This just allows us through legislative approval for them to go to court. And the case that you've pointed out, Representative, is the case in most of these, that we have funds in jeopardy or that we have to move these projects along in some form or fashion."

Simpson: "Representative, is the Lake County portion still in this Bill?"

Reitz: "Yes."

Simpson: "To the Bill, Mr. Speaker."

Speaker Hartke: "To the Bill."

Simpson: "Lake County is grossly underfunded and our road systems are abysmal up there. The widening of our roads has not kept pace with the growth. The widening of this street is of paramount importance to my district and I urge an 'aye' vote on it. Thank you."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I think every conceivable question has been asked on this Bill. If you'll just take a look at it, there's a quick-take for the Village of Ashland, which was under water about three weeks ago. So, I don't think we have time to go through another six months of dither and dather. God forbid, there be another rain. Sometimes you just have to move quickly. There's another item in the quick take Bill that has to do with a hog farm lagoon, that in wet weather seems to run over. Now, if you live downstream, I think... I don't think you'll mind if there's a quick-take to fix it, because until you've had hog farm

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lagoon runoff in your backyard, you just haven't had a lot of fun. Let's vote on the Bill. I would suggest you vote 'yes', if you don't, I'm gonna bring a hog farm lagoon to your neighborhood."

Speaker Hartke: "Further discussion? Chair recognizes Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. I stand in support of the... of House Bill 4090. Let me just... I think some of the misconceptions about quick-take and particularly in this instance. First of all the Constitution of Illinois, the Constitution of the United States, requires adequate compensation for any taking. The people in this instance, that when they... when the property is taken, will still be compensated and compensated properly. This is an emergency situation. We're not going to be able to receive the federal money and it makes sense that sometimes you can take it quickly and you can move forward, they will still be compensated. They will still be compensated adequately. I ask for an 'aye' vote."

Speaker Hartke: "Further discussion? Chair recognizes Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. Representative Hoffman said it well. I want to... My name was used in debate. It was thought that maybe Ashland was in Senator Watson's new district or it might be in my old House district. I'm here to tell you that it's in Representative Tenhouse' future district and currently represented fine... in fine fashion by Representative Poe. I think that one other matter needs to be settled, Mr. Speaker and that is the sterling debate that took place between Representative Reitz and Representative Righter are going to be renowned in the history of the Illinois Legislature. I suggest all 23

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minutes be reduced to tape and we each get one as we leave the building tonight."

Speaker Hartke: "Further discussion? Chair recognizes Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I want to echo the comments of Representative Black and Representative Hoffman and Representative Stephens. I have two issues that are in this Bill. And certainly, in terms of the protections, I think you have to understand that there's been a long hearing process. A lot of things have taken place. In fact, Representative Poe has had this district for the last ten years, I'm getting it back. But believe it or not, when I represented Ashland prior to 1992, from '90 to '92, we were involved in this very same project. We spent ten years, ten years, getting the acquisition of this property. And I don't think anyone can say that the property rights have not been protected of the people involved in this particular situation. They may not like the fact that they're gonna have to take a few acres to protect several thousand people and to protect the value of these residences. What we're talkin' about, a very small amount of farmland and an impact on people that seems to be pretty horrible, especially with what happened here in the last couple of weeks. The village of Baylis is a similar situation. It's been over six years, we've been battling, trying to make our way... winding our way through this process. I would simply ask the Members of the General Assembly to realize that when we use quick-take, it is not taken lightly. Most of the Members here take it very seriously. We have to understand there's a procedure we go through. I would just ask for 'yes' votes on this very important piece of legislation for my district. Thank

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you."

Speaker Hartke: "Further discussion? Chair recognizes Representative Saviano."

Saviano: "I love quick-take. Move the previous question."

Speaker Hartke: "Previous question is put. All those in favor say 'aye'; opposed 'no'. In the opinion of the Chair the 'ayes' have it. And the previous question is put. Mr. Reitz to close."

Reitz: "Thank you. I appreciate the debate on this. As was stated, this is a procedure that we have to use at times to move... move the process forward and everyone will receive just compensation at the end of this, either through negotiations or through the court system. Appreciate an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 4090?' 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? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 76 Members voting 'yes', 38 Members voting 'no', 3 Members voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Bost. For what reason do you seek recognition?"

Bost: "Thank you, Mr. Speaker. On House Bill 4787, I was recorded as a 'no'. I would like to be recorded as a 'yes'."

Speaker Hartke: "The Journal will so reflect your wishes. Rules... Committee Report."

Clerk Bolin: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following

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measure/s was/were referred, action taken on May 31, 2002, reported the same back with the following recommendation/s: 'direct floor consideration' for Conference Committee Report #1 to House Bill 2."

Speaker Hartke: "On Supplemental Calendar #4 appears House Bill 5647, Representative Lindner. Representative Lyons, do you want to handle that?"

Lyons, E.: "Thank you, Mr. Speaker. I move to nonconcur to Senate Amendment #2 to House Bill 5647."

Speaker Hartke: "You've heard the Gentleman... or the Lady's Motion. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does nonconcur... Representative Cross."

Cross: "Thank you, Mr. Speaker. Inquiry of the... inquiry of the... Will the Sponsor yield? Whoa. Will the Sponsor yield, please?"

Speaker Hartke: "I'm not sure."

Cross: "What?"

