

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

34th Legislative Day

3/25/2003

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Bishop Lloyd Gwin of the Church of the Living God in Champaign. Bishop Gwin is the guest of Representative Naomi Jakobsson. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Bishop Gwin: "Speaker Madigan, Ladies and Gentlemen of the House, Naomi Jakobsson, who by her invitation I am here today. It is indeed an honor for me to be here. I have an opportunity to speak to many people week to week. And normally I... I'm pretty solid. Today I feel a little tinge of nervousness and I... I asked myself why. I say my message is generally to encourage, to motivate, and to empower. And I realized why I feel a little nervous. Rarely do I speak to so many people that already have so much power. Nevertheless, I have a job to do. I ask that you will bow your heads with me as I pray. Gracious Father in heaven, we come before Your presence today humbly submissive. We thank You so very much for all that You are and all that we have become because of Your love for us through Jesus Christ. First of all, dear God, we thank You for our President, we thank You for our military personnel, particularly those that are in the Iraq area. We pray that the... the conflict will end quickly, victoriously, and the loss of life on both sides will be minimal. Closer to home, I thank You so very much for the men and women of this House who You have entrusted with the affairs of the

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State of Illinois. I pray, dear God, that You will really bless them, their... their decisions are so awesome. Give them wisdom, insight, and foresight so that the decisions that they make in this Assembly today will still benefit our heirs a hundred years from today. I pray this with expectancy and with thanksgiving. In Jesus' name, amen."

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

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

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

Currie: "Thank you, Speaker. Please let the record show that Representative McKeon is excused today. And Representative Flider is with us now but he may have to leave us early for important activities in his district later this afternoon."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record... let the record reflect that Representative Bellock and Representative Pihos are excused today."

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

Clerk Rossi: "Committee Reports. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measures were

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referred, action taken on Tuesday, March 25, 2003, reported the same back with the following recommendations: 'do pass Standard Debate' House Bill 3511. Representative Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on Tuesday, March 25, 2003, reported the same back with the following recommendations: 'to the floor for consideration' Floor Amendment #1 to House Bill 93, Floor Amendment #3 to House Bill 277, Floor Amendment #2 to House Bill 300, Floor Amendment #2 to House Bill 318, Floor Amendment #3 to House Bill 343, Floor Amendment #2 to House Bill 361, Floor Amendment #3 to House Bill 548, Floor Amendment #2 to House Bill 1161, Floor Amendment #2 to House Bill 1352, Floor Amendment #1 to House Bill 1468, Floor Amendment #3 to House Bill 2147, Floor Amendment #1 to House Bill 2567, Floor Amendment #1 to House Bill 2598, Floor Amendment #1 to House Bill 3396, Floor Amendment #1 to House Bill 3440, Floor Amendment #1 to House Bill 3479, Floor Amendment #1 to House Bill 3486, and Floor Amendment #1 to House Bill 3620."

Speaker Madigan: "Mr. Clerk, House Resolution 34. Mr. Clerk on House Resolution 34. Read the Resolution."

Clerk Bolin: "House Resolution 34, offered by Representative Eddy.

WHEREAS, The members of the House of Representatives of the State of Illinois are pleased to recognize the success of student athletes; and

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WHEREAS, It has come to our attention that the Martinsville Lady Blue Streaks seventh grade girls basketball team won the IESA State championship game against Arcola with a score of 27 to 15 to become the State champions; and

WHEREAS, The Lady Blue Streaks finished the year with an average of 20 steals and 18 forced turnovers a game; the team's average margin of victory was 26 points; during the summer of 2002, they played in basketball camps, tournaments, and leagues, and some of the girls played in excess of 80 ball games; and

WHEREAS, The seventh grade Lady Blue Streaks have played together for many years, beginning in Bidy Ball League during third and fourth grades and continuing at the Paris YMCA; as fifth and sixth graders, they won the seventh grade LEIC Conference Tournament; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Martinsville Lady Blue Streaks seventh grade girls basketball team on winning the IESA State Championship; and be it further

RESOLVED, That a suitable copy of this resolution be presented to each of the members and coaches of the Martinsville Lady Blue Streaks seventh grade girls basketball team with our best wishes for their continued success."

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Speaker Madigan: "You've all heard the Resolution. On the Resolution, the Chair recognizes Mr. Eddy."

Eddy: "Thank you very much, Mr. Speaker. Point of personal privilege."

Speaker Madigan: "State your point."

Eddy: "Ladies and Gentlemen of the House, it is my pleasure to welcome to Springfield the members of the seventh and eighth grade girls basketball team from Martinsville. The Lady Bluestreaks won the IESA Seventh Grade State Girls Basketball Championship. This group of young ladies was undefeated, had an average margin of victory of 26 points per game. Please join me in welcoming them.. welcoming them to Springfield, along with their coaches. Congratulations girls. Thank you."

Speaker Madigan: "Mr. Jefferson."

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

Speaker Madigan: "State your point."

Jefferson: "I'd just like to take this opportunity to recognize my secretary, who is retiring at the end of April, who's been there for 28 years. And for most of those 28 years she was the secretary of the late, great 'Zeke' Giorgi. So, if she will stand, please. Ms. Eleanor Winlock. Be retiring in April. I also want to recognize her replacement who is the 'J.Lo' of Rockford, Margaret Cadillo. Margaret, stand up. Margaret is gonna be replacing her. Thank you, Mr. Speaker."

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Speaker Madigan: "Ladies and Gentlemen, on the Order of House Resolution 34, Mr. Eddy moves for the adoption of the Resolution. Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it. The Resolution is adopted. The Chair recognizes Mr. Froehlich."

Froehlich: "Thank you, Mr. Speaker. Point of personal privilege."

Speaker Madigan: "State your point."

Froehlich: "I'd like to welcome to the gallery today from northwest suburbs Hoffman Estates, James B. Conant High School, the political club along with their sponsor, Mr. Kernats, from James B. Conant High School. Thank you for being here today, folks."

Speaker Madigan: "Mr... Mr. Delgado."

Delgado: "Thank you, Mr. Speaker. Personal privilege."

Speaker Madigan: "State your point."

Delgado: "We... since we have so many heroes up in our gallery I didn't want anyone left... felt left out here. We want to also welcome... we have quite a few members up there in blue. A lot of heroes that come out and fight our fires every day. We have the Associated Firefighters Association here along with Local 2. And we just want to say welcome to the Capitol and good luck on your conference."

Speaker Madigan: "Mr. Black. Mr. Black, you are the Sponsor of House Bill 3488, on the Order of Second Reading. Did you wish to move the Bill? Mr. Clerk, what is the status of the Bill?"

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Clerk Bolin: "House Bill 3488, a Bill for an Act concerning sports facilities. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Hoffman, you are the Sponsor of House Bill 3411, on the Order of Third Reading. Do you wish to call the Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3411, a Bill for an Act concerning the Bi-State Development Agency. Third Reading of this House Bill."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Yes, all this... all this would do is would provide that upon expiration... The Bi-State Development Agency is made up of individuals from both sides of the river, St. Louis, Missouri and... the St. Louis area and Illinois. The agency oversees the mass transportation components in Missouri and Illinois. It is fed... it is a federal entity that was put together by Federal Law. However, locally you can determine how the appointments are made. And this just indicates the beginning with the appointment to be filled of January 2004 and at the expiration of each term of the current commissioners, the chairman of the county board of St. Clair County, as opposed to the Governor, shall make appointments... two of the appointments and the chairman of the Madison County shall make the other two appointments."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor

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signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 people voting 'yes'; 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Wait, did you wish to call House Bill 1548? The Gentleman indicates he does not wish to call the Bill. Mr. Watson. Is Mr. Watson in the chamber? Did you wish to call House Bill 3001? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3001, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Madigan: "Mr. Watson."

Watson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3001 simply creates a small school task force to look into the track record of small schools. It's... we're not talking about districts, we're talking about small schools. A study done in Chicago found a better... better graduation rates, less dropout rates, et cetera. Similar legislation was passed in Florida to limit the size of schools because of the production and the quality of education they found. And I'll be happy to take any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. The Clerk shall take the record. On this question, there are

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115 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Is Mr. McGuire in the chamber? Mr. McGuire? Mr. Novak, you are the Sponsor of House Bill 360, on the Order of Second Reading. Did you wish to move the Bill? The Gentleman indicates he does not wish to call the Bill. Is Mr. Lang in the chamber? Mr. Lang, you are the Sponsor of House Bill 89. Did you wish to move the Bill? The Gentleman indicates he does not wish to move the Bill. Representative Kelly, you are the Sponsor of House Bill 1415. Did you wish to move the Bill? The Lady indicates she does not wish to move the Bill. Mr. Flider, you are the Sponsor of House Bill 3048. Did you wish to move the Bill? Mr. Clerk, read the Bill. Mr. Clerk, what is the status of House Bill 3048? Clerk advises that there's a request for a note, which has not been complied with. So the Bill shall remain on the Order of Second Reading. Mr. Dunkin, the Gentleman from Chicago, you are the Sponsor of House Bill 3429. 3-4-2-9. Do you wish to move the Bill? The Gentleman indicates he does not wish to move the Bill. Mr. Franks in the chamber? You are the Sponsor of House Bill 209. Do you wish to move the Bill? The Gentleman indicates he does not wish to move the Bill. Mr. Granberg. Is Mr. Granberg in the chamber? Mr. Mitchell. Mr. Jerry Mitchell. You are the Sponsor of House Bill 2352. Do you wish to move the Bill? The Gentleman indicates he does not wish to call the Bill. Mr. Schmitz. Is Mr. Schmitz in the chamber? You are the Sponsor of House Bill 92. Do you

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wish to call the Bill? Mr. Clerk, what is the status of House Bill 92?"

Clerk Bolin: "House Bill 92, a Bill for an Act in relation to vehicles. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Schmitz, has been approved for consideration."

Speaker Madigan: "Mr. Schmitz."

Schmitz: "Thank you, Mr. Speaker. The Amendment's very... very simple in nature. The technical change in the word 'traffic signals' with the phrase 'official traffic control devices'. Be happy to entertain any questions."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Is there any discussion? There being no discussion, the question is, 'Shall the Amendment be adopted?' Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Madigan: "Put the Bill on the Order of Third Reading. Is Mr. Winters in the chamber? Mr. Winters. Mr. Millner. Mr. Millner. John, you're the Sponsor of House Bill 1574. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "House Bill 1574, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Millner, has been approved for consideration."

Speaker Madigan: "Mr. Millner."

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Millner: "Yes, there's been an Amendment that... that I've put on through IDOT because they were in opposition, that would make them neutral. The Amendment, basically what it does, it applies to the interstate highways only. And there are a couple other minor changes within that Amendment."

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

Clerk Bolin: "No further Amendments?"

Speaker Madigan: "Put the Bill on the Order of Third Reading. Mr. Granberg, you are the Sponsor of House Bill 1543. Do you wish to call the Bill? The Gentleman indicates he does not wish to call the Bill. Mr. McGuire, you are the Sponsor of House Bill 2968. Do you wish to call the Bill? 2-9-6-8. The Gentleman indicates he does not wish to call the Bill. Mr. Phelps. Mr. Phelps, you are the Sponsor of House Bill 2577. Do you wish to call the Bill? The Gentleman indicates he does not wish to call the Bill. Representative Ryg. Representative Ryg, you are the Sponsor of House Bill 3061. Do you wish to move the Bill? Mr. Turner. Mr. Turner. Mr. Washington. Is Mr. Washington in the chamber? You are the Sponsor of House Bill 277. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "House Bill 277, the Bill's been read a second time, previously. Amendments 1 and 2 were adopted in committee. Floor Amendment #3, offered by Representative Washington, has been approved for consideration."

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Speaker Madigan: "Mr. Washington."

Washington: "I'm sorry, I'd like to take it out of the record for the moment. Thank you."

Speaker Madigan: "Mr. Washington, I'm sorry, could you say that again?"

Washington: "Mr. Speaker, I'd like to take it out of the record for right now. Thank you."

Speaker Madigan: "The Gentleman indicates he does not wish to call the Bill. Representative Yarbrough, you are the Sponsor of House Bill 1352. Do you wish to move the Bill? 1-3-5-2. Clerk advises that there are requests for notes, which have not been filed. Is Mr. Turner on the floor? Mr. Turner? Mr. Winters. Is Mr. Winters on the floor? Representative Coulson, you are the Sponsor of House Bill 414. Do you wish to call the Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 414, a Bill for an Act in relation to children. Third Reading of this House Bill."

Speaker Madigan: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. House Bill 414 is a early intervention Bill. And, as you know, I've worked very hard on the Early Intervention Services System for several years. What this Bill does is to codify the developmental delay to 30 percent or more below of function in the law, instead of only by rule. And there are several other changes. I'd be happy to answer any questions."

Speaker Madigan: "The Lady moves for the passage of the Bill. Is there any discussion? There being no discussion, the

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question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Hartke in the Chair."

Speaker Hartke: "On page 35 of the Calendar, on Third Reading appears House Bill 414. Representative Coulson. Out of the record. On page 32 of the Calendar, on Second Reading appears House Bill 3486. Representative Bailey. On Second Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3486, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Bailey, has been approved for consideration."

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

Bailey: "Amendment... House Bill 3486 is the Amendment language requested by the City of Chicago, which provides the evidence and notice that the employers required, under this Bill, must be at least 48 hours. The original Bill does not specify the length of the advanced notice."

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

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

Speaker Hartke: "Sponsor will yield."

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Parke: "Can you tell us a little bit about the... the employer's position on this? And it says it prohibits an employer from dimiss... dismissing or retaliating against an employee who is a victim of domestic violence. Why is this necessary?"

Bailey: "That's to prevent the victims... some employers had questions about if the victims were lying or being honest or truthful. And by providing proof and documentation to notify the employers that they're not making the... this up and take advantage of the leave."

Parke: "Okay. Are we removing the 50-employee threshold on your Amendment? Does it add a 50 ame... employee threshold in your Amendment?"

Bailey: "No, it's still 25."

Parke: "What is your Amendment doing?"

Bailey: "It's basically providing that... the previous Ame... did not have a notice where the employee was to notify the employers and provide the documentation, that was omitted. And this also provides that the employers require certification from the employee, prior to allowing the employee the... the time off."

Parke: "I don't know if that's what your Amendment does. I think your Amendment says that the employee threshold is 50 employees. I believe that's what your Amendment does, Representative. Is your Amendment... do you have a copy of your Amendment, Ma'am?"

Bailey: "No."

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Parke: "Okay. One second, please. Okay, well, I guess that there was supposed to... have you made an agreement to put an Amendment on the Bill..."

Bailey: "Yes, Sir."

Parke: "...to raise the threshold to 50 mem... 50 people... employees?"

Bailey: "Yes."

Parke: "Okay. Well, then we don't have a problem with you leastwise taking this action. But we would like you to hold it on Second for that Amendment to be placed on. Is that agreeable?"

Bailey: "Thank you."

Parke: "Okay. Thank you."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3486?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Hold that Bill on the Order of Second Reading. On page 6 of the Calendar, on the Order of Second Reading, appears House Bill 548. Representative Berrios. Representative Berrios. There are Amendments #1 and 2 that have been approved for consideration. Two and three, excuse me. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 548, a Bill for an Act concerning pest control. Second Reading of this House Bill. Amendment #1

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was adopted in committee. Floor Amendment #2, offered by Representative Feigenholtz, has been approved for consideration."

Speaker Hartke: "Representative Feigenholtz on Amendment #2. Representative Berrios will explain Amendment #2."

Berrios: "Actually, we need to table Amendment #2 and replace it with Amendment #3 as a Floor Amendment."

Speaker Madigan: "Amendment #2 is withdrawn. Mr. Clerk, further Amendments?"

Clerk Bolin: "Floor Amendment #3, offered by Representative Berrios."

Speaker Madigan: "Representative Berrios on Amendment #3."

Berrios: "Amendment #3 mirrors Amendment #2 by removing changes to the Structural Pest Control Act. And it also inserts references to pesticides that not only have never been registered with the EPA but also those pesticides for which the registration has been canceled or suspended."

Speaker Hartke: "Is there any discussion on Floor Amendment #3? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill 548?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. On page 38 of the Calendar, on... on page 38 on the Calendar, on Third Reading appears House Bill 2890. Mr. Brunsvold. Out of the record. On page 2 on the Calendar, on the Order of Second Reading,

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appears House Bill 9. Representative Capparelli. Out of the record. Mr. Capparelli. Out of the record. On page 13 on the Calendar, on the Order of Second Reading, appears House Bill 2265. Representative Davis. Steve Davis. Out of the record. On page 6 on the Calendar, on the Order of Second Reading, appears House Bill 486. Representative Flowers. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 486, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Flowers, has been approved for consideration."

