

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

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

Pastor Crawford: "Let us pray. Most gracious and most sovereign King, we humbly bow down our hearts before You. We place nothing and no one before You. We serve You as the Lord that is above all other lords. We serve You as the King that is above all other kings, whose kingdom and reign which there is no end. There is no authority that is greater than Yours, there is no love that is greater than Yours. For it is You alone that is worthy, worthy of all the highest honor, worthy of the highest respect and most of all, You are worthy of the highest praise. So, we ask this and thank You in Your Son's name. Amen."

Speaker Hartke: "We shall be led in the pledge today by Representative Meyer."

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

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

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

Speaker Hartke: "And Mr. Bost on the Republican side."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Stephens is excused today."

Speaker Hartke: "Mr. Clerk, take the record. 115 Members answering the Roll, a quorum is present and we're ready to do the business of the State of Illinois. Committee Reports."

Clerk Rossi: "Committee Reports. Representative Fritchey, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on Thursday, February 20, 2003, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 218, House Bill 1248, House Bill 1400, House Bill 1469, House Bill 1506, House Bill 1624; 'do pass as amended Short Debate' House Bill 16, House Bill 51 and House Bill 6... 469. Rules Report. Representative Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on February 20, 2003, reported the same back with the following recommendation/s: 'to the floor for consideration' House Resolution 52 and House Resolution 58. Representative Steve Davis, Chairperson from the Committee on Public Utilities, to which the following measure/s was/were referred, action taken on Wednesday, February 19, 2003, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 1187; 'do pass as amended Short Debate' House Bill 299. Representative Hoffman, Chairperson from the Committee on Transportation & Motor Vehicles, to which the following

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

measure/s was/were referred, action taken on Wednesday, February 19, 2003, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 298, House Bill 499, House Bill 1273, House Bill 1274, House Bill 1491 and House Bill 1574; 'do pass as amended Short Debate' House Bill 1189. Representative Brosnahan, Chairperson from the Committee on Consumer Protection, to which the following measure/s was/were referred, action taken on Wednesday, February 19, 2003, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 467 and House Bill 1632; 'do pass as amended Short Debate' House Bill 236. Representative Boland, Chairperson from the Committee on Elections & Campaign Reform, to which the following measure/s was/were referred, action taken on Wednesday, February 19, 2003, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 128 and House Bill 1166. Representative Flowers, Chairperson from the Committee on Health Care Availability & Access, to which the following measure/s was/were referred, action taken on Wednesday, February 19, 2003, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 207; 'do pass Short Debate' House Bill 485 and House Bill 486. Representative Mautino, Chairperson from the Committee on Insurance, to which the following measure/s was/were referred, action taken on Wednesday, February 19, 2003, reported the same back with

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

the following recommendation/s: 'do pass Short Debate'
House Bill 1192."

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

Wirsing: "Thank you, Mr. Speaker. I rise for a point of
personal privilege."

Speaker Hartke: "State your point."

Wirsing: "I'd like the Members of the chamber to please
recognizes some high school students from my district who
are up here in the gallery and show 'em a nice round of
applause for being here. They're learning a little bit
about government, legislative government today."

Speaker Hartke: "Thank you, Representative Wirsing. Welcome to
your State Capitol. Supplemental Calendar #1 being
distributed. Ladies and Gentlemen, we plan on doing some
work today. We're gonna work about up to 2:00, the time
for committees to start. We'll be running down on the
Calendar on Second and Thirds on those Bills that are in
the posture to be passed. Mr. Clerk, what is the status of
House Bill 123?"

Clerk Rossi: "House Bill 123 is on the Order of House
Bills-Third Reading."

Speaker Hartke: "Move that Bill back to the Order of Second
Reading for the purposes of an Amendment at the request to
the Sponsor. On page 2 on the Calendar appears House Bill
14, Representative Franks. House Bill 14. It's on Second
Reading. Out of the record. House Bill 20. Mr. Lang.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Out of the record. House Bill 34. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 34, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 43. Mr. Burke. Mr. Burke. Out of the record. House Bill 44. Mr. Joe Lyons. Out of the record. House Bill 116. Mr. Smith. Out of the record. House Bill 120. Mr. Smith. Out of the record. House Bill 176. Representative Bellock. Out of the record. House Bill 198. Representative Davis. Monique Davis. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 198, a Bill for an Act in relation to correctional facilities. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 206. Representative Davis. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 206, a Bill for an Act concerning domestic violence. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 269. Mr. Mautino. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 269, a Bill for an Act concerning fees. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Speaker Hartke: "Third Reading. Mr. Clerk, what is the status of House Bill 236? 136."

Clerk Bolin: "House Bill 136 is on the Order of House Bills-Third Reading."

Speaker Hartke: "Move that Bill back to Second Reading for the purpose of an Amendment at the request of the Sponsor. Back on page 2 on the Calendar, House Bill 293, Representative O'Brien. Representative O'Brien. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 293, a Bill for an Act in relation to senior citizens. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 308. Representative Molaro. Representative Molaro. Out of the record. House Bill 318. Representative Yarbrough. Out of the record. House Bill 375. Representative Meyer. Jim Meyer. Out of the record. On page 3 on the Calendar, on House Bills-Third Reading, appears House Bill 2, Representative Bost. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2, a Bill for an Act in relation to alcoholic liquor. Third Reading of this House Bill."

Speaker Hartke: "Representative Bost. Ladies and Gentlemen, we're on Third Readings, final passage. Please, give the speaker your attention. Mr. Bost."

Bost: "Thank you, Mr. Speaker. House Bill 2 simply extends the appropriation for the wine council which we've had in place for years. The benefits of this are tremendous and it's

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

been a very successful program to expand the existing minutes... or expand existing industry here in the state. And I'd be glad to answer any questions of what it does."

Speaker Hartke: "Further discussion? Chair recognizes Representative O'Brien. She declines. Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass House Bill 2?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Hoffman. I have. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 Members voting 'yes', 0 voting 'no', and 1 Member voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 2... 3 of the Calendar on Third Reading, appears House Bill 6, Representative Feigenholtz. Mr. Fei... Representative Feigenholtz. Out of the record. House Bill 12. Representative Brosnahan. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 12, a Bill for an Act in relation to persons with disabilities. Third Reading of this House Bill."

Speaker Hartke: "Representative Brosnahan."

Brosnahan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Presently, the Mental Health and Developmental Disabilities Administrative Act requires DHS to study the needs of people with autism and to provide the General Assembly with reports on these studies. While these

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

reports must include information on the enhancement of family support mechanisms to enable people with autism to remain in a family home environment, what this Bill does it requires DHS to include in that report a plan to provide such family support mechanisms. The second part of this House Bill 12 amends the Public Aid Code. Right now, we already are providing benefits for severely disabled children who require a level of care provided by a hospital skilled nursing facility or intermediate care facility, but they receive that care outside of an institution. This is aimed at severely disabled children who are presently receiving care at home. The way the law is right now, once these children reach the age of 18 the benefits are cut dramatically, many of these... the guardians and parents of these disabled children are forced to place these children in nursing homes. This Bill would make chronological age no longer a factor. It also would require DHS to report to the Governor and the General Assembly on this assistance. Each year they'd have to submit information about the number of people that are eligible, the number of people that applied for this assistance. And I would be happy to answer any questions."

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

Parke: "Thank you, Mr. Speaker. Again, would the electrician come and look at my switch, my speak switch. I know it's a conspiracy, but I would appreciate it."

Speaker Hartke: "It's working."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

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

Speaker Hartke: "Sponsor will yield."

Parke: "Yes, Representative, this underlying Bill, the Bill itself does not seem to be something that's a bad idea. The only problem is, do you have any idea of what it's gonna cost the taxpayers at this point in time to do this?"

Brosnahan: "Representative Parke, the only thing I can tell you is that I've introduced this Bill in the past, this is, I think, the third or fourth time we've introduced it, so I have fiscal notes from '01, which is the last time we have.. I presented this Bill and the cost is..."

Parke: "Mr. Speaker, I cannot hear the Gentleman's comments. I'd like... I'd like to know what he's saying, that's kinda helpful."

Brosnahan: "I'll try to be a little bit louder. The... there's no fiscal notes that's been filed this year, but I've introduced this Bill in the past. According to the '01 fiscal note, they estimated that it would cost approximately a hundred and four thousand dollars per child to institute this Bill. And after talking with people in the Department of Public Aid and DHS, we believe that there'd be on average, on average, about four or five children a year that would be eligible for this. The thing to remember is sometimes maybe only two children would age out per year, but that's what the... the numbers that I had from the last time I introduced the Bill, which was 2001."

Parke: "Don't you believe that if we pass this legislation that more people then would take advantage of it? And if so,

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

why does the Department of Public Aid estimate that it'll cost the taxpayers about \$9 million annually? That's each and every year."

Brosnahan: "Well... and I've talked to the Department of Public Aid the last time this Bill was up, I think that number is greatly inflated. I can only do it based on what it would cost per child and when we looked at the numbers it said they would be four to five children per year that would age out, some of those would be two. So, I obviously don't agree with that number, I think it's a lot higher than it really is."

Parke: "Thank you. To the Bill. Ladies and Gentlemen..."

Speaker Hartke: "To the Bill."

Parke: "...the Sponsor's well intended, his idea is to solve a problem that we have, but I'll remind the Body that many times we all lowball the usage of a Bill until it actually goes in place and then we find out that it costs a whole lot more than was intended, but because the legislation's there, because it's interpreted by the agency that must administer it, we end up spending lots and lots of more money. The problem we're gonna be faced with all Session, Ladies and Gentlemen, is that we're all gonna have good ideas, but a lot of these are gonna cost money and at this point in time with the General Assembly needs to be cognizant of the financial problems this state has. It's gonna be difficult for us to vote 'no' on some of these things, but ultimately all of us had better start thinking about how do we pay for the programs we already have in

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

place? How do we take care of the elderly and the... and the... and the disabled and our education? How do we take care of all these expenses when we keep creating new programs that we don't have the money for? Representative, I... I... I sympathize with ya, I don't know how we're gonna do it either, but we are faced with the dilemma that this state could easily end up having another year with a decline in tax growth and then we keep expanding programs. So, all I can say is, you're gonna need to think hard and long on what we're voting for and what are we voting to pass. I appreciate the Body's indulgence."

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

Daniels: "Well, Mr. Speaker, Ladies and Gentlemen of the House, obviously what Representative Parke just said has a lot of truth to it, but I wanna commend Representative Brosnahan for the sponsorship of this Bill. Autism is a very serious illness that is receiving widespread diagnosis today. We need to pay attention to issues of this nature. And I will remind the Members of this Body that the founding member of the Republican Party, Abraham Lincoln, talked about helping people that cannot help themselves and doing for people what government can do. This is one of the things that government must do, we must be a compassionate and understanding government. Representative Brosnahan, it's a great Bill and I support your Bill."

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

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Brosnahan: "Thank you very much, Mr. Speaker. I appreciate the comments. I think one of the prior speakers mentioned cost and one thing that cannot be forgotten is that all these parents that have cared for these children at home and all the guardians that made all these sacrifices to keep these disabled children at home, they have saved the state millions and millions in dollars through the years. And this is what we're trying to do, we're trying to keep these families together. We're trying to thank them for all of the sacrifices they have made. This is a good piece of legislation and I think... I would definitely appreciate a 'yes' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 12?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Chair recognizes Representative O'Brien."

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

Speaker Hartke: "State your point."

O'Brien: "I would like to welcome back somebody to the chamber that most of you don't usually see me without too often, it's been a little bit of a change, and we are joined today

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

by former State Representative Julie Curry, who was nice enough to come down and visit me, 'cause she knows how lonely I get without her. So, if everyone could welcome Julie Curry back to the chamber."