Speaker Hartke: "I'm not sure if she wants to. Yes, the Lady will yield."

Cross: "Representative, just for the sake of the Body, can you explain to us why you've moved to nonconcur?"

Lyons, E.: "The Senate Amendment includes machinery and equipment for voting that has not... has not reached a consensus in use and therefore, I have voted to nonconcur."

Cross: "And you expect this then to go to Conference Committee?"

Lyons, E.: "No, I don't... do not expect this to go to Conference Committee. Thank you for asking. I have the assurance of the Senate Sponsor that he's going to recede from his Amendment."

Cross: "All right. Thank you. That helps clear things up. I appreciate it."

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Speaker Hartke: "Representative Cross, for what reason do you seek recognition?"

Cross: "Thank you, Mr. Speaker. It's... I know it's been a long day and a long week and a lot going on, but every now and then you look for a bright spot in the day and... or at this case a bright spot in the night. We have a former Member here with us that's not on the House Floor, but up in the gallery, that I think we should acknowledge. He's a good friend of ours. We miss him. He's doing a great job in his new capacity and that's Rep... former Representative, Vince Persico. Right up here. He had some ideas on how to solve the budget, but he's not gonna tell us right now."

Speaker Hartke: "He's concerned about Wednesday. Representative Lang in the Chair."

Speaker Lang: "On Supplemental Calendar #7 there appears House Resolution 965. Representative Brosnahan."

Brosnahan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move that the House adopt House Resolution 965. This Resolution urges the US Congress to pass the Posthumous Citizenship and Restoration Act of 2001. What this does it grants posthumous citizenship to noncitizen servicemen killed in action while serving our nation in the armed forces. This Resolution really only applies to approximately 30 servicemen who served our country during the Korean War and were killed in action. A law was passed and signed by President Eisenhower in 1953 that accomplishes this, but there was no grandfather clause, so that's why those 30 servicemen were not covered. And I would ask that the House adopt this Resolution."

Speaker Lang: "The Gentleman moves for the passage of... or the adoption of House Resolution 965. Is there any discussion?"

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Seeing none, those in favor shall vote 'aye'... those shall say 'aye'; those opposed shall say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does adopt House Resolution 965. House Resolution 966, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 966 simply requests that IDOT begin to look at... when they put in new traffic signals they begin to look at making sure that they are audible as well as just the signals, so that individuals who are blind and are visually impaired will be safe when they are at the intersections."

Speaker Lang: "Representative Hoffman moves for the adoption of House Resolution 966. Is there any discussion? Seeing none, those in favor shall say 'aye'; those opposed shall say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does adopt House Resolution 966. Representative Brunsvold in the Chair, please."

Speaker Madigan: "Speaker Madigan in the Chair. Ladies and Gentlemen, the plan of the Chair is to adjourn for this evening and return at 11 o'clock tomorrow morning. We've made significant progress in terms of resolving the remaining issues before this Session relative to the budget and revenue enhancements, but there are still remaining issues which have not been resolved. Therefore, we'll need more time. Hopefully, it'll be one day, it may be more than one day. So, for now, all I can tell you is that we'll adjourn shortly. We'd like to stand here to receive a message from the Senate and we plan to come back in at 11 o'clock in the morning. In terms of precaution, I would recommend that you not check out of your rooms. And there will be... there'll be no per diem for tomorrow. Mr. Black

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would like to thank the Chair for giving him yet another day to participate in the legislative process."

Black: "Yes. You're so kind, Mr. Speaker. But I do have an inquiry of the Chair. Mr. Speaker, I'm concerned about your health, your voice. Seems be just a bit raspy this evening, a little sexy some might say. I wouldn't say that, I wouldn't say that. I would prefer raspy, but I think you should rest your voice, Mr. Speaker. I have had experience in the Chair. I would be glad to take over with your permission. I would not charge a per diem either, Mr. Speaker."

Speaker Madigan: "Mr. Black, if you're in the Chair, that means that you could not speak to Bills. Is that correct?"

Black: "Ahhh. It seems as if I have overwhelming support to be in the Chair, Mr. Speaker."

Speaker Madigan: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker. For an announcement for the Members. We're gonna have an end of Session party tonight, regardless, at Remy's. And Mr. Speaker, I promise you that everybody will be back here at 11."

Speaker Madigan: "Mr. Saviano reminds me... the Governor asked me to announce that he will not have the end of Session party tonight and he's gonna put everything into the freezer and keep it for maybe tomorrow, maybe the next day, maybe the day after that. But there's no party tonight at the mansion. Ladies and Gentlemen, please be advised that the following committees will meet tomorrow morning at 10 a.m. The Executive Committee in Room 114, the Human Services Committee in 122-B, the Judiciary II Committee in Room 118 at 10 a.m. Again, the following committees will meet at 10 a.m. in the morning: Executive in Room 114, Human Services in Room 122-B, Judiciary II in Room 118. Representative

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Currie moves that the House adjourn until 11 a.m. tomorrow morning, providing perfunctory time for the Clerk. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until 10 a.m. tomorrow morning, providing perfunctory time for the Clerk."

Clerk Rossi: "House Perfunctory Session will come to order. Introduction of Resolutions. House Resolution 994, offered by Representative May; House Resolution 997, offered by Representative Mathias; House Resolution 999, offered by Representative Art Turner and House Joint Resolution 82, offered by Representative May are assigned to the Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."