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

Flowers: "Mr. Speaker, I think Amendment #1 takes out the Department of Public Aid, was my intent. I don't re... Oh, Mr. Speaker, thank you very much. Amendment #1 merely clarifies what... what the actual Bill does in regards to procedure. It says, 'in addition to other procedures authorized by the department under this code.' And I move for the... the adoption."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing that no one seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 486?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. On page 9 on the Calendar, on the Order of Second Reading, appears House Bill 1400, Mr.

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Fritchey. Mr. Fritchey. Out of the record. On page 8 on the Calendar, on the Order of Second Reading, appears House Bill 1256, Representative Giles. Representative Giles. Out of the record. On page 8 on the Calendar, on the Order of Second Reading, appears House Bill 1373, Representative Lyons. Eileen Lyons. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1373, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Eileen Lyons, has been approved for consideration."

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

Lyons, E.: "Thank you, Mr. Speaker. Amendment #1 to House Bill 1373 merely codifies the Supreme Court ruling on depositions used in criminal cases."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing that no one seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 1373?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. On page 4 on the Calendar, on the Order of Second Reading, appears House Bill 300, Representative Mathias. Mr. Clerk, read the Bill. It's Amendment #2."

Clerk Bolin: "House Bill 300, a Bill for an Act in relation to local government. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2,

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offered by Representative Mathias, has been approved for consideration."

Speaker Hartke: "Representative Mathias."

Mathias: "Thank you, Mr. Speaker. Floor Amendment 2 is... the purpose of Floor Amendment 2 is to clear up some discussions that we've had with the Press Association and the Bar Association regarding the underlying Bill. We have now, with this Amendment, have their agreement. And it... it also becomes in compliance with Supreme Court directives to the clerk as to how they can dispense iner... information over the Internet. I ask for your 'aye' vote on Floor Amendment 2."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 300?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. On page 24 on the Calendar, on the Order of Second Reading, appears House Bill 2782, Representative Myers. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2782, a Bill for an Act concerning schools. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 26 on the Calendar, on the Order of Second Reading, appears House Bill 2996, Representative Pihos. Out of the record. On page 24 on

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the Calendar, on the Order of Second Reading, appears House Bill 2772, Mr. Saviano. Mr. Saviano. Out of the record. On page 2 on the Calendar, on the Order of Second Reading, appears House Bill 93, Representative Schmitz. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 93, a Bill for an Act in relation to vehicles. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Schmitz, has been approved for consideration."

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

Schmitz: "Thank you, Mr. Speaker. Floor Amendment 1 just makes the clarification that we thought on committee that when you do change the title of your vehicle that you must update the color, only if the title change."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing that no one seeking recognition, the question is, 'Shall the House pass Floor Amendment #1 to House Bill 93?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Representative Saviano, would you like to call that Bill? 2772. Out of the record. On page 3 on the Calendar, on the Order of Second Reading, appears House Bill 121, Representative Watson. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 121, a Bill for an Act in relation to fire equipment. Second Reading of this House Bill.

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Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Watson, has been approved for consideration."

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

Watson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendme... Amendment #2 simply rewords that the House... the equi... excuse me, the Fire Marshal Equipment Exchange Act. It allows one institution, one fire department, to switch equipment or trade equipment or donate equipment to another firehouse without any liability. This is agreed... this... this Amendment is agreed amongst the trial lawyers, the fire organizations, and Representative Smith and Representative Moffitt, who took... took charge of the House task force. I'll be open to any questions."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 121?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. On page 14 on the Calendar, on the Order of Second Reading, appears House Bill 2329, Representative Graham. Amendment #1 has been approved for consideration. Out of the record. On page 6 on the Calendar, on the Order of Second Reading, appears House Bill 465, Representative Jakobsson. Out of the record. On

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page 6 on the Calendar, on the Order of Second Reading, appears House Bill 1088, Representative Jefferson. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1088, a Bill for an Act in relation to court reporters. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Franks, has been approved for consideration."

Speaker Hartke: "Representative Jefferson. Representative Franks on the Amendment."

Franks: "Thank you, Mr... thank you, Mr. Speaker. House Amendment #1 changes the mechanism by which court reporters shall be paid. The original Bill provided that court reporters would be paid on a voucher and issued by the chief judge of the circuit out of an appropriation of the comptroller. Under the Amendment, the court reporters will continue to be paid on a voucher issued by the chief judge of the circuit but out of an appropriation to the Supreme Court. This was a... this was clean up language, this was asked for, and it's an agreed Amendment."

Speaker Hartke: "Is there any discussion on House Bill... Floor Amendment #1? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 1088?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

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Speaker Hartke: "Third Reading. Mr. Clerk, what is the status of House Bill 3452?"

Clerk Bolin: "House Bill 3452 is on the Order of House Bills-Third Reading."

Speaker Hartke: "Move that Bill back to the Order of Second Reading for the purpose of an Amendment at the request of a Sponsor. On page 31 on the Calendar, on the Order of Second Reading, appears House Bill 2427, Representative Kelly. Out of the record. On page 31 on the Calendar appears House Bill 3396. Representative McKeon. Out of the record. On page 6 on the Calendar, on the Order of Second Reading, appears House Bill 520, Mr. Miller. Mr. Miller. Out of the record. On page 5 on the Calendar, on the Order of Second Reading, appears House Bill 370, Mr. Novak. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 370, a Bill for an Act concerning environmental safety. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Novak, has been approved for consideration."

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

Novak: "Thank you, Mr. Speaker. How did you pronounce my name?"

Speaker Hartke: "Novak."

Novak: "Thank you. Thank you. Floor Amendment #2 is just a technical clean up Amendment that the EPA gave us with respect to what fund the fina... the fines will go into. Be more than happy to entertain any questions."

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Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 370?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. On page 27 on the Calendar, on the Order of Second Reading, appears House Bill 360, Representative Ryg. Representative Ryg. 360. 3-0-6-0. Out of the record. On page 8 on the Calendar, on the Order of Second Reading, appears House Bill 1251, Representative Slone. Representative Slone. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1251, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Slone, has been approved for consideration."

Speaker Hartke: "Representative Slone."

Slone: "Thank you, Mr. Speaker. I move to withdraw Amendment... Floor Amendment #1."

Speaker Hartke: "That Amendment has been approved for consideration."

Slone: "I move to withdraw the Amendment, Mr. Speaker."

Speaker Hartke: "Withdraw Amendment #1. Third Reading. Are there any further Amendments on that Bill? I forgot to ask."

Clerk Bolin: "No further Amendments."

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Speaker Hartke: "Third Reading. On page 6 on the Calendar, on the Order of Second Reading, appears House Bill 524, Representative Turner. Mr. Turner. Out of the record. On page 5 on the Calendar, on the Order of Second Reading, appears House Bill 318, Representative Yarbrough. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 318, a Bill for an Act in relation to tobacco products. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Yarbrough, has been approved for consideration."

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

Yarbrough: "Okay, I want to substitute Floor Amendment #2 for #1."

Speaker Hartke: "Excuse me?"

Yarbrough: "There's a Floor Amendment #2."

Speaker Hartke: "Yes. Well, they both have been approved."

Yarbrough: "I want to get rid of #1."

Speaker Hartke: "You'd like to withdraw Amendment #1... or table?"

Yarbrough: "Table #1."

Speaker Hartke: "Withdraw Amendment..."

Yarbrough: "And substitute 2."

Speaker Hartke: "Amendment #1 is withdrawn. Mr. Clerk, further Amendments?"

Clerk Bolin: "Floor Amendment #2, offered by Representative Yarbrough."

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Speaker Hartke: "Representative Yarbrough on Amendment #2."

Yarbrough: "Thank you, Mr. Speaker and Members of the General Assembly. In working with the opponents on this Bill, there... the Illinois Retail Merchants and the Petroleum Marketers, we entered this House Amendment #2. This Amendment excepts stores that derive 90 percent of the sales from tobacco products, does not allow persons under 18 to enter, and posts the signs stating that no one under 18 is allowed to enter. This Amendment might... allows the tobacco products to be kept in an age-restricted area. The Amendment defines 'age-restricted area' as a designated area of establishment which is clearly visible to the cashier that is separate from the other areas of the establishment with a single entrance. I'll be happy to answer any questions."

Speaker Hartke: "Is there any discussion on Floor Amendment #2 to House Bill 318? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 318?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, what is the status of House Bill 3493?"

Clerk Bolin: "House Bill 3493 is on the Order of House Bills-Third Reading."

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Speaker Hartke: "Move that Bill back to the Order of Second Reading for the purpose of an Amendment at the request of the Sponsor. On page 14, on the Order of Second Reading, appears House Bill 2329, Representative Graham. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2329, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Graham, has been approved..."

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

Graham: "Thank you, Mr. Speaker. Amendment #1 basically just shells the Bill. This will serve as a vehicle to get the Bill to go to the Senate. Right now we have no idea what the budget will be but this will help keep the issue alive until we know what the budget is, so that we'll know whether or not we can increase the MAP grant or not."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? The Chair recognizes Representative Black."

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, I... I normally speak against Amendments at this state... in the... in this stage of the process that would shell a Bill. But let me just ask you a question. Do we have your word that this Bill will only come back and only be used for the Monetary Award Program?"

Graham: "Yes."

Black: "Thank you."

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Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2329?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. On page 4 on the Calendar, on the Order of Second Reading, appears House Bill 277, Representative Washington. Mr. Washington. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 277, the Bill's been read a second time, previously. Amendments 1 and 2 were adopted in committee. Floor Amendment #3, offered by Representative Washington, has been approved for consideration."

Speaker Hartke: "Representative Washington on Floor Amendment #3."

Washington: "Mr. Speaker, there is not a third Amendment. So, there's a mi... an error in that. It was just a second Amendment."

Speaker Hartke: "Representative Washington, number... Amendment Nos. 1 and 2 were adopted in committee. This is Floor Amendment #3."

Washington: "Okay. Mr. Chairman, what this does is replaces everything after the enacting clause and it amends the Deposit of State Moneys Act and the Public Fund Investment Act and provides that the state treasurer and public agencies may consider a financial institution's commitment

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to its community when deciding where to deposit state moneys and public funds, effective July 1, 2004. And this is my first Bill, if it means anything to anybody."

Speaker Hartke: "Further discussion on Floor Amendment #1. Representative... or, Floor Amendment #3. Mr. Parke."

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

Speaker Hartke: "The Sponsor will yield."

Parke: "Now, let me... let me get this straight. You're gonna make this a shell Bill with this Amendment?"

Washington: "This... this Bill is... is... it doesn't need any appropriation of any state money to enact."

Parke: "Did you answer my question, Sir?"

Washington: "No, Sir."

Parke: "Okay."

Washington: "I'm sorry, Representative Parke."

Parke: "Does this... I said does this make it a shell Bill? Why is the credit union still opposed to this, even with this Amendment?"

Washington: "I'm sorry, Sir?"

Parke: "Why is the Illinois Credit Union Association opposed to this legislation, even with your Amendment?"

Washington: "Well, Sir, I wasn't aware that the Illinois Credit Union was... was opposed to this Bill. There was no opposition on this Bill. We dealt with all of the oppositions of the bankers."

Parke: "So, are... are you working with the state treasurer on this Amendment?"

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Washington: "Yeah, the state treasurer is supportive of the Bill. And we've taken into consideration of all of those interested parties and made the necessary Amendments to reflect that. The Bill, it just... to give you a small summary, it's just basically, to receive a deposit of the Illinois State Treasurer a financial institution must be subject to CRA. They must have an overall satisfactory reading and they may show good faith to want to invest in the total State of Illinois, especially in those communities in which these banks do business."

Parke: "Okay. Thank you very much."

Washington: "Thank you, Representative Parke."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill 277?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. On page 37 of the Calendar, on the Order of Third Reading, appears House Bill 2316, Mr. Winters. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2316, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hartke: "Representative Winters."

Winters: "...Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2316 is an initiative of the township officials of Illinois and changes the statutory limits on a certain

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number of salaries that they are allowed to offer. It is totally up to the townships on how they decide to do that but it changes the caps on those salaries. Be happy to answer any questions."

Speaker Hartke: "Is there any discussion on House Bill 2316? Seeing that no one is seeking recognition exc... the question is, 'Shall the House pass House Bill 2316?' All those in favor signify by saying... by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Granberg. Mr. Clerk, take the record. On this question, there are 77 Members voting 'yes', 35 Members voting 'no', 2 Members voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 36 on the Calendar, on the Order of Third Reading, appears House Bill 1182, Representative Collins. Representative Collins. Out of the record. On page 39 on the Calendar, on the Order of Third Reading, appears House Bill... on page 39 on the Calendar, on the Order of Third Reading, appears House Bill 3589, Representative Feigenholtz. Out of the record. On page 35 on the Calendar, on the Order of Third Reading, appears House Bill 371, Representative Wirsing. Representative Wirsing. Out of the record, temporarily. On page 38 on the Calendar, on the Order of Third Reading, appears House Bill 2587, Representative Lou Jones. Representative Jones. Out of the record. On page 37 on the Calendar, on the Order of Third Reading, appears House Bill 1547, Representative

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Wait. Mr. Wait. Out of the record. On page 36 on the Calendar, on the Order of Third Reading, appears House Bill 1272, Mr. Hoffman. Mr. Hoffman. Out of the record. On page 31 on the Calendar, on the Order of Second Reading, appears House Bill 3386, Mr. Rose. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3386, a Bill for an Act in relation to minors. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Rose, has been approved for consideration."

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

Rose: "Thank you, Mr. Speaker. Floor Amendment #1 on House Bill 3386, it's a very simple Amendment. It deletes all references to the Criminal Code from the Bill. This was a concern of the House Democratic staff. I had given my word on a committee that I would hold this until the Amendment had been prepared. It's been prepared and I would ask that it be adopted at this time. Thank you, Mr. Speaker."

Speaker Hartke: "Is there any question or... or discussion on Floor Amendment #1? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3386?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Representative Wirsing in the chamber? Representative Jones. Representative Dunkin.

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Priority #3. On page 3 on the Calendar, on the Order of Second Reading, appears House Bill 176, Representative Bellock. Representative Bellock. Out of the record. On page 7, on the Order of Second Reading, appears House Bill 1208, Representative Acevedo. Representative Acevedo. Out of the record. On page 16 on the Calendar, on the Order of Second Reading, appears House Bill 2522, Representative Berrios. Out of the record. On page 27 on the Order... on page 27 on the Calendar, on the Order of Second Reading, appears House Bill 3113, Mr. Boland. Out of the record. On page 15 on the Calendar, on the Order of Second Reading, appears House Bill 2450, Mr. Bost. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2450, a Bill for an Act in relation to municipalities. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 8 on the Calendar, on the Order of Second Reading, appears House Bill 1375, Mr. Burke. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1375, a Bill for an Act in relation to victims of stalking and domestic violence. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 38 on the Calen... excuse me. On page 2 on the Calendar, on the Order of Second Reading, appears House Bill 13, Representative Coulson. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 13, a Bill for an Act concerning teacher incentive and mentoring programs. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 10 on the Calendar appears House Bill 1577. Representative Mathias. Floor Amendment #1 has been approved for consideration. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1577, a Bill for an Act in relation to criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Mathias, has been approved for consideration."

Speaker Hartke: "Representative Mathias."

Mathias: "Floor Amendment #1 becomes the Bill. It basically states that the court may impose an extended term sentence upon any offender who's convicted of first degree murder when the offender has previously been convicted of either domestic battery or aggravated domestic battery committed against the murdered individual who has... or has been previously convicted of a violation of an order of protection in which the murdered... murdered individual was the protected person. I ask for your 'aye' vote on Floor Amendment #1."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? The Chair recognizes Representative Black."

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

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Speaker Hartke: "The Sponsor will yield."

Black: "Representative, just a quick perusal of the Bill. It appears that the Amendment considerably changes what you started out to do. I favored the Bill in its original form, which would be a mandatory life sentence, because you have a domestic violent situation that later resulted in a murder. Probably in there was a violation of at least one order of protection, if not more. It seems to me that the Amendment waters down the... the intent of your earlier Bill. Is..."

Mathias: "Un... unfortunately, the committee doesn't have the same idea that you have. And in order to get the Bill out of committee with a favorable bote... vote, it was based on my representation that instead of a sentence of natural life it would be an extended term."

Black: "What... what would an extended term be in... in a case like this? What could the judge do?"