Speaker Hartke: "Welcome to the chamber, Director. House Bill 53. Representative Lang. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 53, a Bill for an Act concerning criminal law. Third Reading of this House Bill. "

Speaker Hartke: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 53 comes out of a task force that I chaired on elder abuse and as we traveled the state we came up with many ideas to make it easier to prosecute crimes against the elderly. This is just one of those items and this is a very simple Bill, it allows senior citizens to have evidence depositions taken of them in places other than a courtroom. And the purpose of this is sometimes a senior is frail, they can't get there. Sometimes they're afraid because they're testifying against a family member or caregiver. This affords due process because in an evidence deposition questions are asked just like at a trial, there's cross examination, people have a right to be present. This just makes it a little easier for seniors to testify in elder abuse cases. And I would hope to get your support on this."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 53?' All in favor signify by voting 'yes';

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 55. Mr. Lang. Out of the record. House Bill 69. Representative Mitchell. Bill Mitchell. Out of the record. House Bill 81. Representative Flowers. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 81, a Bill for an Act concerning health care. Third Reading of this House Bill."

Speaker Hartke: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Most of you may of heard this Bill before, it's about emergency medical centers holding themselves out as emergency medical centers. And this Bill is merely saying that they can no longer say that they are urgent, emergent or give the impression that it is an emergency care center. And I'll be more than happy to answer any questions you may have regarding the Bill."

Speaker Hartke: "Is there any discussion on House Bill 81? Seeing no... Representative Black."

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

Speaker Hartke: "Sponsor indicates she will yield."

Black: "Representative, in the last decade or so there have been a number of these freestanding clinics in just about

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

every state in the union and they often use the word urgent care because they are open longer hours than a typical doctor's office. In fact, some of them have two shifts. Some of the nurses and doctors that staff an urgent care clinic may have somebody on duty 8 to 4 and may then have people on duty from 4 'til midnight. And I have never been confused by the word urgent and under the current trauma system in use in Illinois, no ambulance in the State of Illinois can take a patient to any facility not designated in the trauma system. So, if you... if you're new to an area and you look in the yellow pages, it's 7:00 at night and you don't feel very well and you see an urgent care clinic and you think that's urgent that you see a doctor that evening, why... why would we want the name dropped from urgent care to just simply 'physician's care' or 'medical care', which then may not let the constituent know that it is a place that generally is open after normal business hours?"

Flowers: "Well, Representative Black, I'm glad you asked that question, because urgent would give one the impression that if you have an emergency this urgent care center is a place where you can go to take care of your emergency. As a matter of fact, WBBM Channel 2 News in Chicago, Pam Zekman, did a special and it showed where two families lost their loved ones because they thought that this urgent care was an emergency place. And whereas, if you look on the website for this particular health center, it will tell you that this is not a place of an emergency, if you have an

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

emergency go to your nearest emergency room, hospital emergency room. But the average layperson does not know that, number one. Number two, their health care plan... in the story one of their... it was told that one of their health care plans told the patient to go to this urgent care center before they could go to the emergency room or the hospital. Now, here's a mother that was threatening a heart attack and she was sent home because she was misdiagnosed because this place that fans itself out as an urgent care center is, as you stated, Sir, it is a doctor's office that has two shifts, one in the morning, one in the afternoon. But it's not a facility, where as you stated, Sir, that a trauma cen... where an ambulance will take a person that was in trauma because it does not have the capacity to deal with traumas. So, for the average person, the average layperson that does not know that an urgent care center is not an emergency, this legislation is necessary. And further more, this legislation goes on to say that it will require health plans to provide to their enrollees with clear information about their rights and their responsibilities in regards to their primary care. And they do have a right to go to an emergency room without phoning first as a result of legislation that was passed in this House."

Black: "Well, I understand all of that and current law makes it very clear if you have called 911 an emergency response unit cannot take you to any hospital that is not designated

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

in the trauma system and that... that... that Act causes some confusion in Illinois."

Flowers: "But this is not a hospital, Sir..."

Black: "Oh, I understand that."

Flowers: "...this is, as you stated, it's a doctor's office."

Black: "I'm not arguing that point, I'm just, I think you're trying to split semantics."

Flowers: "I think it's the semantics that's..."

Black: "We've inve... we've invested 25... ya know, are we gonna have just a classroom debate here or are we gonna ask questions and get an answer? It don't make any difference to me, I can do whatever you want, Mr. Speaker. I don't need this microphone, you just tell me what you wanna do and we'll get it done."

Speaker Hartke: "Mr. Black."

Black: "All right. I'll ask the question and then she can answer it."

Speaker Hartke: "Yes."

Black: "Now, if we wanna get into one of those talking heads debate that's so popular on Sunday television, I can do that, too. All right."

Speaker Hartke: "Repre..."

Black: "This whole thing..."

Speaker Hartke: "Representative Flowers..."

Black: "...ought to take about three minutes."

Speaker Hartke: "...would you grant Mr. Black his request?"

Black: "Let me continue."

Flowers: "Of course, I will."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Black: "Current Illinois law, that we have worked on for more than two decades, makes it abundantly clear that if you call an ambulance you must go to the nearest trauma center. Now, don't think that that doesn't cause confusion among lay people, because they will tell the ambulance people, I wanna go to St. Mary's and the ambulance says, I can't take you to St. Mary's, that's not a trauma center. There have been cases in Illinois where that has led to a fist fight between the family and the patient because Illinois law clearly, any emergency medical personnel that responds knows that you can't take a person to an urgent care center. You can't take 'em to any hospital that isn't designated a trauma center. Now, if you do away with the word 'urgent care facility', which to me is clearly defined that I can go there after regular hours when I have a sore throat or a headache, in fact I have a headache today, if there was an urgent care center in the Capitol I'd go there. What word are you going to let them use? What are they gonna use?"

Flowers: "Representative Black, I'm like you, I'm not going to get into a shouting match..."

Speaker Hartke: "Shhh."

Flowers: "...or one of those talking heads..."

Speaker Hartke: "Shhh."

Flowers: "...I'm going to answer your question."

Black: "Well, that would be nice..."

Flowers: "And..."

Black: "...and might even be different."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Flowers: "Sir."

Speaker Hartke: "Mr. Black."

Flowers: "Sir. Now, as I stated, a ambulance would know that these urgent care centers are just doctors' offices, the average layperson who call their health plan and their health plan told them, well, go to this urgent care center, because it's open. They are under the impression that they have the wherewithal to take care of them and they do not. And if you were to go to their website, Sir, it would tell you and I don't have the information in front of me, but I believe it was, I don't wanna call the name of the health care plan, but if you go to the website it has a picture of a elderly man and one would assume his grandson and it uses the word 'emergency' on the picture, but if you look at the fine print at the bottom it will tell you that we are not an emergency care center. Now, we have debated this issue before and it has been stated and you made mention, Sir, that a person have gotten into a fist fight. Well, some people have not have the opportunity to argue with an ambulance person about where to take 'em because, like you said, an ambulance person will not take them to the urgent care centers or the emergency centers, they will take them where they know a trauma center is. But it goes back to the health plan, number one, and it goes back to the layperson who don't know that that urgent care center is not an emergency center and they... if they feel like they have an emergency, the law in which we passed on this House give them the right to go to an emergency room."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Black: "I... for the life of me, I don't understand how this Bill is going to enhance anyone's right to go to an emergency room."

Flowers: "Becau..."

Black: "I'm mean, that's inalienable. I... is this Bill in response to a problem or is it a Bill searching for a problem?"

Flowers: "Representative, since you asked the question, this Bill is in response to a problem. You cannot call yourself what you're not, either you are or you are not. And you used the word semantics, if you look up the word 'urgent' or 'emergent' you... one will give the connotation that it is an emergency. And this is a word game, a word game that costs people their lives. So, we're saying to the Department of Public Health, you set forth the rules and the guidelines, but these doctors' offices cannot hold themselves out to be what they're not. This is misrepresentation to the public who do not know."

Black: "All right. So, the rule that... to be promulgated, I'm looking at your Committee Amendment, the rule to be promulgated as to what these clinics can call themselves will be determined by the Department of Public Health. Is that your intent?"

Flowers: "That's exactly what it says."

Black: "Okay. All right. Just for purposes of my intent, Representative, access to an emergency room doesn't guarantee that you aren't gonna die. I've had family members of mine who were rushed to a trauma center, an

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

emergency room and they never came out. I don't think there's a real significant problem in distinguishing between trauma care in a credited emergency room trauma center system and what has been a new development in group practice, and that is a group of doctors going together and creating what some call urgent care, some call after hours clinics, whatever. I don't stand in opposition of the Bill, I was just, in all honesty, trying to figure out why we were changing something that I... in my experience have not read anything about or heard anything about, you said it's in response to a problem, your word is good enough for me. Thank you."

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

Flowers: "Mr. Speaker and Ladies and Gentlemen of the House, I would urge for the passage of House Bill 81."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 81?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Backing up one, House Bill 69. Representative Mitchell. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 69, a Bill for an Act concerning state facility closure. Third Reading of this House Bill."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Speaker Hartke: "Representative Mitchell."

Mitchell, B.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 69 simply creates the State Facility Closing Act. It requires that an economic impact study be submitted to the General Assembly by state agencies either seeking to close a facility or layoff less... the lesser of 50 employees. It also has a second component which says once a facility has been closed and the executive branch decides to open a facility that those facilities that have been closed would get consideration on the opening of a new facility. Quite simply, this is just trying to reassert our constitutional obligation to get more involved in the process and not give the chief executive all the authority."

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

Watson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This... this is a Bill that affected quite a few of our... this will address some of the things that affected quite a few of our districts. I think it's important that in this fiscal crisis that we're under that we manage our assets better and it does not make any sense to open up new prisons when we are closing other prisons. And this Bill is one that I certainly... is popular in my district. Green County lost a boot camp. It's per capita income is 100th out of 102 counties. Had this Bill been in place, we may have had a different outcome. I ask for your support."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

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

Parke: "Mr. Sponsor, would the... Mr. Speaker, will the Sponsor spiel?"

Speaker Hartke: "Sponsor will yield."

Parke: "Representative, what's the big picture on this legislation? Can the CEO of the state, our Governor, close a facility or semi close it once this legislation has passed without this impact study?"

Mitchell, B.: "Yes."

Parke: "Then what..."

Mitchell, B.: "Could you repeat your... I can't hardly hear."

Parke: "I said, can't... your legislation say that if you're gonna close a facility that there has to be a fiscal impact done on it?"

Mitchell, B.: "There has to be an economic impact study, that's correct."

Parke: "Before it's closed?"

Mitchell, B.: "That is correct."

Parke: "So, we're gonna tell the executive... the CEO of this state, the Governor, that he doesn't have the right to close anything without an impact statement?"

Mitchell, B.: "That is correct. We're just asserting our constitutional responsibilities, Representative, as a coequal branch of government. I think in the past we've delegated too much authority to the capriciousness of a chief executive. This is just, again, reasserting our right as a coequal branch of government."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Parke: "Who's to do this, who do you want to do this impact? Are you gonna ask the Economic and Fiscal Commission or are you setting up another group or...?"

Mitchell, B.: "Certainly, we in the debate in committee, which it was passed unanimously, Representative Smith suggested that we possibly wanna might have a legislative... a Economic and Fiscal Commission do that."

Parke: "Okay."

Mitchell, B.: "And they said that they... we checked with them, they said that we could do it. So, what we might wanna do is amend over in the Senate to that effect."

Parke: "Do you have a timeline of which this must be done and a timeline in which they're... are you requiring the Governor to give a response in writing to... once the statement's made does he have any obligation other than to take one look at it, put it down, say, okay that's interesting, now close it. Is there any..."

Mitchell, B.: "The way..."

Parke: "...anything in there?"

Mitchell, B.: "Pardon me. The way the legislation is written it'd be presented to the General Assembly no later than three months prior to the planned implementation of the facility closing or layoff."

Parke: "So, the Governor must wait three months after the study is done before he has the right to close it?"