Mathias: "I believe an extended term means he could double the sentence from 20 to 120 years."

Black: "All right. Now, would the judge be able to sentence that concurrently or... or must it be consecutively?"

Mathias: "It would be an... an extended sentence, so it's consecutive. In other words, it's an..."

Black: "All right. So, because 20 to 120 years served concurrently adds absolutely nothing to the sentence. And that... that's what concerns me."

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Mathias: "No, I believe the original sentence would be... 'cause it... in other words, without this Bill... currently, under law, it would be a... a much less of a penalty."

Black: "Okay. All right. I... I wish you'd been able to work something out with the Bar Association because I think the only way we're gonna address this problem is no nonsense, no two and three chances. But sometimes we have to do what we have to do. Thank you."

Mathias: "Well, this..."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 1577?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. On page 7 on the Calendar, on the Order of Second Reading, appears House Bill 1165, Representative Colvin. Representative Colvin. Out of the record. On page 14 on the... on the Calendar, on the Order of Second Reading, appears House Bill 2313, Mr. Steve Davis. Mr. Davis. Out of the record. On page 25 on the Calendar, on the Order of Second Reading, appears House Bill 2935, Representative Mulligan. Representative Mulligan. Out of the record. On page 31 on the Calendar, on the Order of Second Reading, appears House Bill 3386, Mr. Rose. Mr. Clerk, read the Bill. Okay, take that Bill out of the record. We've done... put that Bill on Third

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Reading. On page 5 of the Calendar, on the Order of Second Reading, appears House Bill 353, Mr. Sacia. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 353, a Bill for an Act concerning environmental safety. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 5 on the Calendar, on the Order of Second Reading, appears House Bill 429, Mr. Moffitt. Mr. Leitch. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 429, a Bill for an Act concerning human services. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Leitch, has been approved for consideration."

Speaker Hartke: "Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker. I'd like to move the adoption of Amendment #3. This is the 2-1-1 Bill that we passed unanimously out of this House a year ago, but it was not successful in the Senate. The Floor Amendment #3 removes some of the community-based providers from the board of the Bill. But other than that it's intact and I would ask for its approval."

Speaker Hartke: "Is there any discussion on Floor Amendment #3 to House Bill 429? All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. On page 32 on the Calendar, on the Order of Second Reading, appears House Bill 40... 3479, Mr. Flider. Representative Flider. Out of the record. On page 9 on the Calendar, on the Order of Second Reading, appears House Bill 1484, Representative Flowers. Out of the record. On page 35, on the Order of Second Reading, appears House Bill 259, Mr. Fritchey. 259 on the Order of Second Reading. 259. Mr. Clerk, read the Bill. Excuse me, that Bill's on Third Reading. Let's take that out of the record for time being. On page 9 on the Calendar, on the Order of Second Reading, appears House Bill 1468, Mr. (sic-Ms.) Hamos. Representative Hamos. Out of the record. On page 5 on the Calendar, on the Order of Second Reading, appears House Bill 343, Representative Jakobsson. Representative Jakobsson. Out of the record. On page 31 on the Calendar, on the Order of Second Reading, appears House Bill 3440, Representative Joe Lyons. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3440, a Bill for an Act concerning vaccinations in health facilities. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Joe Lyons, has been approved for consideration."

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

Lyons, J.: "Thank you, Speaker, Ladies and Gentlemen of the House. This is... was mentioned by the Clerk addresses the issue of vaccinations in health care facilities. And

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Floor Amendment #1 basically requires facilities to annually administer flu vaccination to each resident. It changes the age of requirement from age 60 to 65. It makes a couple of additional... the purpose of that, of course, is so Medicare would kick in as far as the coverage eligibility for those 65 and over. It also addresses the issues of... of if there was a shortage of the flu vaccination that they wouldn't be held at liable. Should the DCFS... immunizations not optional that the department may develop rules to mandate the vaccination and administer the flu shots... I'm sorry. That the... if there was a shortage of the flu shot there would be no liability on the case to the home. And also that the flu shots should only be determined necessary if... if the resi... it would be unnecessary if the resident's medical history would not... would say that it's not... not... not needed. So, this addresses two out of the three objections I think that there were to the original Bill as... as passed out of committee."

Speaker Hartke: "Is there any discussion on Floor Amendment #1 to House Bill 3440? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3440?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments."

Clerk Bolin: "No further Amendments."

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Speaker Hartke: "Third Reading. On page 18 on the Calendar, on the Order of Second Reading, appears House Bill 2636, Mr. McGuire. Mr. McGuire. Out of the record. On page 14 on the Calendar, on the Order of Second Reading, appears House Bill 2318, Representative O'Brien. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2318, a Bill for an Act concerning state facilities. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 24 on the Calendar, on the Order of Second Reading, appears House Bill 2816, Mr. Phelps. Mr. Phelps. Out of the record. On page 25 on the Calendar, on the Order of Second Reading, appears House Bill 2866, Representative Reitz. Out of the record. On... We're going to Third Readings now, on third priority. Mr. Brady, you're up. On page 38 on the Calendar, on Third Reading appears House Bill 3024. Mr. Brady. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3024, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Mr. Brady."

Brady: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3024 includes into the present Sex Offenders Code institutions of higher education. Simply, what this would do is... is dealing with the section of a registered sex offender residing within 500 feet of a daycare facility. In some institutions of higher education

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there are open access areas such as libraries, other public bodies... other public areas that they have daycare facilities within a close proximity, 500 feet or less, to that area. This would simply say that the offender has to register and let officials of the university or place of higher education know that they are on the premises and that they have to let them know when they would leave the premises, whether that be administration or security officials. Not prohibiting them from being there, just letting the authorities know that they are on the location of the university campus or the community college. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion on House Bill 3024? Seeing that no one is seeking recognition, the question is, 'Shall the House pass... Representative Lindner."

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

Speaker Hartke: "The Sponsor will yield."

Lindner: "You... Representative, you might have said this but what if the person, the registered sex offender, is enrolled as a student in that university?"

Brady: "That would not prohibit them from being enrolled in the particular place of higher education. It would simply say that if they are using a facility or library or some other area on campus that is within 500 feet of the daycare facility provided on that campus, that they have to let the officials know, that being either security and/or

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administration, that they are within the proximity of that facility."

Lindner: "And I'm sorry, they have to let them know just when they first register for school or is this on a monthly or weekly basis or what?"

Brady: "I'm sorry, I'm kind of having trouble hearing you, Representative. Wa... was..."

Lindner: "Do they have to just notify them when they register for school or do they have to tell them on a monthly basis if they're gonna use the library or another..."

Brady: "No, they would have... they would have to tell them, whether that be daily, weekly, monthly, whatever the case may be. If they're in and out of the library, for instance, let's say, that is within 500 feet or less of a daycare facility on that campus, they'd have to let the security officials or the administration know when they're coming and going. The intent behind this is that the place of higher institution (sic-education) would clearly know what the responsibility is of a registered sex offender. This is simply bringing higher education into the present existing law."

Lindner: "And is it... but who decides if it is a daily or weekly basis? Is that the policy of the security officers in the higher education?"

Brady: "It'd be determined... it would be the responsibility of the offender. If they're in and out of the library on... on Monday thru Wednesday, let's say, or if they're in a classroom that is near the particular daycare facility and

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that's on campus, they have to let that official know. They'd have to let the higher education officials know that. So it could be a weekly, could be a daily, and it could be a monthly. Depends on how often they're there."

Lindner: "Thank you, Representative."

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

Brady: "Thank you very much, Mr. Speaker. I would simply ask for a 'yes' vote from my colleagues in the House on House Bill 3024."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 3024?' 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. Turner. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 38 on the Calendar, on the Order of Third Reading, appears House Bill 2863, Mr. McCarthy. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2863, a Bill for an Act concerning child support. Third Reading of this House Bill."

Speaker Hartke: "Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2863 amends..."

Speaker Hartke: "Excuse me..."

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McCarthy: "...the Illinois Marriage and Dissolution of Marriage Act..."

Speaker Hartke: "...Mr. McCarthy. Excuse me."

McCarthy: "Excuse me?"

Speaker Hartke: "Shh... Ladies and Gentlemen, we're on Third Reading. Please, tone it down. Thank you."

McCarthy: "Thank you, Mr. Speaker. I always appreciate a shush."

Speaker Hartke: "Shh..."

McCarthy: "The... this Bill does... I.. I appreciate shushes from the Chair, not from the Body. The... this Bill amends the Illinois Marriage and Dissolution of Marriage Act. I want to thank my cosponsors, as you can see, I have them from both sides of the aisle. Also, want to thank the Department of Public Aid, Voices for Illinois Children, Metropolitan Family Services, the National Center on Poverty Law, and also the transition committee on child support issues from Governor Blagojevich's staff. This Bill makes a minor change in the guidelines for the amount of support for the noncustodial parents with two children. It moves it from 25 to 28 percent. While it is just a minor change, it's been something that's been floating around the Child Support Committee for about four years, under the direction of Representative Joe Lyons and then under myself for the last two years. I think it's very necessary and would appreciate your favorable support."

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

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Wirsing: "Thank you, Mr. Speaker. Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Wirsing: "I... I need to... I'm trying to clarify something in my mind. This is relative when there's a divorce decree is made by the... by the court, is that correct?"

McCarthy: "I'm very sorry, Representative. I leaned over and... it... it has to do with the guidelines that are set up for the court. They don't mandate those guidelines but they set them up and say that for the number of children you have there's... there's set guidelines of the person's disposable income of the noncustodial parent. And they've been set at..."

Wirsing: "I under... I..."

McCarthy: "...20 percent for one child, 25."

Wirsing: "I understand that. I can read my analysis. But the court only makes the decision on... on what any child support is going to be 'cause that is... that becomes, then, a decree of the court, is that not correct?"

McCarthy: "Correct."

Wirsing: "Then why do you believe that there's a need for this legislation to... to increase the base when the court... the judge ultimately makes that decision?"

McCarthy: "Well, because sometimes the court does use the guidelines in the first determinant. And the attorney for the noncustodial parent can go in there and say, well, this is the guideline set up under the Marriage and Dissolution Act. It's at 25 percent now. I just feel that 28 percent is much more responsible. I still don't think it's enough

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money for the custodial parent, but I... I think a little bit of a change in it is appropriate."

Wirsing: "But the ultimate decision is in... is... is the decision of the court."

McCarthy: "Correct."

Wirsing: "It... it... and that's the par... that..."

McCarthy: "These are guidelines. And this doesn't change that."

Wirsing: "The ultimate decision is the decision of the court by the judge for that decree."

McCarthy: "Correct."

Wirsing: "That becomes the legal entity."

McCarthy: "Correct."

Wirsing: "Right?"

McCarthy: "Yes, Sir."

Wirsing: "So, I'm... I'm coming back to why... and... and the court right now does not... and does not have to adhere to the 25 percent. It can go below 25, it can go above 25 and I'm trying to figure out why you feel that's necessary to put an arbitrary number in there when, in fact, the court has the final say on what that percentage is gonna be."

McCarthy: "Well, why it is not... I mean, it is not mandated. You are correct on that. But they do use it as a barometer to look at the... the amount of support before they set it. I think 25 is way too low for the two children. I think 28 is more responsible. As far as the break between one child and two, it only goes up 5 percent under the current guidelines; from two to three, it goes up 7 percent."

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Wirsing: "When you say... when you say that the... the court uses this as... as a guideline I... I'm confused by that. I... I... I've been become... I've become very aware of how the court operates in divorce decree relative to child... child support and... and they're all over the board. So, I'm... I'm just trying to figure out why this legislation's even necessary when the court only makes the decision, the judge says this is the way it's gonna be. If the spouse that's... that's receiving that child support, maybe that individual has custody of the children, they can always... they always come back to court on an annual basis and review whether that child support should be raised upon the ability of the individual who is... who is the... who's paying the Bill to support that."

McCarthy: "Well..."

Wirsing: "I... So, I'm... I'm very confused by that. I... What value does... what... what value does it have, I guess, is my... my... my question."

McCarthy: "Well, it's not absolute, you're correct. But I think because they do... you look at this when they're setting the... the support guidelines, I think moving it up just makes sense. I think 25 percent is way too low. The 5 percent differential between one child and two child... two children is, I think, very minimal at the least. So, even though... I mean, I don't think we should go in there because every case is... is different. And what... in some case the judge may say, 'I'll stick right to the guidelines.' And like you said, I'm not trying to take away that discretion."

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But I think when they just look at the guidelines, I think, it... it kind of stands out in those guidelines that the 25 percent... the 5 percent increase from one child to two children is... is so minimal. And I think as far as the su... the minimum support guidelines, it makes sense to move that the... the line up for two children."

Wirsing: "Well, I'm... I'm still in puzzlement where this is coming from or why... why there's a need for it when... when we know, from practical experience, the judge ultimately makes the decision, irregardless of what... what a recommendation may come, even... even when it comes from here. Probably even less effect when it comes from here. So, I'm... I'm just confused by that. I'm... I'm gonna vo... either voting 'no' on the Bill because I just... I... I feel that strongly that this has no value into a system that... that is broken already. And I'm not sure how 28 percent versus 25 fixes the system. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Lang. I might remind you, there are five people seeking recognition to speak on this Bill. Representative Lang."

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

Speaker Hartke: "The Sponsor will yield."

Lang: "Representative, you and I discussed this Bill and I did tell you I would vote for it and I will. But I have an important question, I think it needs to be asked. Does this Bill impact current or... court orders for support that are out there?"

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McCarthy: "This... my belief is this would impact future orders... future guidelines for the court to set."

Lang: "So, is there anything in this Bill, though, that prohibits someone who's now getting 25 percent, if this Bill were to pass, to go into a court and saying to a judge, 'hey, they changed the guidelines to 28. Now I want 28.'"

McCarthy: "There's nothing prohibiting that, but there's... there's nothing prohibiting them from today going in and asking for an increase in their support."

Lang: "Well, the problem with that is this, and I would ask you to consider this as it goes to the Senate and maybe talk to your Senate Sponsor about how to deal with this issue. Many times there's an agreement at a time of the child support award. The... the... the spouses are doing battle and they're having all kinds of property settlement agreements and custody agreements and they sit down and they work out an agreement and that agreement may have been at 25 percent, based on the formula. It's conceivable that, if we do this, there's gonna be thousands of people going to the courthouse to try to move it to 28 percent, which is all well and good except sometimes that's been based on an agreement between the parties that also runs to custody and it runs to who owns the house and it runs to who gets the golf clubs and all sorts of things. And I think you need to talk about the kind of language that's necessary to cover some of these problems as the Bill goes to the Senate. Do you... do you see where I'm going here?"

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McCarthy: "I do. And I... I would like to have you confer with the Senate Sponsor, also. And I will definitely recommend that."

Lang: "All right. If I have your word that you'll deal with this issue over there, you'll certainly have my vote."

McCarthy: "Well, and it does not take away the judge's discretion, you understand that ahead of time?"

Lang: "I do understand. But most of the time the judges use the guidelines that are in the Bill."

McCarthy: "They do. Correct."

Lang: "So I'm just concerned that we've had some... thousands of agreements over a long period of time that... that may not just change the child support but could make some of these agreements blow up. And I just want you to pay some consideration to that in the Senate. Thanks."

McCarthy: "Thank you."

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

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

Speaker Hartke: "The Sponsor will yield."

Rose: "Representative McCarthy, does this only deal with the two children? It doesn't affect one child or three child or..."

McCarthy: "Well, there... there are current guidelines, starting with one up to five."

Rose: "Right."

McCarthy: "Five or more. So this only deals with the two. The two is the one with the smallest increase was and it seemed

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like, if anything, there's more of a cost to the family to go from one to two than to go from two to three or three to four. So it puts it a little bit more in line, I believe."

Rose: "Representative McCarthy, does this in any way impact the calculation of how you determine what net income is?"

McCarthy: "It does not in any way."

Rose: "Okay. To the Bill, Mr. Speaker."

Speaker Hartke: "To the Bill."

Rose: "I salute Representative McCarthy on this issue. I spent a year in child support enforcement in Champaign County. I'd just like to point out that oftentimes the problem is in the determination of net income as a factor in what's coming out of child support, and what's being left in and what's being left out. It's not like you or I may have a situation where... where we go home and pay our bills after looking at what our health care premium is, what our car payment is, what our house is, et cetera, et cetera. Not all those things go into the determination of net income. And I salute your determination on this. I think it's high time that something be done in this area. I just hope that as a Body we can come back at some point in time and look at the determination of net income because that is often what caused the problems in terms of what ends up making it back to the child. Thank you, Mr. Speaker."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill."

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Speaker Hartke: "To the Bill."

Black: "I've worked with the Sponsor for a number of years on a... this is a most vexatious problem in the State of Illinois and that is of child support. It's unfortunate that some years ago we couldn't have moved it from its location in the then Department of Public Aid to, perhaps, the attorney general or someone who would have attorneys a little more experienced in debt collection and following the law, but that didn't... that didn't happen. The only problem I have with raising the minimum percentage is that most judges then use that as a floor, not a ceiling, they use it as the floor. And I have had many cases in my district where someone who, for example, works a construction-related job. During the spring and summer when work on the highway or... or a construction project is plentiful that individual, particularly if they're a journeymen or a... a master electrician, carpenter, what have you, makes very good money. But when the construction dries up or the winter shows up, that income goes to, literally, unemployment insurance or less. And yet, very seldom, in the experience with my constituents, is the noncustodial parent able to go to court and get that amount reduced. Because at the time the 28 percent for the two children was based on an income, perhaps, of... of 950 to 11 hundred dollars a week. During the winter that income may fall by more than 50 percent and yet they maintain the floor. And I've also had many cases where the judge with, the custodial parent who remarries, takes into con... does

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not take into consideration the financial situation that the custodial parent may find him or herself in after a remarriage to someone with some independent assets. I think any time you raise the minimum it becomes the floor and not the ceiling. And I can't, in good conscience, and I think as Representative Wirsing said, vote for this simply because of the number of child support cases that my office has been involved in, in the last 17 or 18 years. It is a confusing mess, to say the least. And I... the thing that bothers me about Illinois is that on any given day the Division of Child Support isn't sure who owes how much to who. And until that gets straightened out I'm not comfortable giving a judge the ability to raise the floor level of what a noncustodial parent will pay. If we could ever get a handle on the child support situation and the \$1 billion in uncollected child support and the income tax intercepts that go on year after year after year on people who are, in fact, not in arrearage, I'd be more comfortable with this. But until that system makes some substantial improvements in being able to track who, in fact, is in arrearage, who, in fact, is not, who, in... in some cases they don't even know who the custodial parent is. It... it's a system that I am just simply not comfortable giving the judges additional authority to raise the floor of child support payments. I... I've seen where lives have been ruined because of the judic... the judiciary's inability or unwillingness to look at all of the factors involved in child support. And it's for that reason, not because of

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the Gentleman's intent nor how hard he's worked on this issue, but it's just what I've gone through day after day for almost 18 years in my district office. I can't, in good conscience, vote for this Bill."

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

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

Speaker Hartke: "The Sponsor will yield."

Mulligan: "Representative McCarthy, I, too, compliment you on all the work you've done on this. I think it's a very big issue. As far as using this in a temporary support agreement, would the 28 percent then be a guideline before there's actually negotiations?"

McCarthy: "I'm sorry to say that even with the advice of the counsel I... I don't know for temporary orders if it would be effective. I know it'll be effective for permanent orders."

Mulligan: "All right. If it's a long..."

McCarthy: "But I'd have to back to you and I'm sorry about that."

Mulligan: "Okay. A long time ago, in my other life, probably 18 years ago, I used to do marital settlement agreements. And my feeling is that they would use the 28 percent, possibly, as a guideline for a temporary order until it's negotiated. And whatever the net income is that it's predicated on, whether you're married or you're divorced, if you are a worker that has seasonal work, you have to figure out over the year on how you're gonna balance your

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money out. So, I don't think that makes a difference one way or the other. Also, if you're the custodial parent and you remarry, that doesn't necessarily mean the obligations of the new spouse are equal to the obligations that your former spouse has. And so that your income total may also be put out... adjusted by what that person's paying for college, what that... you know, what the new spouse is. So, I think the obligation goes with the... the parent who has the obligation to pay and with the child, not under any other circumstances. And as far as things change, over years you should always update a marital settlement agreement for the simple reason that you don't know what's going to happen to that spouse. My feeling is this is a very good Bill and that... and that we should... frontloading for that reason, and not at the end, is that there's certain fixed income that all children benefit, no matter whether you have two or five. So, the higher end at the beginning covered the... what you would have as far as supporting a household. So, it's important to have a little more at the beginning because, particularly if you're a single mom and you're supporting a child, you still have the same obligations as the former spouse to support yourself. So, ra... raising it up a little bit is one thing that I think would help everybody. And the other thing is, I think it's very... it's very important to point out that Illinois statistics on noncompliance with child support are based on the ones that Illinois tries... tries to collect for public aid and other issues. It does not

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encompass, as some states do, all child support that is paid in the state, so that many of the people in this state who are paying on a regular basis are not part of what we look at as our bad statistics, as some states do, because we do not encompass all child support that's paid. And this encaps all child support that's paid. And I think it's a very important issue to vote for. Thank you."

McCarthy: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Mathias, then Lindner."

Mathias: "Thank you."

Speaker Hartke: "Representative Mathias."

Mathias: "Will... will the Representative yield?"

Speaker Hartke: "The Representative will yield."

Mathias: "Will this new guidelines... will this apply to prospectively or to all new cases or would it apply to all existing cases?"

McCarthy: "Well, it could apply to existing cases if people come in for a review, which they have a right to do today. So... so, I would say both."

Mathias: "I... I guess my only concern is that there must be tens of thousands of divorce decrees out there, both ones that have been settled and ones that, obviously, are just pending now with temporary orders. And will all... will this give the right to everyone who's... who has a current judgment... they do have the right now..."

McCarthy: "If... if..."

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Mathias: "They do have the right now to go in if there's a substantial change in circumstances to raise child support. Will this give them a reason where everyone who's got a divorce decree now can come in and ask for additional money?"

McCarthy: "If they were granted a modification hearing, yes, they would."

Mathias: "So, you're saying that everyone now who has a divorce decree can just... said, 'well, obviously I want more money.' I mean, we've... silly for them not to do it."

McCarthy: "They can apply for that now."

Mathias: "Wouldn't this bring in thousands and thousands of new cases into the system?"

McCarthy: "I'm told here that only if there's substantial changes in the circumstances will this modification hearing being approved. But everyone... everyone who is under a court order, ya know, can ask for that, even today, without any changes to the... to the floor guidelines."

Mathias: "Well, no. You can ask for a change in circumstances by... because there's substantially more income."

McCarthy: "Correct. Or lower."

Mathias: "Or substantially more expenses. And... but, obviously, you have to prove that. Here it's a mathematical formula. Obviously, if the percentage goes up then, ya know, there's no proof there. Do... will those people... in other words, will everyone have the right to increase it or do you still have to prove a change of circumstances of income or expenses before you get to the question of the amount?"

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McCarthy: "We don't have a clear answer about the retroactivity of it. I know it works for all future orders. But I would a... a... assume that if someone came in for the modification and they were granted that... you know, truthfully, I look at a lot of these support order when, mostly, women come to my office, I'm appalled at how low they are, not how high they are. So, if this is gonna help them get a change and move up just a couple percent and get 'em a couple more dollars in order to support their families, I don't see any negative with that. I mean, I don't wanna clog up the court system but in the vast majority of these cases that I've seen personally the support level is way too low, not too high. So, if this does help them move it up, they go over to modification and say, now the law is 28 percent, I'd be happy that that happened."

Mathias: "And... and I'm not stating... I'm... I'm supporting the idea of raising it."

McCarthy: "Correct."

Mathias: "But what I... I'm fearful of, and you can imagine how many... I know we have a lot of former state's attorneys on both sides of the aisle here who... some of whom have worked in child support, their burden is already overloaded with cases. Can you imagine how many cases would be put into the system if every person with two children can now come back to court and ask for more money? I mean, it's not that they don't deserve it or they shouldn't have the right to do it, but it would just clog up our system so much that we couldn't even handle it, just from that issue, without

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talking about any other issues dealing with it. So, I would hope that at least you would look into that. And... and if, in the Senate or some place, there... that... that at least some Amendment would be put on that, to make it clear that they still have to meet the other thresholds before you can ask for child... additional child support, which is the increased... substantial increase of income. So, otherwise I think we're gonna clog up the system tremendously."

McCarthy: "I understand your concern. And I... I wo... and this doesn't change any of the statutes, as far as the reasons for a modification. But I don't if that's just a judge's order or if it's actually in a statute somewhere, to tell you the truth. But I... I understand your concern. But our thing is when they're setting these orders... first of all, all the existing orders... it would seem like the only... most of the cases are 'cause people aren't paying anything. So, it would only affect people coming in to look for more who are at least getting something today, ya know. So, there's such a small percentage of them that I think some of the concerns... the main majority of the cases on this there's still gonna be people who aren't getting any of their money, not getting... you know, are getting 0 percent. So, while this could affect those who are paying and make 'em pay a little bit more, I... I don't have a grave concerns over that."

Mathias: "Okay, thank you."

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Speaker Hartke: "Further discussion? And final questioner, Representative Lindner."

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

Speaker Hartke: "The Sponsor will yield."

Lindner: "Yes, just out of curiosity, your reason for this change is because the cost of living is going up and basic needs are constantly increasing. Why didn't you change the other percentages too, for one child, three child... three children, four and five?"

McCarthy: "Well, it... what it seems like... the different committees that I served on, and some who I mentioned earlier, it seemed like this one step made less sense than the others as far as setting these minimum guidelines. The 20 to 25... like, between 2 and 3 children, the way it is today, there's a 7 percent move up as far as disposable income. This was between 1 and 2, there's only a 5 percent. And most of the people who work with us every day said, if anything, it's of greater cost. There's... there's a much different cost between 1 and 2 than there is between 2 and 3 or between 4 and 5. And they just always said whenever they looked at this it just made no sense 'cause right now 20, 25, then 32. And they thought if anywhere a person needs more income, it's when you change from 1 to 2, as op... and so, the 5 percent increase just seemed too minimal to them."

Lindner: "And is the Illinois State Bar Association Child Support Committee support this legislation?"

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McCarthy: "The Illinois State Bar? I... I... I'm 99 percent sure they put a proponent slip in but I don't have it listed on my thing here. But I'm... I'm... I would stand to be corrected on that. But I... I... I remember there was some proponent slips. There were no opponent slips, but there were some proponent slips that I hadn't spoken to ahead of time, the State Bar, I'm sure, was one of 'em."

Lindner: "Okay, thanks."

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

McCarthy: "Well, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think this is justified. I think that the concerns that, you know, some judges made a mistake with seasonal income, that's a mistake that the judges made. This is a floor that they should look at when they're setting these guidelines. And I think it is... certainly, if we have a problem in this state, it's a problem that the custodial parents aren't getting enough money, not that they're getting too much money. So, I think this is a... a worthy project and I would appreciate your 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 2863?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Mr. Hoffman. Mr. Clerk, take the record. On this question, there are 106 Members voting 'yes', 7 Members voting 'no', and 1 Member voting 'present'. And this Bill, having received the

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Constitutional Majority, is hereby declared passed. On page 39 on the Calendar, on the Order of Third Reading, appears House Bill 3620, Representative Dunkin. Mr. Dunkin, you have a Bill... an Amendment pending in Rules. Would you like to move that Bill back to Second? Mr. Clerk, move that Bill back to Second Reading on the Order of... Second Reading for the purpose of an Amendment at the request of the Sponsor. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3620, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Dunkin, has been approved for consideration."

Speaker Hartke: "Representative Dunkin, on Amendment #1... Floor Amendment #1. Would you please explain the Amendment."

Dunkin: "Mr. Speaker, this Bill simply codifies the meetings... the Open Meetings Act. That is, if there is a meeting and it's recorded, that public body should have it... have a recording of the copy of that particular meeting. It requires that when you have a video or a sound recording is made of a meeting, it's required... that's required to be open, then a copy of the recording must be made available for public for its review."

Speaker Hartke: "Is there any discussion? Chair recognizes Representative Black on Floor Amendment #1."

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

Speaker Hartke: "Sponsor will yield."

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Black: "Representative, in the commitment that you made to hold this on Second Reading, was your commitment to reach an agreement with all parties or simply to reach an agreement with the Illinois Press Association?"

Dunkin: "It was with the... it was with the Illinois Press Association, correct."

Black: "All right, so this Amendment does not remove the objection of the Illinois Municipal League, correct?"

Dunkin: "The Illinois... what again?"

Black: "The Illinois Municipal League is still opposed to this... this... not only this Amendment, but the underlying Bill."

Dunkin: "I have not heard from them, Representative."

Black: "Well, I'm sure you will. Thank you very much, Representative. Mr. Speaker, to the Amendment."

Speaker Hartke: "To the Amendment."

Black: "I'll not ask for a Roll Call, we'll get to that on Third Reading. Ladies and Gentlemen of the House, this is another well-meaning Amendment that fails to recognize the diversity of this great state. There are municipalities who have excellent recording capabilities, microphones at every council member's desk, a master control studio, if you would. And then there are towns in my district where they're lucky if they can afford a \$20 tape recorder from K-Mart or other... or some other box store and the only reason that tape recorder is there is to help the town clerk type some reasonable facsimile or transcript of the meeting. It's generally, if you release this tape and I've been to many of these meetings and it's hard enough to hear

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in a town hall that was built a hundred years ago, there may be one microphone or no microphones, it may be a built-in microphone to the actual recording device and to say that that tape then has to be made available is not only a waste of time, it's a waste of money. Not all communities can afford that. If you have the recording capabilities of a city like the City of Chicago or some of the larger communities in the state, this is no... this is no mandate that you have to deal with or that you'll have to pay a great deal of money to have. But if you're like most of the towns in my district, where if you're lucky, the sound quality is such that the town clerk or the city clerk will be able to at least type some reasonable typewritten copy of the minutes of the meeting, that's about the best you're gonna do. And... and when you're talking about cities in my district that have a total operating budget of \$30 thousand a year to make... ya know, where are they gonna make a copy of this? They don't have copy equipment. They're gonna have to call somebody, take the cassette out of the \$20 tabletop tape recorder, have somebody dub a copy that may or may not even be understandable and it is a burden on smaller communities. Once again, it points out that we just don't seem willing to understand the great diversity that exists in this state. It is a hardship on many of the towns in my district and at the appropriate time I will speak against the Bill and vote 'no' on Third Reading."

Speaker Hartke: "Representative Black, let me clarify, are you asking for a Roll Call vote on the Amendment? No, okay.

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Further discussion? Since no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3620?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No Further Amendments."

Speaker Hartke: "Third Reading. On page 38 on the Calendar, on the Order of Third Reading, appears House Bill 2587, Representative Jones. Lou Jones. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2587, a Bill for an Act concerning the Department of Transportation. Third Reading of this House Bill."

Speaker Hartke: "Representative Jones."

Jones: "Thank you, Mr. Speaker and Members of the House. House Bill 2587... amends the Department of Transportation Law of the Civil Administrative Code of Illinois. The department... it establishes, in the State of Illinois, Illinois Transit Ridership and Economic Development Pilot Program. Under the program, it requires that the department, beginning in fiscal year 2004, to fund maximum of eight pilot projects to increase Illinois' transit service and facilities. And I'll answer any questions."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill."

Speaker Hartke: "To the Bill."

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Black: "Under normal circumstances this is not a Bill that I would cosponsor, nor is it a Bill that I would... would vote for in a budget crisis year. But I've maintained for some time that this Bill doesn't deal with normal circumstances. One of the... one of the unfortunate facts of life of the diversity of this great state is that we have pockets of job opportunity 30 miles away from pockets where people need work. And in my district, for example, the community of Champaign-Urbana, about 30 miles away from Danville, has developed a major regional retail market, as... as well as other high tech jobs. Many people in my community could... could make themselves, I think, good employees, particularly in the retail section of Champaign-Urbana, but they have no reliable transportation to get there. We don't have a CTA or an RTA or any intercity transportation system that runs on a regular basis. And what has happened to many of my constituents, they get a job in a... in a growth city, like Champaign-Urbana where the University of Illinois is located, they're trying to get there in a 25- or a 30-year-old car, come winter time the car breaks down, three or four times after that has happened you... you lose your job. And I suppose rightfully so because you... you didn't show up. Or... it's not that you didn't show up, what I have learned from my constituents is that you aren't able to get there because you do not have reliable transportation. And then the next time you go out to get a job you have a mark on your record because you were fired for irregular attendance or cause at your last job. I know

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that this is an expensive proposition, I know it's a pilot project, but at some point... and I think you've seen it in the Chicago area and even the suburbs in reverse commute. If people have reasonable, reliable, and cost efficient means to get from their home to work and back, they can hold a job, even if the job may be 30 or 35 miles away from where they live. But if you come down to rural Illinois where you do not have that kind of transit you just simply cannot find steady work unless you have reliable transportation. And moving is not an option. The housing stock in Champaign-Urbana is considerably more expensive than the housing stock in my hometown of Danville. So, when all is said and done, and I've talked to the Sponsor of this Bill and many of the supporters, somehow we're going to have to come up with a plan in Illinois that lets people get from point A to point B in a reasonable, cost-effective way, not only for employment opportunities but to get to medical facilities that are becoming more regionalized. The bottom line is, if you can't move people to where the services and jobs are, you're gonna create pockets of unemployment and pockets of decay that aren't good for the State of Illinois or the district in which it exists. So, again, in normal circumstances I would hesitate in this budget year to... to speak in favor of this Bill, but over the years I've learned that adequate transportation is the key to solving many of the problems of structural unemployment in rural Illinois."