Mitchell, B.: "Again, the point of this legislation is to reassert to work as a coequal partner in determination of what facilities are closed or not. We have to look at, for

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

instance, and this is not a Bill directed toward Lincoln Developmental Center, which is in my district, or Green County or Sheridan or anything else. But I would refer to the Springfield paper today, in a little town of Lincoln, Illinois, about 15 thousand people, we closed a facility, 700 people it employed several years ago, closed it and now the economic impact is still being felt on that community. There is an article in the Springfield paper where people who supplied it in the private sector are going out of business because they have no longer that facility. It's just trying to give this General Assembly more information before we close a facility and how it will affect the economy of communities."

Parke: "I have... I have a respect for that. I think that any time you have a major employer in a small town and it closes that it will certainly have an impact. I'm just trying to understand what the respon... I mean I understand the intent of the legislation, I just wanna talk about the factual part of it, what happens. Does it... is it... there's no binding responsibility from the Governor once it's passed and once the impact statement is filed, is there?"

Mitchell, B.: "That is... there is... that is correct."

Parke: "And so what does it do, it gives the legislative branch a tool in which to talk to the Governor and discuss it?"

Mitchell, B.: "Sure, like before we make a decision. It certainly... it gives us more information and information, in my opinion, is very important. So, it slows down the process so the government can't unilaterally... the chief

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

executive of the state unilaterally close facilities without looking at how it'll affect the economy of an area."

Parke: "Thank you. To the Bill. Ladies and Gentlemen, I commend..."

Speaker Hartke: "To the Bill."

Parke: "...the Sponsor on this legislation. It doesn't sound like it's punitive. It doesn't sound like it actually slows down the Governor or the executive director of the state, whoever holds that seat, but it does allow us to remind everybody that there is a separation of power, that in fact the Legislature does have a responsibility to its citizens and that the executive branch of government must be responsible to the representative branch of government. And I commend the Sponsor and I rise in support of this legislation."

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

Leitch: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I have all the respect in the world for the Sponsors of this Bill and for their concerns and for their reaction to the recent closures of Lincoln Developmental and Zeller and the others, but I don't think that those examples necessitate this kind of a law. I think it is a very, very difficult thing for the Governor and for an administrative branch to make the kinds of reforms that need to be made over the course of an administration. I think it is very, very difficult for an

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

administration to close obsolete facilities or to make initiatives which require changes into new and often more modern, more cost-effective, more rational systems for delivering services. As a result, I think it would be a very, very big mistake to handcuff the Governor, to put a restriction on the Governor and make the situation even more difficult for this Governor or future Governors who have to make very tough, critical decisions to be hamstrung by the impact of this Bill. So, as a result, Mr. Chairman and Sponsors of this Bill, I have great respect for your intent and for... great sympathy for the hardship that's been worked in your districts, all of our districts frankly, but I do not believe that we should be requiring the Governor, the administration to go through this process. And I would urge a 'no' vote on this measure. Thank you."

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

Mitchell, B.: "If I could address my friend and colleague from Peoria County, this legislation doesn't hamstring the chief executive of the State of Illinois. If the General Assembly would like to waive that economic impact study, this legislation gives both Houses the opportunity to say, okay, we're going to waive that requirement. I would, again, stress that this isn't a situation unique to Lincoln Developmental Center, although Logan County has been grievously affected economically by the closure, or Green County or Sheridan. This is just to reassert the constitutional obligation that the General Assembly has a

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

process to play, a coequal process to play. We aren't going to abrogate our responsibility to the capriciousness of a chief executive. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 69?' 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? Representative Flowers. Representative McGuire. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 99 Members voting 'yes', 15 Members voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 99. Representative Boland. Out of the record. House Bill 130. Representative Parke. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 130, a Bill for an Act in relation to trust. Third Reading of this House Bill."

Speaker Hartke: "Representative Parke."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I present for your consideration House Bill 130. This has been brought to me on behalf of a trust attorney who has worked with numerous families who, as many of us had, have had a pet that we dearly loved. As one lady in my district calls her pet is her 'fur baby' and in effect many people love and care for their pets and our concern, especially if they're elderly, that the well-keeping of that animal when they pass on. My legislation establishes in Illinois along as it's been done, I believe in 19 other

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

states, to establish a trust, so that in fact these animals will be protected for that, money will be set aside. And we think that this is a good public policy, a good idea and people... it gives the citizens of Illinois a sense in well-being that if they're around they will care for their animals, their pets, but if they're not around that in fact through a will that those animals will be taken care of. And... so I would ask that you consider allowing the discussion on this to be continued in the Senate and ultimately, I think, we'd like to join the 19 other states in making sure that trusts can be established for those animals."

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

Black: "Thank you very much, Mr. Speaker. You know I'm just an old country boy and I've had a lot of dogs, I love my dogs. My good friend across the aisle is a suburbanite, I don't know if he's a dog lover or cat lover or what. I wanna... Would he yield for some questions?"

Speaker Hartke: "Mr. Parke, would you yield? He indicates he will."

Black: "Thank you. Representative..."

Parke: "Mr. Speaker, if it was anybody else..."

Black: "Representative, you aren't... this isn't anything that's gonna be kicking my dog around like we had a couple Bills last year, are ya?"

Parke: "No, this is your dog and that dog won't hunt."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Black: "Well, I'll guarantee ya the dog won't hunt, but... well, it can, it can hunt a place to sleep and it does a couple other things we won't get into, but what... if I wanna provide for my dog after my death and I got a vision of my death just about six or seven minutes ago from another Representative, so I can setup a trust and then my dog is taken care of. My spouse won't be able to break the trust?"

Parke: "No, that's not true..."

Black: "Oh, darn."

Parke: "...and quite frankly, it could be reviewed and if the court deems it unreason... if somebody leaves a million dollars to their cat, I think, maybe the beneficiaries might have some recourse by going to law. We've tried to structure this in a way that's reasonable. It's a commonsense thing that... that a judge determines that this is common sense that this is not overly burdening..."

Black: "All right."

Parke: "...the beneficiaries, that in fact it'll hold up."

Black: "Well, Representative, I stand in support of your Bill and as I've said every year that I've been down here and I would say to my new colleagues, if you're gonna be in the business of politics and you wanna friend, a real friend, a true friend, always glad to see ya, always gonna welcome you home no matter what kind of vote you make, then you better run out and get a dog because it's that dog that's gonna stand by ya. And this isn't any dog Bill and this isn't his first Bill. He's had some dog Bills, but this is

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

a good Bill. And on behalf of my dog, Emmylou Harris, named after my favorite country and western singer, Sir, I rise to thank you, because without a trust I wouldn't trust my surviving spouse to make sure the only Ken-L Ration is fed to my dog and a treat given after every walk and that the pooper scooper is cleaned up after every walk. I say again, the only friend you have in this business is your dog, you take care of your dog and your dog will take care of you."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass House Bill 130?' 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. Wirsing. Barbara Currie. Mr. Clerk, take the record. On this question, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 138. Representative Franks. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 138, a Bill for an Act in relation to counties. Third Reading of that House Bill."

Speaker Hartke: "Representative Franks."

Franks: "Thank you, Mr. Speaker and Members of the General Assembly. House Bill 138 was amended and it passed committee unanimously. And what it does is it allows counties that have multi member districts for their county board members to allow cumulative voting if that's what the

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

board would like to do. It also allows for advisory referenda dealing with the structure of the county board, how many members, whether they'll be elected in single member districts, or multi member districts or whether cumulative voting rights would be allowed. With the Amendments, Metro Counties, which originally opposed it, has gone neutral and I'd be glad to answer any questions."

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

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

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

Parke: "Yes, in essence, this whole structure that you put forth must be front door referendum and the taxpayers of that county must vote for it."

Franks: "Yes. That's after the... it's been placed on referendum."

Parke: "So, that means that the board's gotta vote... that county board's gotta vote to put it on referendum. So, you're going to get the approval of the county board and if it passes, then you get the peop... the vote of the people."

Franks: "No. What it does is there's an advisory referendum, it's not binding. So, the citizens can put an advisory referenda on the ballot, that way. Yet, they don't need the county board's approval to get the advisory referendum on the ballot."

Parke: "And then you're going to... of course, then you'll have a mandate by the people to put in... to be dealt with by the board."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Franks: "Right."

Parke: "Can they put it back out in a binding..."

Franks: "No. This does not allow for that. But, what this does is it allows the county board to provide cumulative voting if it so chooses. So, if there's a mandate by the people, the county board would then have the opportunity to implement that if they so chose, but we're not mandating the county board do that."

Parke: "Well, quite frankly, I like the idea of cumulative voting and I think that that's something... do we on the cumulative voting, on your structure, are you... are you doing any provision for a party differences, that if you're gonna have three people running in the same thing, do they have to be from... two from one party and one from another or is it not under that concept?"

Franks: "No."

Parke: "Would it be nonpartisan elections?"

Franks: "Right, they're nonpartisan unless they choose to be partisan and identify in a primary. I tell ya, in McHenry County, where I live, it's partisan primaries and it would be cumulative vote both in the primary and the general."

Parke: "Okay, if it's partisan in McHenry, how many seats will be in each entity?"

Franks: "Well, as it's set up now, Representative, there are six different county board districts with four members in each. And one way to defeat this, quite frankly, if they don't want to do this, is to go to single member districts."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

This only deals with those counties that have multi member districts."

Parke: "Okay, but there's no stipulation that there needs to be at least one minority party member of the four that are running?"

Franks: "No, not at all."

Parke: "The concept of... in my opinion, of cumulative voting is that you get a representation on behalf of all interests. It would seem to me that would be the concept, that citizens of this country would want, is that if we're gonna allow more than one person to represent the area, there should be some diversity in those people, such as we had here 20 years ago when we had to have three... two from one party and one from another, so we got a diversity of thought and representation from the whole entity that they represented."

Franks: "I believe this will do that for this reason, I'm not looking at it partisanly as you may be seeing it, you know, Republican and Democrat thing. But where I live, we're the fastest growing county in the state, or one of the two fastest growing, depending on the census. And, some of these small towns like Harvard, which is a small farming community, is paired in the same county board district with Lake in the Hills, a portion of it, which is the fastest growing city in the State of Illinois. So, what I'm worried about are these people who live in the smaller towns aren't gonna be able to have any representation locally on the county board, since they're not single

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

member districts, and everybody from Lake in the Hills could get elected and nobody who represents a farming interest in Harvard would have a shot."

Parke: "Well, that's kinda my point, then. There oughta be some way that you have a diversity. There oughta be some stipulation that one member of that cumulative board should be from a community of less than a thousand people or something."

Franks: "Well, they could do that by doing it by single member districts. But, unless they... but see the advisory referendum that we're allowing here as well, it may be that the citizens choose to have single member districts and that would take care of it. Ultimately, I think that would be the best deal, but since we have multi member districts this is one way to help level the playing field."

Parke: "Well, I understand what you're trying to achieve and I'm gonna vote for it, but I really wish there was some way in this legislation that diversity of interests would be protected. To me, I think, that's what we should go back to here in the Legislature, because if you're a liberal and you're pushing a strongly, a liberal agenda in certain Legislators' districts, that may not happen. And if they're a conser... if they're a liberal and you're a conservative pushing your agenda, you may not have that happen. So, I appreciate what you're trying to do, but I have a little reservation to make sure that the interests of all citizens are trying to be protected as much as possible."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Franks: "Thank you."

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

Poe: "Mr. Speaker, will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Poe: "We've had this conversation in the past. Now, Sangamon County is a single member district county board, will this Bill in any way affect them?"

Franks: "No, it will not affect any counties that have single member districts. This only deals with counties with multi member districts."

Poe: "This would not allow someone to petition the county board and have consolidation in two districts."

Franks: "No, Sir, because it only deals with multi member districts."

Poe: "Thank you."

Speaker Hartke: "Further discussion? Representative Kurtz."

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

Speaker Hartke: "The Sponsor will yield."

Kurtz: "In McHenry County, the districts are elected... it's a four-member district and cumulative voting already exists because you can give one vote instead of using your four votes. Anyone that is dynamic and hardworking, Independent, a Democrat, or a Republican can be elected. Representative Franks just mentioned that we are the fastest growing and we are already are very diverse. My point is that Representative Franks is an example of a smart, charismatic person who did win three times. So this

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

is not impossible and I find this Bill not pertinent to our great needs in this floor."