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Speaker Hartke: "Further discussion? There are four people seeking recognition: Phelps, Parke, Hamos, and Aguilar. Representative Phelps."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill."

Speaker Hartke: "To the Bill."

Phelps: "I stand in total support of Representative Jones and House Bill 2587. This House Bill will not only expand economic development opportunities in this state but also would benefit rural communities in Illinois, which are in dire need of more transportation alternatives. In my district, Rides Mass Transit, which has the nine most southeastern Illinois counties, would very much benefit from this. Rides has provided crucial transit service for the past 26 years to people from jobs, health care, social services, shopping, and recreation in rural Illinois. Under the Transit Ridership and Economic Development Pilot Project Program, Rides would be able to extend transit services to two counties and enhance service in other three. A commitment to high levels of service will create needed jobs in these areas and provide a viable alternative to transit-dependent workers and families. I ask everyone for an 'aye' vote on House Bill 2587. Thank you."

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

Parke: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, I think this is a good idea. I think the arguments made on behalf of it make sense. However, I

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respectfully rise in opposition. Ladies and Gentlemen, this Bill cannot exceed a price tag of \$5 million. But in fact, that's what the price tag will be, \$5 million. I don't know where the money's gonna come from. Maybe we could take it from the aged, maybe we could take the \$5 million from mental illness, maybe we could take it from housing. Ladies and Gentlemen, I don't know where you're gonna get the money. But what you're gonna do is you're gonna put this on the desk in the Gov... with the Governor and the Governor's gonna have to veto this 'cause there's no money. Ladies and Gentlemen, we are broke. You continue to put Bills out that spend money. I don't know how you can keep doing it but we keep doing it. This'll pass, this'll blow out. Ladies and Gentlemen, the State of Illinois does not have money enough to pay its Bills, let alone expand programs, even though they have good ideas. Ladies and Gentlemen, I respectfully ask you to vote either 'present' or 'no' on this legislation."

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

Aguilar: "Thank you, Mr. Speaker, Ladies and Gentlemen. To the Bill."

Speaker Hartke: "To the Bill."

Aguilar: "Just to... to... Representative Jones, this is an excellent, excellent Bill and I'm very, you know, honored to cosponsor it with you. This is an investment that we must make in our people. Many... many of our constituents... many of the residents of ci... of Illinois cannot get to

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their jobs. And many of them cannot afford transportation. And this would give them an opportunity to get to their jobs and back and forth. And this is more of an investment. I know we're in a tight budget crisis but this is investing our funds to our citizens to the people of Illinois. And I commend you, again, Representative Jones. It's an excellent Bill and I... I urge the, you know, Representatives here to vote 'yes' on this Bill. Thank you very much."

Speaker Hartke: "The final speaker, Representative Hamos."

Hamos: "Thank you, Speaker, Ladies and Gentlemen. To the Bill."

Speaker Hartke: "To the Bill."

Hamos: "Without repeating any of the good reasons that we should be voting for this Bill, I have served as chair of the Transit Subcommittee for Transportation Committee for the last four years. And the reason that this Bill is so important is because the State of Illinois has never had a plan for exactly these kind of projects that might require innovative routes, new kinds of partnerships, might require public transit agencies to work with employers, to work with social service agencies. That's what this Bill does. And there is money. The money is going to come down, we already know it, from the Federal Government. There is a program that is coming to Illinois, it came to Illinois four years ago. When it came to Illinois four years ago, it left us flatfooted. We were not ready with a plan, we did not know what to do with the money. It took us several

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years to get going. This is the... people who worked on this Bill this year have created some consensus about what the plan should be. And then Representative Winters and I cosponsored a Bill that passed last week that would set up the ongoing process for the future. So, this Bill is well thought out, there's money coming into Illinois, it's really needed. And I urge your 'aye' support."

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

Jones: "Thank you, Mr. Speaker. Representative Hamos said the exact thing that I was getting ready to say. I have a letter that was sent by Senator Durbin. He was very interested in including job access and reverse commute projects and that money will be from the Federal Government and he has signed onto this. So, I know it costs quite a bit of money but we will be get substantial money... amount of money from the Road Fund and also from the Federal Government. And I ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 2587?' 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? Flowers and Wirsing. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 92 Members voting 'yes', 2 Members voting 'no', 20 Members voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, the Chair would like to announce that we are

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compiling an Agreed Bill List #2. So, you are asked to see your respective chiefs of staff, Mr. O'Conner or Mr. Mapes, if you have a suggestion and a possible candidate for the Agreed Bills List #2. Mr. Wirsing in the chamber? On page 17 on the Calendar, on the Order of Second Reading, appears House Bill 2573, Mr. McAuliffe. Out of the record. On page 3... 35 on the Calendar, on the Order of Third Reading, appears House Bill 132, Representative Capparelli. Out of the record. On page 38 on the Calendar, on the Order of Third Reading, appears House Bill 3141, Representative Chapa LaVia. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3141, a Bill for an Act concerning military personnel. Third Reading of this House Bill."

Speaker Hartke: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. House Bill 3141 provides that any full-time employees of the state, a unit of local government, or a school district, instead of just the state, other than an independent contractor, who is a member of the armed forces shall be granted leave from his or her public employment for any period active... actively spent in the military service. This rule also preempts Home run Rules... or powers. Any discussion?"

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

Franks: "Will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

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Franks: "Thank you, Mr. Speaker. Representative Chapa LaVia, this Bill here, when you say it makes a change, would the change be that it now allows municipal employees to also serve their countries and be able to keep getting paid and having their jobs protected as opposed to just state employees?"

Chapa LaVia: "Yes."

Franks: "Yes. Okay, that would be the main change in this Bill, correct?"

Chapa LaVia: "Correct, my genesis fellow partner."

Franks: "Thank you. I think it's an outstanding Bill and I'm all for it and encourage everyone to vote 'yes'."

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

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, the Bill mentions training or advanced training but doesn't mention a call to active duty. Is that already covered under some aspect of the law?"

Chapa LaVia: "Yes. Yes, it is."

Black: "All right. Now, let's... let's take a school district for example. It's my understanding that... that the school district generally works out these kinds of... of leaves. Summer training is obviously in the summer. That was a redundant phrase, wasn't it? But now... now we're mandating... some of this specialized training may be voluntary or may be what the Reservist or the Guard's person wants to take

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advantage of, not... not necessarily has to take advantage of, correct?"

Chapa LaVia: "This... Representative Black, this just extends to municipal employees. That's all it's adding. It's amending the Bill. Right now, currently, it... the law only allows for full-time state employees who are members of the armed forces to be granted leave from state employment for any period actively spent in the military service. But yes, asking what you asked, yes, it would include that."

Black: "So, if in a small rural school district the only chemistry teacher that you have wants to go to command and staff training school at Ft. Leavenworth and it just happens to be there's a vacancy in February and it's a three-week course, you're... you're telling me that..."

Chapa LaVia: "No."

Black: "...that school district must grant leave to that school person."

Chapa LaVia: "No, we're not changing it for the teachers. It's the municipal employees. It doesn't change anything for the teachers."

Black: "Representative, that... that's the... there's a fundamental misunderstanding then that my staff and your staff may have. Our staff believes that the way the Bill is drafted the definition of a 'school employee' would certainly include a teacher. And I don't know if that's... if that's your intent or not but... and... and I... I would not want to vote against this Bill. But I can tell you, in a small, rural school district if you lose a advanced math,

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chemistry, any junior or senior level elective class teacher, that rural school district's in a lot of trouble trying to fill that position. And I... I don't know, maybe you need to ask your staff if, in fact, this does not cover school teachers. Our staff indicates to us that it does."

Chapa LaVia: "We'll... we'll check into and I'll get back to you on that."

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

Speaker Hartke: "Representative Chapa LaVia, would you like to pull this Bill out of the record 'til you've had time to check that out?"

Chapa LaVia: "Yes."

Speaker Hartke: "Okay. Take..."

Chapa LaVia: "Yeah, take it out of the record."

Speaker Hartke: "...that Bill out of the record. On page 38 of the Calendar appears House Bill 21... 3127, Representative Collins. Representative Collins. 3127. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3127, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Representative Collins."

Collins: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a real simple Bill. It just amends the... the Bill allows the court to wait... this... this Bill just... because we've had problems with prostitution over in the Wicker Park area we're just amending the code so that the penalty could be in accordance with the 1 thousand feet from school property. So, we ask for an 'aye' vote."

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Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3127?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 36 on the Calendar, on the Order of Third Reading, appears House Bill 539, Representative Currie. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 539, a Bill for an Act concerning freedom of information. Third Reading of this House Bill."

Speaker Hartke: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is a simple Bill. It provides that when there are computer geographic systems that have been created by local governments or state agencies, information may be accessible to the press if the information is to be used to protect the safety and health and so forth of the people. I know of no opposition to the Bill and I would appreciate your support. I'd be happy, also, to answer any questions."

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

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

Speaker Hartke: "The Sponsor will yield."

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Lang: "Thank you. For purpose of legislative intent, Representative, will this Bill make any new records of the General Assembly subject to disclosure under FOIA?"

Currie: "Thanks for the question, Representative Lang. First, some of the records of the General Assembly, as records of other units of government are already exempt under FOIA. They would remain exempt under this Bill, preliminary drafts, memoranda, and so forth. You might look at Section 71(f) of the Act. To the extent that the General Assembly or any of its agencies or commissions might generate computer geographic information systems, one example that comes to mind would be redistricting data, but preliminary work would continue exempt. Of course, a... a final map that is pub... would be published when voted upon by the commission. But the exemptions that are already a part of the Act would... are not touched by this Bill. The only difference this Bill makes is that for computer geographic systems the press, the media, may access information if it's relevant to the health and the safety of the people."

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

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

Speaker Hartke: "The Sponsor will yield."

Mulligan: "Representative, could you give me an example of a type of situation this would cover?"

Currie: "Apparently, many units of local government and some state agencies are collecting data, data that is... may be available to the general public, and they're putting them

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in, you know, sort of like geopolitical... geo... geographic positioning systems kinds of things. They're making it available on maps. Generally, they sell that information to recoup the costs of creating this map system, and that's okay. And that map is exempt under the current Freedom of Information Act. This Bill says except in the case when the media might want access to part of the map because of a concern about the rights or the safety or the health of the public."

Mulligan: "All right. When you... when you encompass public health, ware... welfare, and safety would that also include an issue that has to do with security, like Homeland Security where perhaps you do not want to divulge a certain way of protecting a facility?"

Currie: "That would already be exempt under the current Act. And this Bill does not change that."

Mulligan: "All right. Thank you."

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

Currie: "Appreciate your 'yes' votes."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 539?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On 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. Let's

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go back to page 38 on the Calendar, on Third Reading appears House Bill 3141, Representative Chapa LaVia. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3141, the Bill's been read a third time, previously."

Speaker Hartke: "Representative Chapa LaVia."

Chapa LaVia: "Back to the Bill. Thank you, Speaker. It does include teachers. However, you know, if we don't allow these people to go out there and get the basic training and what have you, we wouldn't have the forces we have in Iraq now. This just helps provide for those mu... municipalities that we didn't cover before in this Amendment."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3141?' 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. Have all voted who wish? Mr. Hoffman. 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... hereby declared passed. Mr. Wirsing. On page 38 on the Calendar, on Third Reading appears House Bill 3117, Mr. Wait. Mr. Wait. Mr... Out of the record. On page 39 on the Calendar, appears... on Third Reading appears House Bill 3405, Mr. Washing... Davis. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 3405, a Bill for an Act concerning educational labor relations. Third Reading of this House Bill."

Speaker Hartke: "Mr. Davis."

Davis, W.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a simple Bill which was presented to me by the Illinois Federation of Teachers. The Bill simply amends the Illinois Educational Labor Relations Act to recognize the finance authority as an educational employer. This is a technical Bill to correct a flaw in Senate Bill 912, passed last fall, to take care of the Hazel Crest School District 152½. Hazel Crest School District, like so many other school districts, was put under the authority of an oversight panel due to financial difficulty. Because of the financial distress was so great the State Board of Education sought legislation to place the district under a school finance authority with the powers to run all aspects of the school, this would include negotiating with the exclusive representative or bargaining agent. The original Bill is designed to help other districts that may end up in the same financial distress. However, the language to define the school finance authority as an employer was accidentally left out in Senate Bill 912. House Bill 3405 eliminates the problem."

Speaker Hartke: "Is there any discussion on House Bill 3405? The Chair recognizes Mr. Black, the Gentleman from Vermilion."

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Black: "Thank you very much, Mr. Secretary, Ladies and Gentlemen of the House. To the Bill."

Speaker Hartke: "To the Bill."

Black: "A few months ago this chamber, bailed out may be the wrong term, if so, I apologize, but appropriated four and a half million dollars for this financially bankrupt school district to continue operating. I believe it has enough money to operate one more school term. So, in other words, the... this bankrupt school district will now negotiate with the financial oversight board that, in effect, really should be the General Assembly, and bargain whatever it is they have to bargain before this thing probably goes under for the last time and there are about a dozen school districts waiting to join this one. I daresay we'll have two in here before the end of the Legislative Session on districts that are not able to make payroll. Now, I'm not opposed to collective bargaining and I've often voted and usually vote for the right to bargain collectively on... on working conditions, salary, and what have you. But now you are going back, letting a district that either through mismanagement or whatever... whatever happened, I don't pretend to know all of the details of the Hazel Crest School District. The taxpayers of the Illinois... of the State of Illinois now operate this school system. I didn't vote for it. I thought... I thought you might as well let these things collapse and then pretty soon the General Assembly might get serious about changing how we fund education in Illinois. But what in the world... what sense

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does it make when you've put four and a half million dollars in a budget year that we're about, depending on who you listen to, 4 or 5 billion dollars in the hole. Now, you're gonna let these... now, you're gonna let these employees come in and bargain in what probably is the last year of existence of the... of the school district. I... I would assume that the contract they had would be enforceable with the School Financial Oversight Committee. If... if not, then to grant them the ability to... to bargain collectively in what is the last 12 months, in all probability, of the very existence of this district, the financial oversight authority'll be spending a great deal of their time on collective bargaining issues rather than spend their time trying to figure out what will become of this school district in the next 12 months, how will the children in this bankrupt school district be able to continue their education. Those are the matters before this Body, not whether or not you go back and retrospectively say that whoops, we forgot, a school financial oversight authority is not required to bargain collectively. You know, until you draw the line in the sand and let some of these districts go through the system that we have, which isn't very good, this Body will never have the collective courage to change how we fund education in this state. I have voted for that change twice, I'm prepared to vote for it a third time, but I'm not prepared to let what is, in effect, a bankrupt school district being supported by general revenue tax dollars of the State of

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Illinois spend the next 12 months negotiating whatever their exit strategy may be. I think that's poor public policy. I intend to vote 'no'."

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

Davis, W.: "In relation to what the Representative said, I, too, agree that we ultimately have to determine the prop... the appropriate mechanism for funding schools here in the State of Illinois. But until such time as, like the Representative said, the General Assembly has the guts to stand up and make the necessary changes to funding school for... to... to reforming school funding, this simply just allows those districts who are going through that process right now the opportunity for the school finance authority to assume the responsibility of that school district to make sure that all matters are appropriately and correctly done. I ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 3405?' 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. Saviano. Mr. Wait. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 75 people voting 'yes', 39 people voting 'no', and 0 Members voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 38 on the Calendar, on the Order of Third Reading,

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appears House Bill 3071, Mr. Delgado. Mr. Delgado. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3071, a Bill for an Act in relation to public aid. Third Reading of this House Bill."