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

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

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

Pankau: "Jack, I just have some questions about how this would actually work. DuPage County right now has multi member districts, six districts, three members in a district, eighteen members total, on the county board."

Franks: "Yes."

Pankau: "The cumulative vote... if I wanna right now, if I'm in county board district one and I wanna strongly support one candidate, although I can vote for three candidates, I would just vote for that one candidate.. "

Franks: "Right."

Pankau: "John Smith... "

Franks: "Right."

Pankau: "Whoever his name is."

Franks: "Right."

Pankau: "And not vote for the others."

Franks: "Right."

Pankau: "Does your Bill, by allowing cumulative voting, allow... well and by doing that, the person, John Smith, gets a vote but the others don't."

Franks: "Correct."

Pankau: "So, we call that bullet voting."

Franks: "Right."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Pankau: "Rather than cumulative voting. Would your Bill allow me to vote for John Smith somehow three times?"

Franks: "Yes."

Pankau: "And how would that be done, on the ballot itself or by the Board of Elections, or what?"

Franks: "I'm not sure... "

Pankau: "How does that work?"

Franks: "I think they're doing it in Peoria, right now, if I'm correct. I think it's one other jurisdiction that's doing it."

Pankau: "Okay."

Franks: "And I... However, they do in other ones; I know they've been doing it other places. And, I'm not sure how to answer this. I'll let the election boards decide how they want to do it. I know how we do it, you know, when it comes to corporate boards, if you've ever voted. I don't know if own stock, but oftentimes you're able to vote cumulatively and I sit on a few boards."

Pankau: "I don't own that much stock, Jack."

Franks: "Okay. 'Cause I do that when I get my proxy and I'm able to vote cumulatively, you know, for one person."

Pankau: "Okay."

Franks: "So, there's mechanisms out there. I'm just not sure which one the Boards of Elections would choose. We'd leave it up to them how they'd wanna choose to do it."

Pankau: "Okay. Maybe just for my own education, could you kinda find out how that would work and we can just talk later?"

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Franks: "Sure."

Pankau: "Thanks."

Franks: "Sure, I'll do it. Thank you."

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

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

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

Black: "Representative, Let me ask you one question and I don't know the answer. We're in a budget crisis and we don't have a staff attorney in the true sense of the word, and the statute books behind me are just fakes. We can't afford to by real statute books. Is it permissible under the 1970 Constitution to have cumulative voting for any office in the State of Illinois?"

Franks: "What I'm told and I'm not... what I've been told is that the counties don't have that ability unless we give it to them, at least at the county board level and that's why I'm introducing this. And we're not mandating it, as you know, we're just giving them that opportunity if they so choose. But I'm told that the counties presently do not have that ability."

Black: "So, I don't see in this Bill, correct me if I'm wrong, where you specifically give the county the ability to go to a cumulative voting system. It appears to me that it's an advisory referenda on the question. Now, is there language that I've overlooked that says, if the referenda is successful that we then in this Bill give them the explicit

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

statutory authority to engage in cumulative voting, which we of course outlawed in the case of the General Assembly in the 1970 Constitution?"

Franks: "Representative, the Bill has been amended."

Black: "Okay."

Franks: "And the Amendment indicates that this would be advisory referenda. However, if you look at Section 2-3003, the Apportionment Plan, it says in there the county board can also determine whether voters will have cumulative voting rights in multi member districts. So, what we'd be doing is giving the county board the ability to make that decision on their own if they so choose. But presently, I'm told, they do not have the ability to provide cumulative voting rights for a county board race."

Black: "So, in your opinion then you think that the underlying Bill gives, if not explicit authority to have cumulative voting in the county board districts, it would then give them implicit permission to do so?"

Franks: "It would... I would think it would... I believe it would give them... the intent and I believe how it's drafted will be permissively give the county board to provide cumulative voting rights if it so chooses. And also it would provide concurrently the ability for the citizens to put an advisory referenda on the ballot."

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

Franks: "Sure."

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

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As I think was referenced earlier in the debate, the city council in Peoria, and the park districts, and the other municipal corporations in Peoria do have cumulative voting. The cumulative voting arose as a result of a court ordered agreement which was agreed to by those parties. I would have to tell you that I think there, at least in the part of many citizens, is a very great dissatisfaction with the cumulative voting process because the practical effect of cumulative voting is to encourage very single interests and very much special interests candidates to pursue election and by virtue of their supporters being able to cast this cumulatively weighted vote, I think enables the process to be upset and to be distorted by virtue of this means of enabling single interests and special interests groups from getting successfully elected to these positions. It also has the impact of having the more moderate, the more global candidates, if you will, having a tougher time to overcome the impact of this cumulative voting. For that reason I would encourage a 'no' vote on this measure because I think that this has the ability to distort and to exaggerate single and special interests over the general interests in communities. Thank you."

Speaker Hartke: "Further discussion? No one seeking recognition, Representative Franks to close."

Franks: "Thank you. And I appreciate the thoughtful debate on this. And in all due respect to the last speaker, this Bill really isn't about whether you're for or against

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

cumulative voting. What this Bill is about is to allow people to determine how they wish to choose their representatives, and whether they wish to choose cumulative voting. This would just make it permissive. We're not mandating it; this is just giving people the right of self-determination. So, I'd ask for your 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 138?' 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? Representative McAuliffe, Representative Giles, Representative Black. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 73 Members voting 'yes', 40 Members voting 'no', 1 Member voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Lindner. House Bill 135. Representative Lindner. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 135, a Bill for an Act concerning appropriation Bills. Third Reading of this House Bill."

Speaker Hartke: "Representative Lindner."

Lindner: "Thank you, Mr. Speaker. This is a Bill that I have had three times before and it has passed the House unanimously in the 90th and 91st and the 92nd General Assembly. It's the agency budget Bill. We have all felt disenfranchised by the budget process here and this would.. this Bill would say that we should do the budget agency by

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

agency instead of in one omnibus, over a thousand page Bill. I would ask for an 'aye' vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 135?' All in favor signify by saying... voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Churchill. Representative Washington. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 Members voting 'yes', 1 person voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 194. Representative Eddy. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 194, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hartke: "Representative Eddy."

Eddy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 194 is a Bill that very simply changes the way in which the school district seeks reimbursement for drivers education expenses. It's a simple change that allows the chief administrator of the district or the authorized drivers education personnel, instead of the president or acting president of the school board, to submit, by signature, those drivers ed reimbursement expenses. It just eliminates the need for that school board president to sign that report. Currently, it's necessary often to find that school board president, have

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

them sign that reimbursement and send it in. This would expediate the process and eventually allow for data reports to become electronic and those data reports to be much more quickly gathered by the State Board of Education for analysis. I would be happy to answer any questions related to House Bill 194."

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

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, I... I... let me ask you one question for the record. I sit on the Conflict of Interest Committee. Do you now or have you ever taught driver education?"

Eddy: "No, Sir."

Black: "Are you... are you sometimes in the employ of a school district?"

Eddy: "Yes."

Black: "Would your job be or has it ever been to sign these certification forms?"

Eddy: "For drivers education?"

Black: "Yes."

Eddy: "At this time, that's not my job, it's done by the school board president."

Black: "All right. Now that we've cleared that up, let's... let's move to the issue at hand. Why is the school board president required to sign a report that certifies that the

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

driver education student has, in fact, completed the course and the school needs to be reimbursed?"

Eddy: "The school board president actually doesn't sign that the student has completed the course. The school board president signs a reimbursement form, which is really nothing more than attendance and expenses gathered and put into a form by the drivers education teacher and then reviewed by administrators, it just adds a step to the process. The board president doesn't actually verify that the student has completed the course, only the expense part."

Black: "Well, who... who then actually certifies to the state that the student, in fact, completed the course and that reimbursement now needs to be paid?"

Eddy: "The drivers education instructor certifies to the state that the student has completed the course. This is merely for the reimbursement of expenses to the school district they have incurred while teaching the course."

Black: "All right. If... if the reimbursement claim turns out to be inaccurate, that's a kind way... kind word, who then is held responsible in the school district?"

Eddy: "The false record is the responsibility of the person who submits that false claim at this time and that would continue and the penalty is a fine equal to the amount of the sum falsely claimed."

Black: "So, the person that would be held responsible, if I heard you earlier, would be the teacher of the driver education class?"

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Eddy: "At this point, the person who signs that claim form and verifies it is the school board president. So that person, at this point, would be held responsible."

Black: "All right."

Eddy: "This would shift that responsibility to the chief administrator of the school district or to the drivers ed personnel."

Black: "In other words, we're... we're eliminating the liability of higher paid administrative personnel and putting all of the liability and blame on the poor driver education teacher."

Eddy: "Actually, this Bill eliminates the liability to the school board president and... which now has that liability and shifts it to either the school board CEO or the drivers ed personnel..."

Black: "All right. Okay."

Eddy: "...depending on what the district wants to do."

Black: "Is... is the person who signs the reimbursement form, would that be a bargainable issue in most district contacts?"

Eddy: "No."

Black: "So, you're not willing to bargain the issue."

Eddy: "No."

Black: "Is that what you're saying?"

Eddy: "No."

Black: "Certainly an enlightened attitude in the twenty-first century. Let me ask you another question."

Eddy: "Yes, Sir."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Black: "How much does drive... when driver education started and that goes back... Ya know, when I got out of high school we didn't have driver ed. How much does that cost?"

Eddy: "Drivers education?"

Black: "Yeah, how much does it cost a school district? I mean, it surely isn't free, I mean, the state doesn't reimburse you for the total cost. Correct?"

Eddy: "However, the cost does vary from district to district as personnel costs is different in some districts than other districts, districts in some cases do not require more than the minimum six hours of driving time and in... in... ya know, it's very difficult to say exactly how much... what an average would be, it's a varying amount, but it is a reimbursable expense."

Black: "In the... we... we had a Bill last year, Representative Berns sponsored along with Representative Currie, and it was at the request of the Amish community to levy a horse and buggy tax on damage that the horses would do to township roads. Now, if there is a school in the Amish district, do they still have driver ed or do they have a course in rules of the buggy? Are they treated differently?"

Eddy: "I would assume that it's not possible to receive a drivers education certification to drive a vehicle if what you're practicing on is a horse and buggy. So, I doubt that those... and this Bill, by the way, would not affect that since there is not a horse and buggy expense

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

reimbursement claim form at this time that the state deals with."

Black: "Well, let me ask you this question. Would it... would it be a financial advantage to the state and to the taxpayers of the state and to the school districts of the state to just eliminate driver education as part of the curricula in the K-12 unit district?"

Eddy: "In my opinion, no, it would not be."

Black: "Well, are you saying that you're opposed to the recent changes we've made to the drivers license law about the graduated drivers license law where parents have to certify that they have 30 hours behind the wheel with their child, there's a curfew restriction on young drivers, there's currently a number of passengers that you can carry as a young driver? You're not in favor of all those improvements that recent secretaries of state have made in the drivers license law?"

Eddy: "No, Sir, I'm not saying that at all. In fact, I am in support of those measures and it helps... the more driving time a young person has with their parents and others, responsible adults, the better and the 25 hours that's currently in the law, it was a good addition to those requirements."

Black: "Do you have children approaching their drivers license age or are they already beyond that age?"

Eddy: "I personally have two children who are of driving age and three daughters who will be driving at varying stages in the future."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Black: "Uh oh. Should not you then recuse yourself from this Bill since you have three children that will be going into the driver ed curricula at some point in the future?"

Eddy: "I don't believe so. I think that this Bill is intended to make simpler the life of a school board president and allow an expiation of a process that will eventually be allowed on the Internet."

Black: "Thank you very much, Representative. I think... Mr. Speaker, to the Bill. The Gentleman..."

Speaker Hartke: "To the Bill."

Black: "The Gentleman just answered the question, I think, inadvertently. He said, to relieve pressure on the school board president. That person runs for that job, he goes out and asks for people to elect him to the school board, knowing that he has a job to do, he or she, when they're elected to that board and part of that job is to certify the driver education reimbursement form. Now, here we go again, no responsibility on behalf of elected officials. Let's pass it down the line to the driver ed teacher, who probably isn't even on tenure and files a claim mistakenly and will probably be fired as a result of that action. That school... that school teacher who's teaching driver ed didn't ask for this responsibility, this Representative has the unmitigated gall to come before the chamber and insist that the school board president be absolved of any responsibility and let's put it on the teacher. Well, I've had enough of that. I taught school for 20 years. It's time to stand up for teacher rights, driver education

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

rights, the rights of those learning to drive, the rights of the taxpayer. I'm not here to protect the rights of the school board president, that's their job, that's what they run for. Vote 'no'."

Speaker Hartke: "Further discussion? Chair recognizes Representative Mitchell, Jerry Mitchell."

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

Speaker Hartke: "Sponsor indicates he will yield."

Mitchell, J.: "Representative Superintendent Eddy, now you know why we call 'em Bills, because if they're called Bills then Bill gets to talk about every Bill. But I do agree with him in one... one regard, this seems to be a little bit of a power grab. Is there any way that you could possibly get some extra credit favors from the drivers ed teacher or give some kind of additional duties because they now have more authority then they had before with the requesting funds from the State of Illinois?"

Eddy: "No, I don't believe so. In fact, the Bill does allow for either the school superintendent or the drivers ed personnel to sign the reimbursement claim form, so it isn't necessary."

Mitchell, J.: "All right. You kinda lowered your voice there, I'm close to ya, but I still can't hear ya."

Eddy: "Okay."

Mitchell, J.: "Well, you and I share some experiences along the line of education and I think we both know that it's 25 hours and not 30 hours as my mistaken colleague did say,

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

but that's okay. I really just happen to know this because my daughter got her drivers license Monday and I had to sign all those forms myself. My question is, since I'm required now to drive with my daughter for 25 hours in my vehicle with my gas, can I then claim... send a reimbursement claim to the school district to get part of that money that was in the drivers education program since I'm now doing some of the teaching?"

Eddy: "No, Sir, this Bill does not deal with that. No, Sir."

Mitchell, J.: "Well, I know it doesn't, but I just thought with your expertise maybe you'd know that answer to that."

Eddy: "No. No, you cannot."

Mitchell, J.: "Is there any truth to the rumor that... that you've ran this Bill because you're sick and tired of stomping through the fields in the spring and getting your shoes all muddy trying to find your board president so you can get his signature?"

Eddy: "There's no truth to that rumor, whatsoever."

Mitchell, J.: "Okay. Is there any truth to the rumor that this is your first piece of legislation on the House Floor?"

Eddy: "That is not rumor, that is fact."

Mitchell, J.: "Ladies and Gentlemen of the House, I hope you heard the Representative, he did agree that this is his first piece of legislation just... just in case you were wondering. Unlike my colleague before, I do think it's a good piece of legislation and I certainly understand being in the shoes that you now fill why you would like to be able to just go ahead and sign the reimbursement claim

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

yourself or your trusted teaching staff so that you don't have to track down and maybe delay that... that particular piece of reimbursement information by three or four days if your superintendent happened to be in Hawaii on vacation, I mean your board president. Thank you."

Eddy: "Thank you."

Speaker Hartke: "Further discussion? Chair recognizes Representative Davis. Monique Davis."

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

Speaker Hartke: "Sponsor will yield."

Davis, M.: "Representative Eddy, would you... did some board president ask you to carry this Bill?"

Eddy: "No, Ma'am."

Davis, M.: "Could you tell us where the Bill originated?"

Eddy: "The Bill originated with a request from both the State Board of Education and fellow superintendents who feel that this would expediate a process and allow the very timely collection of data and kind of eliminate a burden on folks who volunteer their time to serve their school district."

Davis, M.: "Well, Representative, if the president of the school board is the person who currently submits this information and we change it to driver education personnel, do you know how many people that is in Chicago that you... that they would be getting reports from? There are over 600 schools in Chicago and it is inherent in a board president's position that official documents that create reimbursement should come from his authority as a

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

president. If you're a drivers ed instructor, you may not even really be aware of the ramifications of what you're reporting could mean."

Eddy: "At this time, the form is filled out by those same people that you're speaking of, drivers education teachers routinely fill those out, administrators routinely check those figures and in most cases the board president just signs for that form. And it is one of just a few forms that the board president has to sign for in that manner, many other expense reimbursement forms do not require, at this point, the signature of the board president. And this would kinda fall in line with that idea of not putting him in that position."

Davis, M.: "For example, who would be... who is the chief school administrator for the districts, who are they?"

Eddy: "Superintendent."

Davis, M.: "So, that person could submit the information or the president of the school board?"

Eddy: "The superintendent is the chief school administrator, the building administrator would be able to be the chief school administrator or in this Bill the drivers education instructor themselves, that usually fill the form out, would be able to sign."

Davis, M.: "Well..."

Eddy: "It would eliminate the school board person."

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

Speaker Hartke: "To the Bill."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Davis, M.: "I'm not sure if Representative Black was sincere, but I do know that I agree with him that the personnel of driver education programs in no way has the same authority as the president of a school board or the CEO of a school board. Knowing that Representative Eddy has the best intentions, I think this issue is much too serious for us to willy-nilly turn it over to education... authorized driver education personnel who are... Who will do this if it's a private company... Yeah, I'm choked up over this. Who would do this, Representative, if it's a private company that's offering drivers ed?"

Eddy: "Excuse me, this Bill does not deal with private companies, it deals with school district that are under the State Board of Education."

Davis, M.: "But the report that's being made... listen carefully now, this report that's being made is required regardless to who does the drivers ed training. In other words, if Sears provides drivers ed for a district."

Eddy: "The chief school administrator would have to verify the figures for the reimbursement in that case and sign that if they're running the expense reimbursement through a school district."

Davis, M.: "Are board presidents so very busy that they cannot take on this duty that is inherently theirs? Are you saying that they are now so busy doing so many things they cannot continue to do what they should do?"

Eddy: "Representative, I have a great deal of respect for the work that state school board presidents do across the state

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

on a volunteer basis, it takes many, many, many hours of volunteer time. I know they're busy people, in many cases they have families, they have business interests, they have other obligations. I certainly think that this would allow them to have that burden lightened just a little bit and still be a very good way that the data could be collected in an expedient manner by the State Board of Education and reimbursement could take place."

Davis, M.: "With all due respect, I urge a 'no' vote. I don't think we should remove authority from board... board... school board presidents. They have not signed on as proponents of this Bill and I don't think we should remove their authority on such an important issue and especially when it takes into consideration the attendance. Isn't that right?"

Eddy: "Yes, Ma'am."

Davis, M.: "And schools are reimbursed based upon attendance of students. Now, the... the... the granting of this to people who teach drivers ed, who could be a coach or what have you, they may not be aware that the attendance is significantly important when the state's gonna reimburse you based upon the attendance."

Eddy: "And that's my point exactly, the person who does the attendance is the drivers education teacher and there's no better person to verify that attendance on that form than that teacher supported by the chief administrator. So, the school board president really does not have the same direct

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

knowledge as the teacher, so I agree with that and that further strengthens this Bill."

Davis, M.: "But I think currently the personnel provides the information to the school board president and the school board president submits the information to the state board and I really don't think we should change that. There would be so many different reports coming in, especially from Chicago, there are over 600 schools, and you would probably get almost 600 reports. It's too much, it's too many and it also doesn't say what will be the penalty if they lie. What will be the penalty?"

Eddy: "The penalty's in the Bill and those people that are currently in those 600 school districts filling out the report likely will be the same exact people, it'll just be a different person signing the report. The penalty is in the Bill and it very simply states whoever submits a false claim under the Drivers Education Act and makes a false record upon which a claim is based shall be fined in the amount equal to the sum falsely claimed. So, that is the penalty, Ma'am."

Davis, M.: "Well, until I hear from some board presidents I would be fearful of taking their authority from them. This is administrative duty and authority to board presidents and we should not take away their power. Therefore, I urge a 'no' vote."

Speaker Hartke: "Further discussion? Chair recognize Representative Winters."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Winters: "Thank you, Mr. Speaker. The Sponsor had better yield."

Speaker Hartke: "He'll yield."

Winters: "Excellent. Now, Representative, understand this is your first Bill. I would urge most freshmen to take a little bit of less controversial Bill. Now, you're dealing with driver education, which I understand at least in 95 percent of the cases would be a young teen under the age of majority and yet you are dealing with oaths. Now, can you tell... expand a little bit about these oaths that are gonna be used with our young teenagers in the state? Isn't that an inappropriate approach to our students to be swearing, cussing 'em out for their driving skills for their accidents that they're having. Is that... is that what this Bill does, is try to swear at our teenagers?"

Eddy: "Representative, I apologize for not making that clear earlier. The oath or affirmation that takes place takes place by the superintendent or chief operating officer of the school district or the drivers ed teacher..."

Winters: "So, you're saying..."

Eddy: "...there will be no swearing involved in this."

Winters: "You're saying that a senior administrator of the school district or their teacher, the one that they are... we train 'em all through grade school to trust their teachers, to look up to their principals and their superintendents and you're telling these people that they have to use oath... youth... use oaths against our youth?"

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Eddy: "No. No. The oath is to affirm that the information that they are sending to the State Board of Education to seek reimbursement for expenses for drivers education are accurate."

Winters: "I... I think I get it. The oaths are to be used against the State Board of Education. Is that... is that what you're saying, you're trying to swear at the State Board of Education?"

Eddy: "I... I would not... I would not swear at the State Board. The oath is just to affirm the reimbursement amount is correct."

Winters: "Only reimbursements, we're not... we're not dealing with the student performance in the driving class, and the accidents that they've caused, the damage to the school funding because they have to replace all these cars that they ding and bang up."

Eddy: "That's correct."

Winters: "Is that... the oath doesn't deal with that."

Eddy: "That's correct, Sir."

Winters: "Simply with their performance in the class?"

Eddy: "That is correct, Sir."

Winters: "I am very, very relieved that you're not extending the power of the school district as much as I had feared with this Bill. Thank you very much."

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

Lang: "Thank you. Mr. Speaker, first, let me... let me... Mr. Speaker, yo, over here."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Speaker Hartke: "Yes, Sir."

Lang: "Mr. Speaker, I'm noticing it's very noisy in the chamber and I'm wondering if you could do something about that?"

Speaker Hartke: "Turn your hearing aid down."

Lang: "Do you have any authority over this Body, Sir?"

Speaker Hartke: "Shhh."

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

Speaker Hartke: "Mr. Eddy..."

Lang: "Mr. Eddy..."

Speaker Hartke: "...would you yield?"

Lang: "...over here, Sir."

Speaker Hartke: "He'll yield."

Lang: "Sir. Mr. Eddy, over here."

Eddy: "Yes, Sir."

Lang: "How are you?"

Eddy: "I'm fine."

Lang: "Is this your first Bill?"

Eddy: "Yes, Sir."

Lang: "Did everybody hear that, it's Mr. Eddy's first Bill. You're doing a fine job explaining it."

Eddy: "Pardon me?"

Lang: "You're doing a fine job explaining it. I was... this is where you say thank you. I said, you're doing a fine job explaining it."

Eddy: "Thank you."

Lang: "No, you're welcome. So, you ha... since you've done such a fine job explaining it, I don't have too many questions, but I do have some."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Eddy: "Okay."

Lang: "So, do we have any other place in the statute where this authority is given to someone other than the school board or to the principal?"

Eddy: "Absolutely. The state aid claim form for average daily attendance, the cafeteria expenses. In fact, this is one of just a couple of forms that require that signature and forms that end up with much larger sums of reimbursement are not handled by the school board president, this is one that is and that's why this... the change is sought."

Lang: "Well, for cafeteria expenses, who signs those vouchers?"