Speaker Hartke: "Representative Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the House. I was pleasantly distracted there. House Bill 3071 does the following. It adds licensed psychologists, licensed clinical social workers and licensed clinical professional counselors to the list of practitioners for whom the IDPA may provide reimbursement for. Also prohibits DPA from requiring physician referral before such services can be abursed... can be reimbursed. This is ba... it's a simple Bill. Basically says that if you're a clinical psychologist or you're a clinical social worker and you're working for a doctor... they went to school all their lives to get their professions so that they can have their career, too. They're gonna bill. And right now the only way they can bill is through their medical pr... doctor. And then it's all done through that one particular office. So, at this point it's pretty self explanatory. It's letting the professionals who operate within these communities to be able to file for reimbursement. And in many of our communities we do not have the option or enjoyment of having a psychiatrist located in our communities. Many of us deal with professional social workers, clinical social workers who actually do the real work in our communities and I hope someday we'll see many offices of others in our

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communities, too. And for that, I would ask for an 'aye' vote."

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

Parke: "Thank you, Mr. Speaker. Again, we have a Bill that on the face of it makes sense. But there is a \$18 million fiscal impact on the State of Illinois... excuse me, there's an \$18 million fiscal impact, half of which comes from federal funds, half must come from the State of Illinois. We do not have the money to provide that \$9 million. The State of Illinois is broke. I respectfully rise in opposition to this Bill and would ask to vote either 'no' or 'present' on it because of fiscal constraints. The State of Illinois is broke, we do not have any money for new programs."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House... oh, Representative Black."

Black: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Like Don Quixote, I'm unbowed and I'll continue to joust with windmills. We are in a situation where we had more nursing homes go bankrupt last year than at any time in the history of the state. We have nursing homes on the verge of bankruptcy today. I don't have a single dentist in my district who will take a Medicaid patient because our reimbursement rates are below their cost. I have a hospital that just decertified a level two trauma center because of past due, overdue, and inadequate Medicaid

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reimbursement they can no longer afford to have a surgeon on call 24 hours a day. The list could go on and on and on. As we sit here today, the State of Illinois currently owes Medicaid providers over \$1 billion in unpaid bills. Some of those unpaid bills go back six months. And yet, here we come with a well-intentioned Bill to add clinical psychologists and social workers to the Medicaid reimbursement charge. Folks, we can't pay what we've already promised people we're gonna pay now. We can't do it, we aren't doing it, and if we don't figure out a way to do it pretty soon the very system of taking care of our poor and our elderly is going to collapse. You can't keep adding something to a system that is almost irreparably broken. You show me where you're gonna come up with the \$9 million to add another Medicaid reimbursement, I'll vote for the Bill. But in the meantime, show me how you're gonna pay \$1.2 billion in delayed payments to Medicaid providers that, in some cases, are bankrupting these providers as we speak. We can't pretend anymore. You can't pull the covers up over your head and say this is a good Bill. It is a good Bill, it is something we should do, but we can't do it until we get a handle on our Medicaid costs. If you don't believe me, read any newspaper in the state. More nursing homes went bankrupt last year than at any time in the history of the State of Illinois. I can't get one dentist, as I said, to take a Medicaid patient. I have a medical care supplier in my district who has cut off all Medicaid patients because we

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owe him \$90 thousand. He can't meet his payroll. He's probably gonna be out of business at the end of the month and yet you want me to vote for something that adds \$9 million in state costs for Medicaid reimbursement. Folks, that's not the real world and that's not what we're faced with. And until we collectively say we just can't be all things to all people, until we get this budget straightened out, you're just living in lala land. And one of these days the bill, and it's gonna be in the next 45 or 50 I think, one of these days this bill is gonna come due and we're not gonna be able to pay it. And God help us when nursing homes, small rural hospitals, Medicaid providers just say 'no'. No more. We won't take a Medicaid patient, or worse yet, we'll go bankrupt. This is a vote that makes you feel good, fine, vote for it. Just show me where you're gonna get the 9 million bucks."

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

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

Speaker Hartke: "The Sponsor will yield."

Mulligan: "Representative, do you know... excuse me. Right now, if you do not have the first level of a psychologist, what happens to a client? Do sometimes they just end up in a... in... on the state cost in a mental institution?"

Delgado: "I'm sorry, I didn't hear the last part."

Mulligan: "If we do not provide the entry level services for mental health, what ultimately happens to a Medicaid patient who may require those services?"

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Delgado: "I... I thank you for asking that question. First of all, the... the risk assessments couldn't be made, the psychometrician would probably be out the door, too, in terms of getting the assessment tool ready and furthermore, we wouldn't have a complete plan for service, to answer your question directly. But, Representative, also I'm inclined to... to also point of clarification. This is not a new program, this is just adding... the person that's being billed already has a clinical psycholo... a clinical social worker, be it the doctor. The only thing this Bill will do is just separately bill to that clinical social worker or psychologist. Now, keeping that in mind, right now the previous speaker pointed out that we're behind in bills. We agree. We're behind in the bills we're paying to these workers already. The only distinction here is that the clinical social worker will be able to say, 'I'm billing mine separately and I won't get paid on time separately.' That's all this Bill does. The fiscal note has been, historically, a high fiscal note. But this is not creating new... new work. All that's telling IDPA is that you're gonna get the bill from that worker. It's happening now but the only way they can collect is through their doctor, the person who employs them. And what we're suggesting here is that let them bill for their own services, that's why they have their degrees and a license to practice."

Mulligan: "When the department put a fiscal note of 18 million, is that 9 million plus 9 million match?"

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Delgado: "That is correct. And even that 9 million, Representative, as you've seen in the past, we find that to be astronomical. And when I've met with the department they really didn't have a number and I continue to challenge them and to stop pulling numbers from the air. As you know, we ran this Bill last year and I believe they gave us a \$44 million fiscal note. And so where they're getting these notes to implement a technical change in their payroll process is beyond me."

Mulligan: "So, they do not actually track how mental health services are provided or lack of them or... and they ga... and they gave you no figure of the amount that might be saved by doing a lower level service than a higher level service?"

Delgado: "That is correct."

Mulligan: "And they have no idea?"

Delgado: "And they have no idea. They've ga... and we've met with them, this is my second turn on this Bill from last year. I'm chairing the Human Services this year, I sat with them and they told us and the Sponsor of the Bill from the National Association of Social Workers that they would get back to us with a number and this is the number they came up with. But the Members... don't let yourself be fooled at this point. This... these... many of these workers are on line already. They're working in doctors' offices, they are doing the job. We are behind in getting their payments. All this will do is separate them and let them

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legitimately charge as they do now. And in many cases, will charge even less, in many instances."

Mulligan: "Currently, are they not allowed to get a Medicaid match?"

Delgado: "At this point today, they are not... they're not allowed to get Medicaid. Right now, I think, it's pro... it's paid through the provider. No, they... the answer to your question is 'no'."

Mulligan: "So, if... if the provider has one provider in the group that is allowed to do a Medicaid match, can the services of the lesser expensive clinician be covered by Medicaid, only if the top provider is covered by Medicaid?"

Delgado: "That is correct."

Mulligan: "All right. Thank you."

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

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

Speaker Hartke: "The Sponsor will yield."

Winters: "Representative Delgado, that... that is one of my concerns with this Bill, whether or not we are going to allow the licensed clinical social workers and the... and the lesser prepared or lower degreed individuals if they will be able to bill separately. They're not going through a primary provider, in other words."

Delgado: "That is correct. In many of our communities, like my district itself, we have many services that are community-based and they do, for example, a lot of the risk assessments for DCFS. Because we don't have psychiatrists

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in my community that have offices in my district, they're on Michigan Avenue. So, many times the community-based ones are agencies that have clinical social workers that are on staff, they're the ones that actually interview that child who's been abused and neglected. They're the ones that interview that delinquent. They're the ones that provide the counseling. They're the ones that provide the wraparound services and referral. The day-to-day operation is done in the community."

Winters: "And currently they are billing through the psychiatrist, the doctor with the M.D."

Delgado: "That is correct."

Winters: "Okay. Will..."

Delgado: "They're paid by that psychiatrist that referred the child to them."

Winters: "Is there an add-on fee? In other words, if... if, I'm gonna make some numbers up, say a clinical social worker maybe charges \$30 an hour, a psychiatrist 60. If they are actually providing the... the services, does the psychiatrist add-on just because he's doing the referral?"

Delgado: "No, they do not. Because they're part of the network, whatever the psychiatrist is charging is exactly what is billed. And then that's their teammate and that teammate does the work and then when the state pays them it's not... their name's not it, it's paid to that provider. That provider that pays their fee... pays the fee that they've all agreed on ahead of time, so there's no additional fee. No, Sir."

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Winters: "I would... I would assume that there might be under our current wave operation that there would be an add-on for the psychiatrist to monitor and watch the case when he's not actually providing any services. What I'm trying to do is make the point that we may be able to save some money by going with this Bill."

Delgado: "I intelligently assume that's correct, Representative, because those who are out there are gonna attempt to make as much as they can. And then the la... and then we would think that the provider would know the range from a floor to a ceiling. Under this new provision, of course, that's... that clinical social worker won't be able to do that and they're just gonna bill for their services, which is dictated by... by what we see throughout the state. So, do we get a higher fee? No. Are we gonna get a fee that's fair, that's already in place? Yes. Can we see some lower? Absolutely. There is times that they do pro bono and do five kids and they only bill for three."

Winters: "Well..."

Delgado: "So, the state could actually save some money here."

Winters: "Now, you mentioned... I didn't catch the current fiscal note. I heard you say that last year there was a fiscal note attached at 44 million. What was this year's fiscal note?"

Delgado: "This year's fiscal note is 9 million by the State of Illinois, matched by 9 million from the Federal Government. The fiscal note, again, as we asked really had no clue 'cause they're not sure how much it'll cost to implemate..."

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implement this technical change from their payroll side. It's not gonna cost 18 million, Representative. You've been around here long enough to know that."

Winters: "It sounds like currently the services are being provided but billed through the psychiatrist. If we don't have additional services, then it would appear to me that we wouldn't see the major fiscal impact that DA... DPA is actually putting out there."

Delgado: "Absolutely correct, Sir."

Winters: "Okay. Thank you very much."

Delgado: "Thank you."

Speaker Hartke: "Further discussion? The final... final questioner, Representative Coulson."

Coulson: "Thank you, Mr. Speaker. Representative Delgado, on... on this Bill, actually, many of the providers would actually be a less costly level of provider, correct? So that a social worker would not need to bill as much as a... a psycho... psychiatrist."

Delgado: "That is correct."

Coulson: "So, in reality... and I... I believe some of what I wanted to ask you was just requested. This Bill could actually be a cost effective measure to provide mental health services to the... the children and other people who need these mental health services."

Delgado: "That is correct. From children to family therapy to group to the individual. Absolutely true. And I think I made that statement in my comments to the previous speaker."

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Coulson: "Okay. Thank you very much."

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

Delgado: "Yes, thank you, Mr. Speaker. I'll be very brief. Please keep in mind this is not a new program. This is already in place. All we're doing is respecting the integrity of other professions and their ability to collect from the state, also and to provide these services. They're doing it already and many communities that have a social economic disadvantage are... are utilizing these services big time. And until we can get our great psychiatrists to come into all of our communities and provide these services, this is definitely a cost-effective and does not interrupt services. And I would ask for your 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 3071?' 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 89 Members voting 'yes', 6 Members voting 'no', 19 Members voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 221?"

Clerk Rossi: "House Bill 221 is on the Order of House Bills-Third Reading."

Speaker Hartke: "Move that Bill to the Order of Second Reading for the purpose of an Amendment at the request of the

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Sponsor. On page 39 on the Calendar appears... on Third Reading appears House Bill 3628, Representative Dunkin. Mr. Dunkin. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3628, a Bill for an Act concerning open meetings. Third Reading of this House Bill."

Speaker Hartke: "Representative Dunkin."

Dunkin: "Yes, Mr. Speaker. This Bill amends the Open Meetings Act, provides that all meetings required by this Act... that are public... that shall be no more than 30 minutes and public comments are to be at the very beginning of the meeting."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3628?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On this question, there are 66 Members voting 'yes', 42 Members voting 'no', 5 Members voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 35 on the Calendar, on the Order of Third Reading, appears House Bill 371, Mr. Wirsing. Good to see you, Sir. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 371, a Bill for an Act concerning teacher certification. Third Reading of this House Bill."

Speaker Hartke: "Mr. Wirsing."

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Wirsing: "Thank you, Mr. Speaker. It's nice to see you as well. You're... you're looking even better than the last time I saw ya. House Bill 371 it simply amends the School Code in the teacher certification article. It provides that the al... alternative certificate program shall be limited to new par... participants and not to exceed the number of unfulfilled positions as reported in the state board. That's... that's the quick overview of the Bill. This comes from a task force, one of the recommendations that came out of the education task force this past, well, year, year and a half."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 30... 371?' 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 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 37 on the Calendar, on Third Reading appears House Bill 2311, Representative Feigenholtz. Out of the record. On page 37 on the Calendar, on Third Reading appears House Bill 2273, Mr. Holbrook. Mr. Clerk, read the Bill. House Bill 2273."

Clerk Rossi: "House Bill 2273, a Bill for an Act concerning recreational trails. Third Reading of this House Bill."

Speaker Hartke: "Representative Holbrook."

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Holbrook: "Thank you, Speaker. House Bill 2273 does one change. It... it raises the administrative fee that the percentage that the department can use for their off-road vehicle trail fund. It is 65 now, now it limits them to 85. Testimony from the department says that at this time they are only actually using about 2½ percent for the actual administration of the program and then they're using about another 7 to 10 percent to hire a law enforcement officer from conservation. So... the intent of this Bill, when it was originally passed a few years ago, was that these user fees that these members pay be used for those off trails and not to be gobbled up by administrative fees. And now that we know what the cost of these programs are, I think this is more than generous to the department so that the money goes what it was intended for, for the users."

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

Feigenholtz: "Will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Feigenholtz: "Representative Holbrook, I see on the Bill analysis that there are some opponents to this Bill. The Department of Natural Resources is opposed, the Sierra Club is opposed and the Illinois Environmental Council is opposed to this Bill. Can you tell me why?"

Holbrook: "The department wants to use the money for administrative expenses outside this program."

Feigenholtz: "So that's why they're opposed to it?"

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Holbrook: "Yeah, that was the only testimony I heard in committee."

Feigenholtz: "And tell me why do we need to... is there a fee increase in here or is this just diverting money..."

Holbrook: "These are the exact amounts that were set originally for the off-road fees for both the license and for the permit. Nothing changed on that at all. The only thing this Bill does is it limits the amount the Department of Natural Resources can use out of that fund for administrative fees. And they testified to actually administer the program takes about 2½ percent. They added to that a law enforcement officer, which ran it up to about 11, I believe. And we're even agreeing they can use that, even though that law enforcement officer is used in other areas. The group agreed that they would even go along with that to help out the department. But they did want to cap it at 85 percent."

Feigenholtz: "What are the... the reasons that we need to divert this money when the department is opposed to it? Why would we... what is off... I mean, don't we have to make this money up from the General Revenue Fund?"

Holbrook: "No, not at all. No. No. These are private parks financed through this fund at... at operators fees that they're paying in and those fees aren't changing. The only thing this Bill does is limit the Department of Natural Resources' amount of money they can use for administrating the program and they testified in... in committee they're using about 2½ percent. And what we agreed to is we'd go

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up 15 percent, that is 85 percent would be... go to the trails. This program was sent in about 4 years ago when we had no idea how this program was gonna be... what type of administrative fees were gonna be charged. And we allowed up to 60 percent when we put the original program in."

Feigenholtz: "Well, I... I understand the part of the Bill where you're establishing a trail fund. And I understand the need or desire to accept dollars from other sources for off-highway vehicle operators. Now, that would be... can you... first of all, can you define what an off-highway vehicle operator is? I seem to remember similar Bills like this sponsored by people in this row back here. I believe that... there was another Representative, whose name I won't mention, who I believe is your seatmate and my classmate, who had a Bill very similar to this."

Holbrook: "Don't forget, I'm your classmate, too."

Feigenholtz: "I know, Tom."

Holbrook: "Don't ever forget me."

Feigenholtz: "So, you know, ca... you know, I have to tell you that... that I think I have the largest number of Sierra Club members in my legislative district. And so, of course, when they... when they decide that they're opposed to a Bill, Tom, it raises grave concern for me. So, I really want you to tell me, what is off-highway vehicle operators and what is this money gonna be used for? Are these like dirt bikes?"

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Holbrook: "These... these are for ATVs, off-track vehicles, like a four-wheel... four-wheel and three-wheel ATVs. That's what they're for. Motorcycles."

Feigenholtz: "Four-wheel what?"