Eddy: "The... the school administrator... the chief school administrator signs the expense reimbursement and the federal forms also for..."

Lang: "Well, now..."

Eddy: "...lunch."

Lang: "...if I... if... I'm sorry. If I understand your Bill correctly, though, you want the drivers ed instructors to sign off on this. Is that correct?"

Eddy: "I want the option to be there for the chief school administrator or the drivers ed personnel. The district would make that decision based on their local policies and procedures and based, obviously, upon the drivers ed teacher's background, expertise, and filling those forms out and sending 'em. I want that to be the local part of this."

Lang: "Well, then why don't you just have the whole Bill be open to local policy? Why do you say just these two

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

people, but then say local policy can pick between these two? Why can't we have the cafeteria worker signing off on this?"

Eddy: "Because the cafeteria worker would not have the records necessary or the expense background knowledge to do the drivers ed reimbursement, however I am confident in their ability to gather that information for the cafeteria food service program expenses."

Lang: "Well, now you're aware that sometimes the drivers ed instructor's also the football or the basketball coach. Correct?"

Eddy: "I'm aware that that occurs on a regular occasion."

Lang: "Well, what if... what if that individual's off coaching when you need him to sign the voucher, what then?"

Eddy: "The... the Bill allows for the chief building administrator... school administrator to sign that and in most cases the... that person that is off has already provided the necessary information for their reimbursement claim form to be filled out."

Lang: "You know your Bill pretty well, Representative."

Eddy: "Thank you."

Lang: "So, you used in your debate earlier a word I never heard before, the word was 'expediate'. Do you remember using that word?"

Eddy: "Yes, I did."

Lang: "Ya know, I didn't think it was a word and I checked it out and I just wanted the Body to know that you taught me a word today and it's a word I will try to use often during

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

this Session of the General Assembly. Thank you,
Representative."

Eddy: "Thank you."

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

McCarthy: "Thank you, Mr. Speaker. I move the previous
question."

Speaker Hartke: "Well, we have couple of speakers left.
Representative Black, for what reason are you seeking
recognition?"

Black: "Yes, thank you very much."

Speaker Hartke: "You've already spoken in debate."

Black: "Yes. Yes. Yes, I plead guilty to that, Mr. Speaker,
but..."

Speaker Hartke: "Well."

Black: "...a ...a Representative on your side of the aisle
mentioned my name twice in her comments."

Speaker Hartke: "He stuttered."

Black: "Well, she said willy-nilly once and I... that's close
enough for me. I... Mr. Speaker, I won't belabor the issue,
I just simply from the bottom of my heart in all sincerity
and I mean this, I mean this sincerely, I wanna thank that
Representative for mentioning my name, at my age it's nice
to be remembered. Thank you."

Speaker Hartke: "Representative Delgado."

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

Speaker Hartke: "Sponsor will yield."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Delgado: "I just have one quick question. Hey, I'm a former parole agent, I'm a little cynical. Do you have any personal interest, as reimbursement, to you are Representative Eddy?"

Eddy: "Yes."

Delgado: "You're not related to driver..."

Eddy: "No."

Delgado: "...driver ed, Eddy? Do you have any financial stake in this? It sounds like this reimbursement... sounds kinda fishy to me, Mr. Speaker."

Eddy: "Absolutely no personal stake in this."

Delgado: "Because, ya know, we tend to change our names around here, so... but you don't know driver?"

Eddy: "No. No."

Delgado: "All right. So, I think that's about it for me, Mr. Speaker."

Eddy: "Thank you."

Speaker Hartke: "Thank you. Chair recognizes Representative Pihos."

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

Speaker Hartke: "Sponsor indicates he will yield."

Pihos: "Having just stepped down as school board president of the third largest high school district in the state, I'd like to thank my fellow freshman, Representative Roger Eddy, for his consideration. Knowing that I sign about 22 hundred diplomas, thousands of achievement certificates and many other documents during the year, I thank him for his

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

consideration for giving school board presidents one less document to sign."

Speaker Hartke: "Chair recognizes Representative Parke."

Parke: "Thank you... Thank you, Mr. Speaker. I am very concerned about this freshman conspiracy. This is... we're not gonna allow you guys to band together to try to defeat... defend yourself against us. You're open game and just remember, Representative, you have not passed your first Bill yet, either."

Speaker Hartke: "Representative Eddy to close."

Eddy: "I would only ask that the Bill be considered for its merit and that is that it does attempt to... to make sure that the drivers ed forms are complete, the reimbursement is done correctly and that the board president is not burdened by the process. And thank you very much, Mr. Speaker."

Speaker Hartke: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Eddy, would you like to take it out of the record at this time? Have all... You're sure? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On this question, there are 112 people voting 'yes', 2 people voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On Supplemental Calendar #1 appears House

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Resolution... Representative Washington, for what reason do you seek recognition?"

Washington: "Excuse me, Chairman... I mean, Chairman Hartke. For the record I want the record to reflect that I wanted to vote 'yes' for the previous Bill. Thank you."

Speaker Hartke: "Are you a freshman?"

Washington: "Yes, Sir."

Speaker Hartke: "Okay. The record will reflect your wishes. Mr. Parke."

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

Speaker Hartke: "State your point."

Parke: "Yes, I would like to thank the electrician for his timely manner in dealing with my switches that are here, I appreciate it, but too often we take for granted the hard work of the staff of the House and the people that support us to make sure that the process done. I just personally want to thank the electrician and the staff for the hard work that they do for all of us. Thank you."

Speaker Hartke: "On Supplemental Calendar #1... Representative Molaro, for what reason do you seek recognition?"

Molaro: "Thank you, thi... Mr. Speaker. This is a point of personal privilege."

Speaker Hartke: "State your point."

Molaro: "Representative Parke mentioned freshmen. I'd just like him to know that myself, as dean of the freshmen, if you mess with one of us, you mess with all of us, Representative."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Speaker Hartke: "On Supplemental Calendar #1 appears House Resolution... Oh. Mr. Parke."

Parke: "Thank you, Mr. Speaker. My name was used in debate. Representative, I don't care if you're a big shot from the Senate, you're in the House now and you're gonna have to deal with all of us experienced Legislators."

Speaker Hartke: "On Supplemental Calendar #1 appears House Resolution 52, Mr. Brunsvold. Mr. Brunsvold on the Resolution."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Resolution #52... House Resolution 52 is a... is a congratulatory Resolution for Brent Manning who is the Director of the DNR right now and it sets aside February 26, next Wednesday, as Brent Manning Day in Illinois for his years of service with the DNR. He has served for 12 years now and I have worked with him personally those 12 years carrying legislation for the Department of Natural Resources, working with Brent on the Conservation Congress, he in turn has been working with us in the House here and the Senate as the Sportsmen's Caucus, some help we had with the Sportsmen's Caucus raising money for the foundation. And I just wanna congratulate Brent on his years of service. Also, he has allowed me to make the announcement today that, in fact when I was out to the DNR building this morning he got a call from the Governor of Wyoming and Brent Manning, as of today, will be working for the Department of Natural Resources as the director in the State of Wyoming. So, we wanna congratulate him also on

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

that. He has another good job and I'm very happy for him, because he's a... he's a... he's a very good man and he's done a great service for the State of Illinois. And I would ask for the adoption of House Resolution 52."

Speaker Hartke: "Representative Novak."

Novak: "Yeah, will the Sponsor yield, please?"

Speaker Hartke: "Sponsor will yield."

Novak: "I just have one question, Mr. Brunsvold. Is this your last Bill?"

Brunsvold: "I hope so, Representative."

Novak: "All right. Thank you."

Speaker Hartke: "Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. I don't know what Representative Brunsvold was doing out at the Department of Natural Resources this morning. His sponsorship of this Resolution may actually be a conflict of interest, I don't know, he seems very... very eager to have this passed. But in all sincerity, Representative, I'd like to join you as a cosponsor and I'm sure others would as well and just let me... any of you who have had the opportunity to work with Dr. Manning knows how dedicated he is to the task. I... he has my utmost respect in that he has always been someone who has stood for the multiuse concept of our natural lands, he doesn't set... he doesn't set aside lands for what used to derisively called 'tree huggers', he encourages all people to get out and enjoy the outdoors, the natural resources of the great State of Illinois and he's done a great deal to add acreage to those natural

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

resources. I think he leaves the Department of Natural Resources far better than it was when he came in. And all of you and all of us who have had an opportunity to have worked with him, wish him well, we will miss him. I can't imagine in my wildest dream I have no idea who could possibly take Dr. Manning's place, but I'm sure the Governor will find somebody who will make that attempt, I can only hope they do half the job that Dr. Manning has done over the last 12 years."

Speaker Hartke: "Representative McKeon."

McKeon: "Thank you, Mr. Speaker. To the Resolution. I'd just like to share with the Members. In my first term, when Brent Manning was the director, we had this Asian beetle crisis in my district and the Department of Natural Resources was extremely helpful, but helpful to a point of humor. I had a Boy Scout troop, after we cut down all those trees, came into my office and they were concerned about providing shelters for homeless squirrels. And not knowing what to do with this I called Brent Manning at DNR and within 48 hours I had blueprints for squirrel condos that these Cub Scouts could make to take care of those homeless squirrels. So, I'm very pleased that DNR played a major role in the recovery of my district from this tragic affliction of our forest preserve, but also to provide housing for the squirrels that also reside in the district."

Speaker Hartke: "Representative Jerry Mitchell. Representative Mitchell."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Mitchell, J.: "Thank you, Mr. Speaker. Joe, I don't know whether you would mind or not and I... and I... some of the freshman may not have worked with Brent very long, but he has never ever turned his back on a concern or a problem, either with the Sportsmen's Caucus or with various rules and regulations within his department. I've been with him in many meetings where it was pretty tense and he was a guiding force to help solve problems. And I would just simply request that you add all Members of the House to the Resolution that will be sent to Brent. Thank you, Mr. Speaker."

Speaker Hartke: "Mr. Brunsvold to close."

Brunsvold: "Thank you. I wanna, of course, invite everyone to the reception, which will happen at Northfield Suites... Inn and Suites out by the fairgrounds next Wednesday evening and I'd like all Members to come and enjoy the reception. And as Mr. Mitchell has asked, I would like to have all Members join as cosponsors on this Resolution and ask for its adoption, Mr. Speaker."

Speaker Hartke: "You've heard the Gentleman's Motion. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. With leave of the Body all Members shall be added as cosponsors. House Resolution 58. Representative Miller. Representative Miller."

Miller: "Thank you, Mr. Speaker, Members of the chamber. I would ask for the adoption of House Resolution 58. House Resolution 58 on February 21 gives hundreds of thousands of

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

children more than 4,000 sites across the country free dental education screening and treatment services. It is acknowledged by the American Dental Association as 'Give Kids a Smile Day', which is a national campaign. Ya know, we talk about the things that we do here, but unfortunately, there are thousands of children across the State of Illinois who do not have a smile, who have teeth and caries that... teeth that need to fixed due to gum disease and caries and it is a chronic problem throughout our state. And so, the efforts of the American Dental Association, the National Dental Association, the Chicago Dental Association, Illinois State Dental Association is... has a campaign to address this problem and to make awareness, for our children need healthy teeth and smiles. In conclusion, I'd like to just say with that it takes 33 muscles to frown and it only takes 13 to smile, let's give our kids a smile on February 21. I ask for the adoption."

Speaker Hartke: "You've heard the Gentleman's Motion for the adoption of House Resolution 58. 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. Chair recognizes Representative O'Brien. Representative O'Brien, for an announcement."

O'Brien: "Thank you, Mr. Speaker. For the purposes of an announcement, the House Judiciary II Committee will meet at 9 a.m. tomorrow morning."

Speaker Hartke: "Representative McKeon."

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

McKeon: "Thank you, Mr. Speaker. An announcement. The House Labor Committee, which starts at 2 a.m... rather 2 p.m. this afternoon, will be holding subject matter testimony on workforce development until approximately 3:15 at which time we'll be hearing substantive Bills. So, if you have a Bill in committee with witnesses and you'd like to hear that Bill, please arrive at the committee room by 3:15."

Speaker Hartke: "Representative Holbrook."

Holbrook: "Thank you, Speaker. Tourism Committee will meet today. Please note the room change, we're in 115 today, we're not in 122-B, we're in 115. We'll be taking testimony from the Director of Tourism, Cathy Ritter. So, please be there. Thank you."

Speaker Hartke: "Representative Bailey, for an announcement."

Bailey: "I'd like to take leave for a moment of silent prayer in memory of late Maggie 'Sis' Daley (sic-Eleanor 'Sis' Daley)."

Speaker Hartke: "Will the Members please stand. Thank you. With nothing further, Representative Currie now moves that the House stand adjourned 'til the hour of 1 p.m., Friday, February 21. Allowing perfunctory time for the Clerk, the House now stands ad... All those in favor signify by saying 'aye'; opposed 'no'. Opinion of the Chair, the 'ayes' have it. And the House stands adjourned."

Clerk Bolin: "The House Perfunctory Session will come to order. First Reading and introduction of House Bills. House Bill 2373, offered by Representative Lang, a Bill for an Act in relation to public aid. House Bill 2374, offered by

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Representative Lang, a Bill for an Act in relation to public aid. House Bill 2375, offered by Representative Lang, a Bill for an Act concerning financially troubled schools. House Bill 2376, offered by Representative Flowers, a Bill for an Act concerning health care. House Bill 2377, offered by Representative Flowers, a Bill for an Act concerning health care. House Bill 2378, offered by Representative Flowers, a Bill for an Act concerning consumer reporting agencies. House Bill 2379, offered by Representative Davis, Monique, a Bill for an Act concerning insurers. House Bill 2380, offered by Representative Davis, Monique, a Bill for an Act concerning public utilities. House Bill 2381, offered by Representative Davis, Monique, a Bill for an Act concerning employment. House Bill 2382, offered by Representative Davis, Monique, a Bill for an Act concerning high-cost home loans. House Bill 2383, offered by Representative Davis, Monique, a Bill for an Act in relation to vehicles. House Bill 2384, offered by Representative Davis, Monique, a Bill for an Act concerning public utilities. House Bill 2385, offered by Representative Howard, a Bill for an Act concerning electronic funds transfer. House Bill 2386, offered by Representative Howard, a Bill for an Act concerning HIV/AIDS education. House Bill 2387, offered by Representative Howard, a Bill for an Act making appropriations. House Bill 2388, offered by Representative Howard, a Bill for an Act in relation to taxation. House Bill 2389, offered by Representative Howard, a Bill for an

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Act concerning state holidays. House Bill 2390, offered by Representative Howard, a Bill for an Act in relation to minors. House Bill 2391, offered by Representative Howard, a Bill for an Act in relation to expungement of criminal records. House Bill 2392, offered by Representative Howard, a Bill for an Act relating to higher education. House Bill 2393, offered by Representative Younge, a Bill for an Act in relation to gaming. House Bill 2394, offered by Representative Younge, a Bill for an Act in relation to gaming. House Bill 2395, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2396, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2397, offered by Representative Younge, a Bill for an Act making an appropriation to the Department of Natural Resources. House Bill 2398, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2399, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2400, offered by Representative Younge, a Bill for an Act to create the Old Man River Anticipatory Design Center Act. House Bill 2401, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2402, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2403, offered by Representative Younge, a Bill for an Act concerning local improvements. House Bill 2404, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2405, offered by Representative Granberg, a Bill for an Act in relation

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

to alcohol. House Bill 2406, offered by Representative Capparelli, a Bill for an Act in relation to gaming. House Bill 2407, offered by Representative Granberg, a Bill for an Act concerning construction contracts. House Bill 2408, offered by Representative Turner, a Bill for an Act concerning taxes. House Bill 2409, offered by Representative Turner, a Bill for an Act in relation to driver licensing. House Bill 2410, offered by Representative Cross, a Bill for an Act in relation to criminal law. House Bill 2411, offered by Representative Cross, a Bill for an Act in relation to criminal law. House Bill 2412, offered by Representative Cross, a Bill for an Act in relation to criminal law. House Bill 2413, offered by Representative Forby, a Bill for an Act in relation to aging. House Bill 2414, offered by Representative Kosel, a Bill for an Act in relation to the regulation of professions. House Bill 2415, offered by Representative Myers, a Bill for an Act in relation to commercial transactions. House Bill 2416, offered by Representative McKeon, a Bill for an Act in regard to peace officers. House Bill 2417, offered by Representative McKeon, a Bill for an Act concerning employment. House Bill 2418, offered by Representative McKeon, a Bill for an Act concerning labor relations. House Bill 2419, offered by Representative Reitz, a Bill for an Act concerning farm development. House Bill 2420, offered by Representative Reitz, a Bill for an Act concerning farm development. House Bill 2421, offered by Representative Davis, Steve, a

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Bill for an Act concerning community antenna television systems. House Bill 2422, offered by Representative Saviano, a Bill for an Act in relation to games of chance. House Bill 2423, offered by Representative Beaubien, a Bill for an Act concerning telecommunications. House Bill 2424, offered by Representative Capparelli, a Bill for an Act in relation to financial regulation. House Bill 2425, offered by Representative Capparelli, a Bill for an Act concerning currency exchanges. House Bill 2426, offered by Representative Capparelli, a Bill for an Act concerning appraisers. House Bill 2427, offered by Representative Howard, a Bill for an Act making appropriations. House Bill 2428, offered by Representative Howard, a Bill for an Act concerning technology. House Bill 2429, offered by Representative Howard, a Bill for an Act concerning notarial acts. House Bill 2430, offered by Representative Howard, a Bill for an Act to create the Computer Refurbishing Program Act. House Bill 2431, offered by Representative Howard, a Bill for an Act concerning direct care staff. House Bill 2432, offered by Representative Howard, a Bill for an Act in relation to technology. House Bill 2433, offered by Representative Howard, a Bill for an Act in relation to health. House Bill 2434, offered by Representative Capparelli, a Bill for an Act in relation to public employee benefits. House Bill 2435, offered by Representative Capparelli, a Bill for an Act in relation to public employee benefits. House Bill 2436, offered by Representative Capparelli, a Bill for an Act concerning

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

housing. House Bill 2437, offered by Representative Capparelli, a Bill for an Act concerning housing. House Bill 2438, offered by Representative Black, a Bill for an Act concerning telecommunications. House Bill 2439, offered by Representative Black, a Bill for an Act regarding schools. House Bill 2440, offered by Representative Sullivan, a Bill for an Act concerning taxes. House Bill 2441, offered by Representative Chapa LaVia, a Bill for an Act concerning consumer fraud. House Bill 2442, offered by Representative Chapa LaVia, a Bill for an Act in relation to criminal law. House Bill 2443, offered by Representative Burke, a Bill for an Act concerning freedom of information. House Bill 2444, offered by Representative Burke, a Bill for an Act concerning the Metropolitan Water Reclamation District. House Bill 2445, offered by Representative Flowers, a Bill for an Act regarding schools. House Bill 2446, offered by Representative Bellock, a Bill for an Act in relation to criminal law. House Bill 2447, offered by Representative Bellock, a Bill for an Act in relation to mental health. House Bill 2448, offered by Representative Bellock, a Bill for an Act making appropriations. House Bill 2449, offered by Representative Bellock, a Bill for an Act in relation to health. House Bill 2450, offered by Representative Bost, a Bill for an Act in relation to municipalities. House Bill 2451, offered by Representative Cross, a Bill for an Act concerning the budget emergency. House Bill 2452, offered by Representative Biggins, a Bill for an Act in relation to

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

taxes. House Bill 2453, offered by Representative Bradley, Richard, a Bill for an Act in relation to criminal law. House Bill 2454, offered by Representative Wirsing, a Bill for an Act in relation to criminal law. House Bill 2455, offered by Representative Holbrook, a Bill for an Act concerning public moneys. House Bill 2456, offered by Representative Boland, a Bill for an Act in relation to firefighters. House Bill 2457, offered by Representative Boland, a Bill for an Act in relation to criminal law. House Bill 2458, offered by Representative Morrow, a Bill for an Act concerning deferred deposit lending practices. House Bill 2459, offered by Representative Morrow, a Bill for an Act in relation to apprentice programs. House Bill 2460, offered by Representative Morrow, a Bill for an Act in relation to highways. House Bill 2461, offered by Representative Morrow, a Bill for an Act concerning property transactions. House Bill 2462, offered by Representative Morrow, a Bill for an Act regarding disabled persons. House Bill 2463, offered by Representative Morrow, a Bill for an Act concerning legislative oversight of state contracts. House Bill 2464, offered by Representative Boland, a Bill for an Act in relation to aging. House Bill 2465, offered by Representative Colvin, a Bill for an Act in relation to public employee benefits. House Bill 2466, offered by Representative Mautino, a Bill for an Act in relation to public employee benefits. House Bill 2467, offered by Representative Mautino, a Bill for an Act in relation to public employee benefits. House Bill

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

2468, offered by Representative Meyer, a Bill for an Act in relation to criminal law. House Bill 2469, offered by Representative Parke, a Bill for an Act concerning insurance. House Bill 2470, offered by Representative Parke, a Bill for an Act concerning health maintenance organizations. House Bill 2471, offered by Representative Millner, a Bill for an Act concerning the public welfare and safety. House Bill 2472, offered by Representative Millner, a Bill for an Act in relation to vehicles. House Bill 2473, offered by Representative Millner, a Bill for an Act in relation to criminal law. House Bill 2474, offered by Representative Coulson, a Bill for an Act concerning physician assistants. House Bill 2475, offered by Representative Krause, a Bill for an Act concerning taxes. House Bill 2476, offered by Representative Boland, a Bill for an Act concerning taxes. House Bill 2477, offered by Representative Pankau, a Bill for an Act concerning forest preserves. House Bill 2478, offered by Representative Delgado, a Bill for an Act in relation to criminal law. House Bill 2479, offered by Representative Delgado, a Bill for an Act in relation to criminal law. House Bill 2480, offered by Representative Flowers, a Bill for an Act in relation to public aid. House Bill 2481, offered by Representative Reitz, a Bill for an Act concerning state employees. House Bill 2482, offered by Representative Flider, a Bill for an Act in relation to municipalities. House Bill 2483, offered by Representative Novak, a Bill for an Act concerning special districts. House Bill 2484,

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

offered by Representative Novak, a Bill for an Act concerning athletic trainers. House Bill 2485, offered by Representative Novak, a Bill for an Act concerning farmland. House Bill 2486, offered by Representative Nekritz, a Bill for an Act concerning reproductive health care facilities. House Bill 2487, offered by Representative Capparelli, a Bill for an Act in relation to persons in military service. House Bill 2488, offered by Representative Boland, a Bill for an Act concerning elections. House Bill 2489, offered by Representative Rita, a Bill for an Act concerning telecommunications carriers. House Bill 2490, offered by Representative Rita, a Bill for an Act concerning schools. House Bill 2491, offered by Representative Rita, a Bill for an Act concerning schools. House Bill 2492, offered by Representative Rita, a Bill for an Act creating the Southwest Suburban Railroad Redevelopment Authority. House Bill 2493, offered by Representative Hamos, a Bill for an Act concerning bonds. House Bill 2494, offered by Representative Burke, a Bill for an Act in relation to public employee benefits. House Bill 2495, offered by Representative Berrios, a Bill for an Act concerning housing. House Bill 2496, offered by Representative Berrios, a Bill for an Act concerning employment. House Bill 2497, offered by Representative Giles, a Bill for an Act regarding education. House Bill 2498, offered by Representative Giles, a Bill for an Act concerning criminal law. House Bill 2499, offered by Representative O'Brien, a