Holbrook: "Four-, three-, and two-wheel vehicles, like motorcycles, off... off-trail vehicles."

Feigenholtz: "How many of these trails do we have in Illinois?"

Holbrook: "Not near enough. I understand we only have a couple."

Feigenholtz: "That's debatable."

Holbrook: "No, and as far as Sierra Club and those groups..."

Feigenholtz: "How much is in the fund right now? I mean, didn't we raise the fee? Maybe your seatmate can help you with this. I know that..."

Holbrook: "No... no fee... no fee has been changed since the inception. They pay about \$30 for the sticker that goes on the bike and then when you get their driver's li... the motorcycle license, they pay a set fee. And they just testified in committee, right now there's a... there's a large surplus in that fund. And I... I can't remember the exact amount."

Feigenholtz: "Right."

Holbrook: "I didn't write it down."

Feigenholtz: "Why is the environ..."

Holbrook: "Six hundred thousand dollars, I'm told."

Feigenholtz: "Why is... but why is IEC and the Sierra Club opposed? Is this bad for the environment?"

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Holbrook: "They... they did not testify in committee at all. I couldn't tell ya, Sara, why they'd be against it 'cause these are on private, they're outside the parks."

Feigenholtz: "All right. To the Bill. I just want to..."

Speaker Hartke: "To the Bill."

Feigenholtz: "I just want to alert people who have concerns about the environmentalists that my analysis, and I'm... ya know, would be glad to stand corrected, it does say that Sierra Club and the IEC, the Environment Council is opposed to this Bill. So, I caution you in your support of it. Thank you."

Speaker Hartke: "Further discussion? Representative Stephens. He declines recognition. Representative Holbrook to close."

Holbrook: "It's a great Bill. It puts the money in the project where it was supposed to be to start with. I ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 2273?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On this question, there are 97 Members voting 'yes', 16 Members voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Mathias, for what reason do you seek recognition?"

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Mathias: "Yes, I would just like the record to reflect that I wanted to vote 'no' on House Bill 3628."

Speaker Hartke: "The Journal will reflect your wishes. On page 37 on the Calendar, on the Order of Third Reading, appears House Bill 2331, Representative Howard. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2331, a Bill for an Act concerning public health. Third Reading of this House Bill."

Speaker Hartke: "Representative Howard."

Howard: "Yes, thank you, Mr. Speaker. My colleagues, up until November 2002..."

Speaker Hartke: "Ladies and Gentlemen, please."

Howard: "...HIV/AIDS testing..."

Speaker Hartke: "Mr. (sic-Ms.) Howard. Representative Howard. Excuse me a minute. Ladies and Gentlemen, we're on Third Reading. Please hold your voices down a little. Shh... shh. Representative Howard."

Howard: "Thank you, Mr. Speaker, my colleagues. Up until November 2002 HIV/AIDS testing took up to two weeks from the date of taking the test to receive the test results. On November 7 a new test for HIV/AIDS was approved by FDA. The rapid test prese... presents results within 20 minutes. This Bill requires the Illinois Department of Public Health to adopt rules for the implementation of HIV/AIDS rapid testing. Members of the HIV/AIDS community and public health experts believe rapid testing poses challenges unlike standardized HIV/AIDS testing, which is why we call for new rules under this Bill. HIV/AIDS rapid testing has

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been proven through a 2002 Center for Disease Control study to have both a high level of sensitivity and specificity. The greatest public health challenge we have today are the thousands of HIV/AIDS positive individuals who are walking around without knowing they are HIV positive. Today's IDPH guidelines on HIV/AIDS testing can take up to two weeks to receive the result. Many, however, after taking that test never return to the health provider to receive the results. With rapid testing, after one... after one is tested and before receiving results, one can be counseled. I ask you, my colleagues, to give me a positive vote on this measure."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass House Bill 2331?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 39 on the Calendar, on Third Reading appears House Bill 3231, Mr. Joyce. Representative Joyce. Out of the record. On page 37 on the Calendar, on Third Reading appears House Bill 2339, Mr. McKeon. Out of the record. On page 38 on the Calendar, on the Order of Third Reading, appears House Bill 3086, Mr. Miller. Out of the record. On page 36 on the Calendar, on the Order of Third Reading, appears House Bill 1171, Representative Molaro. Out of the record. On page 35 of the Calendar, on the

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Order of Third Reading, appears House Bill 386, Mr. Novak. Phil Novak. Out of the record. On page 35 on the Calendar, on the Order of Third Reading, appears House Bill 136, Representative Soto. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 136, a Bill for an Act in relation to vehicles. Third Reading of this House Bill."

Speaker Hartke: "Representative Soto."

Soto: "Thank you, Speaker and Members of the House. House Bill 136 amends the Illinois Vehicle Code. The Bill requires that before ownership in a police vehicle is transferred to an entity, which is not law enforcement agency, the law enforcement agency transferring ownership in a vehicle must remove markings identifying the vehicle as a police vehicle. Amendment 1... 1 was adopted on Friday, March 21. It adds to the Bill a person convicted of violating this section is guilty of a petty offense and will be subject to a fine no less than \$5 hundred and not over a thousand dollars. In this section... I'm sorry, and this section does not apply to vehicles bearing indicia of police authority that are not antique vehicles. As defined in the Bill... I'm sorry, in the Section 1-102 and are registered as antique vehicles as provided in the Section. I urge your important vote on this... on this Bill. Thank you."

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

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

Speaker Hartke: "The Sponsor will yield."

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Black: "Representative, are you from the City of Chicago?"

Soto: "Yes, I am."

Black: "Are you familiar with movies that are made in the City of Chicago? Not as many as we'd like, but sometimes there are movies that are filmed in the City of Chicago."

Soto: "Yes."

Black: "Had your Bill been law some years ago, would we had been able to film The Blues Brothers in Chicago?"

Soto: "Yes, I remember that."

Black: "I mean, didn't they... didn't they drive an old squad car that they bought at auction or something? Or did they... did they steal it? I can't remember."

Soto: "I'm not sure."

Black: "Well, now, we don't want to close off any movies that might be filmed. What if we had Blues Brothers II? Would they... would they be able to get a hold of... oh, I've been told there was a Blues Brothers II and a Blues Brothers III. But if there's a Blues Brother IV surely they'd be able to use a police car just for the movie, wouldn't they?"

Soto: "Well, I'm sure that they would probably borrow those cars or rent those cars from an antique dealer."

Black: "I would hope so."

Soto: "And that excludes..."

Black: "Representative..."

Soto: "...antique ownership."

Black: "...can I ask you a serious question, since I haven't asked one since I got up?"

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Soto: "Only one."

Black: "Okay. Does any department really sell a used police car with markings and lights on it?"

Soto: "Oh, yes. Let me tell you. On three occa..."

Black: "Do they really?"

Soto: "Yes. On three occasions in my district, the 4th District, I was out..."

Black: "Would the city do that?"

Soto: "Well, you know what? It's a... dealerships. I guess they're... somebody's selling them and they're getting to the car dealer... used car dealers in my community. And I've seen them, I've even sent police there. But there is no..."

Black: "And they have the light bar and everything?"

Soto: "It has all the decals in there. So, this is the reason why it gave me the idea to introduce this Bill. It's a very..."

Black: "That's an outrage. That is an absolute outrage that some... some unit of government would be so, what's the correct word, incompetent, lazy, that they would sell a police car with markings and lights and the whole bit. Surely they take the radios out, don't they?"

Soto: "I'm sure they do but..."

Black: "Good heavens. Representative, I am shocked and appalled. I... I had no idea that this was going on in our fair state. I hope you will let me be a cosponsor of this Bill."

Soto: "Thank you very much."

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Black: "Especially if it's a Chicago police car. Do they leave any of those parking tickets in the car that show up downstate so frequently?"

Soto: "You know what, I... it was not... the one that I saw it was not a Chicago police car."

Black: "I was gonna say, I'm sure they guard those parking tickets with their lives. But... I... I commend you. I had no idea, in all honesty. I've lived here many, many years, more years than you are old. I had no idea that any city would be so lackadaisical as to... to trade in or sell a police car and leave the markings or the light bar on. That... that is about the silliest thing I've ever heard of. And I would be proud to be a cosponsor of this Bill and shut off this nefarious activity by some bureaucrat who obviously doesn't know the difference between come here and sick 'em. I intend to vote for your Bill."

Soto: "Thank you."

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

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

Speaker Hartke: "The Sponsor will yield."

Bost: "Representative, I... and I'm serious on a lot of these questions. I... I need to know... your penalty goes to the person who purchases the vehicle or is driving the vehicle with the markings still on but the Bill refers to the police department that didn't take them off when they sold it in the first place."

Soto: "Well, it's not the poli..."

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Bost: "So, the... so, the person's going to be punished and penalized for driving the vehicle, which they bought from a police department who probably should've removed it in the first place. Am I wrong on that?"

Soto: "What... where we found that the cars were being sold was from the Central Management System."

Bost: "So, it's just..."

Soto: "So, it was not a police..."

Bost: "So... so, it's the Central Management Systems and what we're saying is, it's the state's fault for not removing these and we're gonna penalize the people that bought 'em."

Soto: "Correct."

Bost: "Oh, okay. Maybe I'm the only one to see a problem with that."

Soto: "Well, it's a problem..."

Bost: "The state does not remove... or the government agency does not remove the paint, does not remove the markings, does not remove all of this, they sell it to a private individual and we're gonna charge the private individual."

Soto: "Correct."

Bost: "Yes, okay. So, it's the state's responsibility... the government's responsibility to remove it but we're gonna charge the person that picks the car up."

Soto: "Representative, I think it's our responsibility. With everything that's happening today..."

Bost: "Then if it's our responsibility why are we penalizing the person that picks the car up?"

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Soto: "Well, they knew that when they... when they were purchasing the vehicle that it shouldn't have it on there. So, they're at as much fault to this as anybody else who sells a police car with a decal on it."

Bost: "All right. I'm... Do they have to remove it before it leaves the lot in which it's purchased from?"

Soto: "Not that I know of. What's happening is they're being so..."

Bost: "According to this law it will. According to this law..."

Soto: "Yes, of course."

Bost: "...they will have..."

Soto: "No, no. What would happen..."

Bost: "...they will have to remove all the... all the markings before they move the vehicle from the premises."

Soto: "Correct. Correct. What... what happens now is a police... if there's a car in a lot, in a used car lot, and it has police decals on there, you..."

Bost: "Look, I..."

Soto: "...you can call... you can call a..."

Bost: "And I don't want any..."

Soto: "...a police station, they will go there and they will confiscate the car."

Bost: "Representative, I don't want anybody impersonating a police officer. I don't... I don't want that, I wanna be clear on that. But what... what I'm saying here is, is that okay, we're gonna sell you the vehicle. Now, you come here and clean all this stuff off the vehicle before you take it. Am I... am I wrong on that?"

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Soto: "Correct. Well, that's what we should be doing. And we're gonna... this is the reason for the Bill, to make sure that we enforce it. And that's the reason for the penalty. Because if we don't put a penalty..."

Bost: "I think our problem is our bureaucrats that don't do it in the first place."

Soto: "Well, it's happening. So, we just wanna take care of it."

Bost: "I... I have other questions. Because this was my first concern for pushing in to talk on this Bill and then all of the sudden these other concerns came up that I just asked you about. I have... and I was just talking to the Representative, he also has and many of us think about this, folks. How many times have you seen restored police cars going down your parade route? Use the old black and whites with the... with the center mounted cherry and the... and the Barney Fife car and boy isn't that neat and have it in your parade. Will these be in violation?"

Soto: "Yes, they would be if they were not registered as antique vehicles. At the... it just... if you let... I mean, if you..."

Bost: "Okay, folks. Okay, listen to what the Sponsor just said. Everybody that has any collectors vehicles... collectors vehicles, which we do have... you know, there's a lot of police officers, retired police officers, firefighters do it with fire trucks. Well, this... this is a pretty common practice for the car shows. They... they bring

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out these old police cars. They will be in violation of this, the way it's written right now."

Soto: "Well, they would... I'm sure that they would know that they would need to... I'm sure that it's gonna being brought to their attention that they must have an antique registry."

Bost: "Representative, I... I see a lot of problem with the Bill. I really do. I... I... first off, I see the problems with the fact that we're telling government agencies you don't really have to clean these cars up and it's not your responsibility to make sure they're no longer police cars, it's the people that make the purchase. And we have people that have collectors au... you know, and maybe they aren't registered as collectors at this time. What... what's in the Bill... Representative, what is in the Bill to make an information... any information out there, besides just us debating on the floor and moving this Bill around, that... that these people that collect these antique vehicles that we're gonna notify them if they're not registered antique vehicles we're gonna nail 'em for it?"

Soto: "Well, we have an exception in there again regarding antique vehicles."

Bost: "Okay. Are... do you know the number of... of antique vehicles... or... or how many of 'em might not be registered as antique vehicles at this time?"

Soto: "Well, maybe we'll have a press... of course we would have a press release on... on this Bill once it passed through the

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House. And we will get that... that out to the press. And to..."

Bost: "Mr. Speaker, to the Bill. Ladies... Ladies and Gentlemen, I understand what the Sponsor is trying to do. I think there's some concerns here that I have. I hope that you'll pay attention. I... you know, years ago in... in... in an opportunity to try to help out on a situation with some over wide loads we made a very foolish vote years ago. And I think maybe what we should do is look at this very closely. Maybe it doesn't affect as many people, but we do have a lot of people out there that... that, for parade reasons, for all these other reasons, they do have these old police cars. And they may not be registered as antiques. So, watch your vote very closely."

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

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

Speaker Hartke: "The Sponsor will yield."

Moffitt: "Representative, it's... it's my understanding it has to be an antique vehicle and registered as such. Is that right, is has to be both of those things?"

Soto: "Correct."

Moffitt: "Would you define what an antique vehicle is, beyond just it's normally what I drive."

Soto: "A car must be at least 20 years old to be... to be a antique vehicle..."

Moffitt: "Twenty years old?"

Soto: "...to be recognized as an antique vehicle."

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Moffitt: "Twenty?"

Soto: "Correct."

Moffitt: "Are you sure it's 20? We were thinking it was 25, maybe."

Soto: "It's a logical guess."

Moffitt: "You're... you're not sure?"

Soto: "No, I'm not sure but I can get that information to you."

Moffitt: "I would appreciate that. But they would also have to be registered as an antique. So, even if it's a collection and they put regular plates on it and paid full price, they could not have an insignia unless it had antique plates, right?"

Soto: "Well, I know... I just want to mention on the record that while my husband has an antique car, it's a 1963 Lincoln Continental with the suicide doors, and he has registered with the insurance company as an antique vehicle because it's only used during the summer. And during the cold months he doesn't even take it out because, of course, he doesn't want it to get rusty. So, again, I mean, this is when you would have the car registered as an antique when you're buying your insurance for the car... for the vehicle."

Moffitt: "Representative, is the person that sells the vehicle guilty of the of... the offense also, under your legislation?"

Soto: "I'm sorry, Representative, I couldn't hear you."

Moffitt: "Is the person or the entity that sells the vehicle, are they guilty under this?"

Soto: "Yes, if... if the car has a police decal on there."

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Moffitt: "If they sell it, they're guilty and the person that buys it would be guilty, also?"

Soto: "Can I just say, I know that where I've seen police cars with decals on there these are not antique car dealers. There's a difference. There's your regular used car dealers and then you have your antique car dealers."

Moffitt: "I appreciate... I think Representative Bost had some additional questions that he may want some clarification on. I appreciate that but I... I'm certainly a strong advocate of antique vehicle collection. We have some excellent groups in our area, I think it preserves part of our heritage. And I just want to be sure that we're not interfering with... with that activity and making some of those subject to a fine who have some excellent vehicles on display. And is... that's my concern. I understand what you're doing, but I... I'm just a little bit concerned about that definition of antique vehicles and who's gonna be liable, the person selling it, the person buying it, or the person operating it. That... that's my concern, Representative. Thank you."

Soto: "Do you know what? And... once it gets to the Senate."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Stephens. He declines recognition. Representative Delgado for further discussion."

Delgado: "Yes, Mr. Speaker. To try and shine a little light on this Bill. In terms of the cars being sold, these are a lot... these are some... for some unscrupulous car dealers that have old, beat up Chevys and they all look like police cars

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anyway. But they might have an insignia on it, they might've left the outside light on it still. Any form of that needs to be dealt with because some buyers actually go to see if they can find a car that looks like a squad car so they can go out and make their runs on the street. And that's what this... appears to do. It is not intended to... to offend nor to regulate antique car dealers. This is very clear. I believe the technical objections can be handled in the Senate with Amendments and not take away the... the genesis of this Bill. And that is to make... send a strong message to those used car dealers that if they see insignias on those cars, once they've purchased them for the consumption of the public, make sure that they remove every insignia that maybe was left behind by mistake. It has no other intention or underlying motive or any conspiracies to do anything else other than that."