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Bill for an Act concerning taxes. House Bill 2500, offered by Representative O'Brien, a Bill for an Act concerning taxes. House Bill 2501, offered by Representative Feigenholtz, a Bill for an Act in relation to public health. House Bill 2502, offered by Representative Feigenholtz, a Bill for an Act in relation to public aid. House Bill 2503, offered by Representative Feigenholtz, a Bill for an Act in relation to public aid. House Bill 2504, offered by Representative Feigenholtz, a Bill for an Act concerning fees. House Bill 2505, offered by Representative Osterman, a Bill for an Act making appropriations. House Bill 2506, offered by Representative Osterman, a Bill for an Act concerning unemployment insurance. House Bill 2507, offered by Representative Osterman, a Bill for an Act concerning voters' guides. House Bill 2508, offered by Representative Osterman, a Bill for an Act concerning voters' guides. House Bill 2509, offered by Representative Mathias, a Bill for an Act concerning the allocation of telephone numbers. House Bill 2510, offered by Representative Mathias, a Bill for an Act in relation to municipalities. House Bill 2511, offered by Representative Mathias, a Bill for an Act in relation to municipalities. House Bill 2512, offered by Representative May, a Bill for an Act in relation to family law. House Bill 2513, offered by Representative May, a Bill for an Act in relation to criminal law. House Bill 2514, offered by Representative May, a Bill for an Act concerning insurance. House Bill 2515, offered by Representative Lindner, a Bill

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

for an Act in relation to minors. House Bill 2516, offered by Representative Osterman, a Bill for an Act concerning elections. House Bill 2517, offered by Representative Hoffman, a Bill for an Act concerning public transportation. House Bill 2518, offered by Representative Franks, a Bill for an Act in relation to the State Comptroller. House Bill 2519, offered by Representative Franks, a Bill for an Act concerning cemeteries. House Bill 2520, offered by Representative Osterman, a Bill for an Act concerning audits. House Bill 2521, offered by Representative Osterman, a Bill for an Act concerning cemeteries. House Bill 2522, offered by Representative Franks, a Bill for an Act relating to fictitious higher education degrees. House Bill 2523, offered by Representative Franks, a Bill for an Act concerning child support. House Bill 2524, offered by Representative Pihos, a Bill for an Act in relation to domestic violence. House Bill 2525, offered by Representative Jones, a Bill for an Act in relation to criminal law. House Bill 2526, offered by Representative Osterman, a Bill for an Act concerning criminal law. House Bill 2527, offered by Representative Osterman, a Bill for an Act concerning libraries. House Bill 2528, offered by Representative Eddy, a Bill for an Act in relation to taxes. House Bill 2529, offered by Representative Aguilar, a Bill for an Act in relation to streetgangs. House Bill 2530, offered by Representative Hamos, a Bill for an Act in relation to taxation. House Bill 2531, offered by Representative Hamos, a Bill for an

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Act concerning state employee benefits. House Bill 2532, offered by Representative Graham, a Bill for an Act in relation to firearms. House Bill 2533, offered by Representative Graham, a Bill for an Act in relation to schools. House Bill 2534, offered by Representative Graham, a Bill for an Act in relation to manufactured gas plants. House Bill 2535, offered by Representative Reitz, a Bill for an Act concerning the State Board of Education. House Bill 2536, offered by Representative Winters, a Bill for an Act in relation to criminal law. House Bill 2537, offered by Representative Winters, a Bill for an Act in relation to juvenile detention centers. House Bill 2538, offered by Representative Boland, a Bill for an Act concerning elections. House Bill 2539, offered by Representative Boland, a Bill for an Act concerning elections. House Bill 2540, offered by Representative Slone, a Bill for an Act in relation to environmental safety. House Bill 2541, offered by Representative Slone, a Bill for an Act concerning open lands. House Bill 2542, offered by Representative Slone, a Bill for an Act concerning environmental protection. House Bill 2543, offered by Representative Lyons, Joseph, a Bill for an Act in relation to installment loans. House Bill 2544, offered by Representative Currie, a Bill for an Act concerning municipalities. House Bill 2545, offered by Representative Currie, a Bill for an Act in relation to juvenile offenders, which may be referred to as the Redeploy Illinois Program Amendments. House Bill 2546, offered by

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Representative Smith, a Bill for an Act in relation to public employee benefits. House Bill 2547, offered by Representative Smith, a Bill for an Act in relation to public employee benefits. House Bill 2548, offered by Representative Smith, a Bill for an Act in relation to public employee benefits. House Bill 2549, offered by Representative Joyce, a Bill for an Act concerning mosquito abatement. House Bill 2550, offered by Representative Lyons, Joseph, a Bill for an Act concerning mortgages. House Bill 2551, offered by Representative Flowers, a Bill for an Act regarding schools. House Bill 2552, offered by Representative Fritchey, a Bill for an Act concerning civil procedure. House Bill 2553, offered by Representative Davis, Steve, a Bill for an Act concerning nursing. House Bill 2554, offered by Representative Davis, Steve, a Bill for an Act concerning public labor relations. House Bill 2555, offered by Representative Davis, Steve, a Bill for an Act concerning labor relations. House Bill 2556, offered by Representative Davis, Steve, a Bill for an Act in relation to gaming. House Bill 2557, offered by Representative Davis, Steve, a Bill for an Act concerning nuclear safety. House Bill 2558, offered by Representative Granberg, a Bill for an Act concerning payment for health care services. House Bill 2559, offered by Representative Granberg, a Bill for an Act in relation to taxes. House Bill 2560, offered by Representative Granberg, a Bill for an Act concerning payment for health care services. House Bill 2561, offered by Representative Joyce, a Bill for an

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Act in relation to transportation. House Bill 2562, offered by Representative Joyce, a Bill for an Act in relation to transportation. House Bill 2563, offered by Representative Joyce, a Bill for an Act in relation to transportation. House Bill 2564, offered by Representative Hoffman, a Bill for an Act in relation to public employee benefits. House Bill 2565, offered by Representative Hoffman, a Bill for an Act in relation to public employee benefits. House Bill 2566, offered by Representative Miller, a Bill for an Act concerning certain lending practices. House Bill 2567, offered by Representative Mendoza, a Bill for an Act concerning taxes. House Bill 2568, offered by Representative Franks, a Bill for an Act concerning state procurement. House Bill 2569, offered by Representative Hannig, a Bill for an Act concerning conservation. House Bill 2570, offered by Representative Hannig, a Bill for an Act in relation to state procurement. House Bill 2571, offered by Representative Hannig, a Bill for an Act to amend the State Finance Act. House Bill 2572, offered by Representative Saviano, a Bill for an Act in relation to property. House Bill 2573, offered by Representative Davis, Steve, a Bill for an Act in relation to alcoholic liquor. House Bill 2574, offered by Representative Giles, a Bill for an Act concerning municipalities. House Bill 2575, offered by Representative Yarbrough, a Bill for an Act in relation to insurance. House Bill 2576, offered by Representative Aguilar, a Bill for an Act concerning residential mortgage licenses. House

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

Bill 2577, offered by Representative Phelps, a Bill for an Act concerning public labor relations. House Bill 2578, offered by Representative Joyce, a Bill for an Act in relation to vehicles. House Bill 2579, offered by Representative Acevedo, a Bill for an Act concerning vehicles. House Bill 2580, offered by Representative Acevedo, a Bill for an Act in relation to criminal law. House Bill 2581, offered by Representative Acevedo, a Bill for an Act in relation to criminal law. House Bill 2582, offered by Representative Mendoza, a Bill for an Act in relation to criminal law, which may be referred to as the Robb Family Act. First Reading of these House Bills."

Clerk Bolin: "First Reading of House Joint Resolution Constitutional Amendment #14, offered by Representative Molaro.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the state for adoption or rejection at the general election next occurring at least 6 months after the adoption of this Resolution a proposition to amend Section 3 of Article IX of the Illinois Constitution as follows:

ARTICLE IX

REVENUE

SECTION 3.

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

LIMITATIONS ON INCOME TAXATION

- (a) A tax on or measured by income shall be at a non-graduated rate. At any one time there may be no more than one such tax imposed by the state for state purposes on individuals and one such tax so imposed on corporations. In any such tax imposed upon corporations the rate shall not exceed the rate imposed on individuals by more than a ratio of 8 to 5.
- (b) Laws imposing taxes on or measured by income may adopt by reference provisions of the laws and regulations of the United States, as they then exist or thereafter may be changed, for the purpose of arriving at the amount of income upon which the tax is imposed.
- (c) Whenever the Illinois General Assembly enacts a tax on or measured by income, at least one-tenth of the revenue proceeds of any such tax received by the State of Illinois shall be distributed to municipalities and counties. The distribution shall be made on a per capita basis giving effect to the most recent decennial census, with each county being entitled to an allocation based upon the population of its unincorporated areas.

SCHEDULE

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. First Reading of this Constitutional Amendment."

Clerk Bolin: "First Reading of House Bills. House Bill 2583, offered by Representative Art Turner, a Bill for an Act in relation to firearms. House Bill 2584, offered by Representative Art Turner, a Bill for an Act concerning education. House Bill 2585, offered by Representative Molaro, a Bill for an Act in relation to utilities. House Bill 2586, offered by Representative Molaro, a Bill for an Act in relation to public employee benefits. House Bill 2587, offered by Representative Jones, a Bill for an Act concerning the Department of Transportation. First Reading of these House Bills."

Clerk Bolin: "House Bill 2585, offered by Representative Molaro, a Bill for an Act in relation to utilities. House Bill 2586, offered by Representative Molaro, a Bill for an Act in relation to public employee benefits. House Bill 2587, offered by Representative Jones, a Bill for an Act concerning the Department of Transportation. House Bill 2588, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2589, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2590, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2591, offered by Representative Younge, a Bill for an Act concerning higher education. House Bill 2592, offered

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

by Representative Younge, a Bill for an Act making appropriations. House Bill 2593, offered by Representative Younge, a Bill for an Act regarding higher education. House Bill 2594, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2595, offered by Representative Younge, a Bill for an Act making appropriations to the Department of Commerce and Community Affairs. House Bill 2596, offered by Representative Younge, a Bill for an Act to create the Millennium Project Act. House Bill 2597, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2598, offered by Representative Younge, a Bill for an Act concerning guaranteed job opportunity projects. House Bill 2599, offered by Representative Younge, a Bill for an Act in relation to housing. House Bill 2600, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2601, offered by Representative Younge, a Bill for an Act in relation to East St. Louis Area economic development. House Bill 2602, offered by Representative Younge, a Bill for an Act concerning economic development. House Bill 2603, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2604, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2605, offered by Representative Younge, a Bill for an Act to create the Illinois Africa-America Peace Brigade. House Bill 2506 (sic-2606), offered by Representative Younge, a Bill for an Act concerning an academy for

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

18th Legislative Day

2/20/2003

performing, visual, and cultural arts. House Bill 2507 (sic-2607), offered by Representative Younge, a Bill for an Act in relation to human services. House Bill 2608, offered by Representative Younge, a Bill for an Act in relation to homeless persons. House Bill 2609, offered by Representative Feigenholtz, a Bill for an Act concerning hospitals. House Bill 2610, offered by Representative Feigenholtz, a Bill for an Act in relation to public aid. House Bill 2611, offered by Representative Churchill, a Bill for an Act concerning schools. House Bill 2612, offered by Representative Churchill, a Bill for an Act concerning taxes. House Bill 2613, offered by Representative Stephens, a Bill for an Act concerning civil practice. House Bill 2614, offered by Representative McKeon, a Bill for an Act in relation to unemployment insurance. House Bill 2615, offered by Representative McKeon, a Bill for an Act in relation to unemployment insurance. House Bill 2616, offered by Representative McKeon, a Bill for an Act in relation to unemployment insurance. House Bill 2617, offered by Representative McKeon, a Bill for an Act in relation to unemployment insurance. First Reading of these House Bills."

Clerk Bolin: "First Reading and introduction of House Bills. House Bill 2581, offered by Representative McKeon, a Bill for an Act in relation to unemployment insurance. First Reading of this House Bill. There being no further business, the House Perfunctory Session will stand adjourned."