Speaker Hartke: "There's still three people seeking recognition. The Chair recognizes Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker. To the Bill."

Speaker Hartke: "To the Bill."

Acevedo: "Year after year, here in the House, we pass Bills that deal with crimes against the elderly. Year after year we deal with... we pass Bills that deal with crimes... dealing with crimes against our children. How many times have we read in the Chicago Sun-Times or the Chicago Tribune about police... civilians impersonating police officers? How many times have we read in the Chicago Tribune or the Sun-Times where these impersonators not only take advantage of

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seniors who are driving but also, in some cases, where have raped women? This is a no-brainer, Ladies and Gentlemen. The Sponsor has agreed to amend it in the Senate. What we're trying to do... and I... I agree with Representative Bill Black, I didn't know this either, that they were selling with some kind of insignia on it. And this has to be stopped. We're putting Bills in that are gonna stop people from impersonating police officers, yet we're gonna sell vehicles with the... with the mars light and insignia on it. So, I ask for your support of the Bill. The Sponsor has agreed to amend it in the Senate. Thank you."

Speaker Hartke: "Further discussion? Everyone has declined to speak, Representative Soto to close."

Soto: "Thank you. Thank you, everyone. I consider this Bill a security Bill. I mean, there's a lot going on right now, you know, throughout the country, we have a war. We have to think that if someone buys a car like this, God forbid that they'd create some kind of terrorism attack. That is what concerned me most and that is the reason why I put this Bill up. Again, this is important not only for my community but also for your community. A car with a decal on there is very dangerous. And you know what? They can travel throughout the State of Illinois so they can show up in your district. So, again, I urge you for your support. It's a very important Bill. Again, this is a security Bill and I think many of you will agree with me. Again, I urge your support and I appreciate your support. Thank you."

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Speaker Hartke: "The question is, 'Shall the House pass House Bill 136?' 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 105 Members voting 'yes', 8 persons voting 'no', 1 person voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. May I have your attention, please. Ladies and Gentlemen, it is the Chair's intention tonight to work 'til about 6:30, 7:00 on legislation. So, we want to pass as much legislation as possible today. We would appreciate your cooperation. The Chair recognizes Representative Black."

Black: "Mr. Speaker, on a point of personal privilege."

Speaker Hartke: "State your point."

Black: "Would you... would you recognize Representative Joyce for the appropriate Motion?"

Speaker Hartke: "We'll see. We'll take that under advisement."

Black: "Well, thank you."

Speaker Hartke: "The Chair recognizes Representative Mathias."

Mathias: "Yes, I understand that the Chair is gonna be here until about 6:30 or 7 working. Does that mean we have to be here also?"

Speaker Hartke: "Yes."

Mathias: "Oh, okay. Thank you."

Speaker Hartke: "On page 7 on the Calendar, on the Order of Second Reading, appears House Bill 1165, Representative Colvin. Representative Colvin. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 1165, a Bill for an Act concerning environmental safety. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 9 on the Calendar, on the Order of Second Reading, appears House Bill 1468, Representative Hamos. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1468, a Bill for an Act in relation to energy conservation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Hamos, has been approved for consideration."

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

Hamos: "Thank you, Speaker. With us jumping around as much, I'm not quite ready. Hold on one second, please. This is a Bill that deals with creating an energy conservation code for Illinois. And House Amendment #1 responds very much so to the recommendation of the committee when we went to committee that we have a standard language that includes all communities and not preempt... or not exempt any specific community, which is what we had done in the previous Bill. And I ask for your support."

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

Novak: "Yes, will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Novak: "Representative Hamos, where... where is this building fund coming from? Is there a fund involved in this Amendment?"

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

Novak: "Representative Hamos, is there a fund... I notice on my analysis there is a... there is an Energy Efficiency Building Fund established. Is that correct?"

Hamos: "No, I don't... I don't think there is, Representative Novak. I think that we are looking at the International Energy Efficiency Code for direction and applying it to the municipalities of Illinois."

Novak: "Okay. Can I... I suppose the question I wanted to ask was why Chicago is... Chicago is... their Home Rule is not preempted but all the other communities outside Chicago is. That... that's not a subject to this Amendment, is it?"

Hamos: "Well, it is exactly the subject of this Amendment because we are now taking out the Chi... City of Chicago exemption."

Novak: "So, they will be subject to this Bill."

Hamos: "And I know that we're going to be discussing this in full floor debate but this Bill would say that... that any... any communities that already have energy efficiency building standards that are not as... that are stringent... no more stri... no less stringent than what we're trying to do here would not be specifically exempted."

Novak: "Okay, thank you."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 146...8?' Mr. Meyer, do you have some discussion on this Floor Amendment?"

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

Speaker Hartke: "The Sponsor will yield."

Meyer: "Representative, I'd like to talk a little bit about the philosophy of your... your... can you go through it again on who would not have to comply with this if they already have ordinances that recognize certain standards?"

Hamos: "Representative Meyer, this is... this is exactly responsive to your concerns in committee. So, I'm pleased to have a chance to respond to you. What the Bill says is no unit of local government, including any Home Rule unit, shall have the authority to regulate energy efficient building standards in a manner that is less stringent than the provisions contained in this Act. We think there are about 14 different communities that would already qualify but we don't exempt anybody. We just basically set up a statewide standard and then say that nobody can enact standards that are less stringent than those."

Meyer: "Well, certainly including Chicago in this legislation was one of my main concerns with it. And I do appreciate you including them. However, I still have some questions. How does that standard change from time to time? In other words, what's being passed by this commission at this point would be a standard at this... this snapshot in time. How is that going to change in... in the future?"

Hamos: "I think... you know, as with anything else, Representative Meyer, we're trying to start somewhere. And where we're trying to start, pursuant to this Amendment, is

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with the year 2000 International Energy Code, as amended by 2001. If we ever wanted to change that and have a different minimum standard, we would have to come back to the Legislature and change it for all communities at that point in time."

Meyer: "So, you're saying that we're gonna legislate this standard from this Body?"

Hamos: "We're trying to create a minimum standard. We will be discussing this in the full debate. And I know we'll want to talk about the policy behind a Bill like this. But, yes, we are trying to create a minimum set of standards to get everyone, every community in Illinois up to a certain level for purposes of energy conservation."

Meyer: "Well, certainly, as we go into this full debate on this Bill, I will be interested in having that question fully talked about and having us reach a... an understanding on it. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Mulligan on the Amendment."

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

Speaker Hartke: "The Sponsor will yield."

Mulligan: "Representative, this apply to homes, also?"

Hamos: "This applies to new construction, residential, commercial and industrial."

Mulligan: "Don't you think at some point there is an architect or someone that may propose a building that is aesthetically different or unique? And why would they have to comply with this when, perhaps, it would ruin the design

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of the building? And in some instances, it may be something in future that we think is specifically beautiful or a wonderful thing so that we're... we're just applying this to everyone?"

Hamos: "The... the proof... again, this is part of the third debate... the third floor... the Third Reading debate. But, yes, this is an energy efficiency standard for the State of Illinois. And I know we will want to have a full debate on the value of that but it does apply to new construction, residential, commercial and industrial."

Mulligan: "So, it applies to everything."

Hamos: "A minimum standard."

Mulligan: "I... I can understand part of the reason for this. But the other part, as far as being creative or being different, I think... I guess we can debate it on the Bill and you can do what you want with the Amendment. But I think that we're stifling a certain amount creativity if you have to have everybody conform. Also, having done work with local government in approving plans and things like that, then you have to have people on your staff that will be able to recognize and coordinate what that efficiency would be from a plan. And how much do you think it's going to add to the cost of both local government approving plans, the length of time it takes to approve the plans, and the total cost of a home or for an individual to do that? I mean, haven't... haven't builders come and talked to you about this or... you know, I'm not on the committee that heard this so I don't know. But I... I... in the back of my

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mind I can see some general problems with it. Did... didn't some of this come up?"

Hamos: "And, again, I... I don't know whether we should be having this conversation now because I know that there are those very valid questions and I know we'll want to have an opportunity to explain to all the Members."

Mulligan: "All right, fine."

Hamos: "Thank you."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 1468?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair... Mr. Black, you're awful slow on the switch."

Black: "Yes. Thank you for noticing, Mr. Speaker."

Speaker Hartke: "Further discussion? Mr. Black."

Black: "I just have an inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "I... and I apologize for the lateness, staff and I were discussing it. The way the Amendment is drafted we're not sure whether this... and we'll make an inquiry of the Chair as to whether it usurps Home Rule authority and thus would require a Super Majority."

Speaker Hartke: "For the Amendment?"

Black: "Yes, the Amendment."

Speaker Hartke: "Wouldn't that be a question for Third Reading?"

Black: "That's fine."

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Speaker Hartke: "Again, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 1468?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On page 39 on the Calendar, on the Order of Third Reading, appears House Bill 3231, Representative Joyce. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3231, a Bill for an Act concerning sanitation. Third Reading of this House Bill."

Speaker Hartke: "Representative Joyce."

Joyce: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3231 provides procedure for municipalities located in the counties under 250 thousand people to go after delinquent payers in water service. Appreciate your support and any questions I'd be happy to answer."

Speaker Hartke: "Is there any discussion on House Bill 3231? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3231?' 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 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On

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page 38 on the Calendar, on Third Reading appears House Bill 3086, Mr. Miller. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3086, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Mr. Miller."

Miller: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Today I present to you House Bill 3086. As you have may have noticed, I passed out what exactly tongue splitting is. And what this Bill does is not eliminate it but just makes sure that a physician or a dentist performs this procedure and is performed as... if there is a medical indication for it. I'll be happy to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Millner. Representative Millner. Mr. Bost. The Chair recognizes Representative Bost."

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

Speaker Hartke: "The Sponsor will yield."

Bost: "I understand why you would want a procedure like this to be done by someone who's a professional, but why would somebody be a professional and do this?"

Miller: "Well, that's a good question. I... I do not know all aspects of dentistry and so, for instance, it may be to... it may be done to remove a tumor of the tongue."

Bost: "Okay."

Miller: "So, we want to at least to be able to allow certain procedures may be done or something that I just don't know about. But hopefully, they would sew it up back to its..."

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Bost: "Right. That... that helps me tremendously to know that it would be a surgical procedure for a possible tumor or something like that rather than just, okay, somebody wants their tongue split and go on with it. Okay, thank you."

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

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

Speaker Hartke: "The Sponsor will yield."

Giles: "Rep... Representative Miller, help me to understand. I'm looking at this... this picture that you sent around to the Members. I... and maybe the teeth of this individual that I'm looking at... can... can this individual teeth be repaired? Can... can the process be reversed? Because I'm looking at pointed teeth."

Miller: "Well, the pic... the picture demonstrates that someone had... had their teeth filed down to look more reptilian in addition to the... to the tattoos across their face, which gives the scale appearance. Therefore, the... the goal is to look more reptilian. But the answer to the direct question is there can be some restorative teachers... techniques to crowns or composites placed back on the anterior teeth to make it look more human."

Giles: "And so, if I'm reading this correct, the tongue cannot be repaired or sewn back together or..."

Miller: "Well, it could..."

Giles: "Is that correct?"

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Miller: "Yeah, it could probably be... the picture reflects the tongue splitting, can probably be sewn back together again. However, usually there would be a scar indicated because of healing between the bifurcation of the tongue."

Giles: "Representative, just what... what would make an individual want to do this?"

Miller: "Lack of esteem, I guess. I don't know."

Giles: "I mean, do we have an idea of how many... how many individuals that we're talking about today that are actually doing this or... or..."

Miller: "Actually, this Bill originated from a... there've been reports in Michigan that there have been cult... like a cult members who have done this. I think the... I think the key indication I want Members to understand is the fact that currently they're going to, like tattoo individuals, to do this. And so, as you can see, this is a lot more aggressive than piercing the tongue. And so you want to at least make sure that it's in a safe environment done by a professional."

Giles: "Could you tell me what is the average cost of... of a procedure of such, Representative Miller?"

Miller: "The cost?"

Giles: "Yes. What... what would be... I'm looking at a... a full facial. What would be the average cost of a individual doing something like this?"

Miller: "Well, I think that a dentist may charge, I don't know, a couple hundred maybe to do something like this, maybe more. I honestly don't know."

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Giles: "Is that one of the reasons why you want this to be done by a full professional?"

Miller: "No. No, it's a... in a sense of public safety. I do not have a conflict of interest with this because this is one procedure that I will not be doing in my practice."

Giles: "So, you're saying that you're gonna be... that... that you will be voting for it and not 'present'. Is that correct, Representative?"

Miller: "I will be voting in support of this legislation and would hope to add you as a cosponsor, Representative Giles."

Giles: "Thank you, Representative Miller."

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

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

Speaker Hartke: "The Sponsor will yield."

Molaro: "I'm looking over your Bill and I see it talks about what we would do as far as penalties to a nonlicensed professional if they did this. I don't see anywhere in the Bill what it would say what the State of Illinois to do... would do to someone who would actually go in and ask that this procedure be performed on it. Now, I looked at this picture. So, what are we gonna do to someone who actually... these sorry people come in and say, I want this done to me. I want my tongue to look like that picture you showed. What are we gonna do to those people?"

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Miller: "Well, I mean, anyone could request this procedure done. That's... that's... we're not excluding those individuals. So we can go..."

Molaro: "So, why not? What are we gonna do to those individuals?"

Miller: "Well, that's just freedom 'cause what someone wants to do with their own body. I'm not gonna sit here and get into discussion over if somebody wants a tattoo, if somebody wants to have their nose pierced, if somebody wants to dye their hair black, if somebody wants to, you know, do all... fix their nose a certain way. Whatever they may do, this still... the tongue splitting still allows for this procedure to be done but because of the complexity of this we... we wouldn't want to have at least have some sense of... whoever's gonna do it has some sense of training in the oral cavity."

Molaro: "So, are we... so, this Bill allows someone to do this... there's no prohibition of someone doing this to themselves?"

Miller: "No, no. If they want to do it to themselves, good luck."

Molaro: "I think you should amend this later in the Senate and we should do something to somebody who actually wants this done to their own selves. Thank you."

Speaker Hartke: "Representative Molaro, have you finished? Representative Miller to close."

Miller: "Thank you, Mr. Speaker. You know, many times here in debate we speak with forked tongue and we're just trying to

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prevent that so we're not down in the mouth about this. I would ask for a favorable vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 3086?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On this question, there are 112 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 37 on the Calendar, on Third Reading appears House Bill 2344, Mr. Washington. Mr. Clerk... Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2344, a Bill for an Act concerning business practices. Third Reading of this House Bill."

Speaker Hartke: "Mr. Washington."

Washington: "Thank you, Mr. Speaker. This... the genesis of this Bill is to give the consumer some leverage being that we're talking about an industry that makes its... it makes most of its mon... money derived off of information... personal information of people who are consumers in the State of Illinois. So, basically, what we're saying is that at some point in time everybody should have the right to know what's in your credit report. And the credit industry should be willing to cooperate with the consumers in the State of Illinois and give them a credit report, if they ask for one, free at the end of the year, of a 12-month period, so you can either update that information or find

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out if the information is relevant. And that way, one can be able to work on the credit needs of that individual. That's the genesis of the Bill. And I ask for favorable support of this legislation."

Speaker Hartke: "Is there any discussion on House Bill 2344? The Chair recognizes Representative Parke."

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

Speaker Hartke: "The Sponsor will yield."

Parke: "Representative, why is the Illinois Retail Merchants Association opposed to your Bill?"

Washington: "Well, I... I think that's... that may be easy to say because some people just... you know, Representative, they give an inch. And sometimes when you give an inch you want a mile, but you wanna take, take, take and you never want to give anything back. And I think, once again, being that we're talking about an industry that basically is in existence due to personal information that is of the individual consumer, is no more than fair for the consumer to be able to give them a little consideration in return in terms of what's on their report."

Parke: "Representative, doesn't this require that anybody who requests a... a consumer (sic-credit) report at any time that they have to give it to 'em free?"

Washington: "It's one time for every 12 months, Rep... that's not too much to ask for."

Parke: "Well, yeah, but right now they can charge either \$7.50 or \$9 and this money can be used for... for doing the business of getting that system up and better and refined.

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Why would... why wouldn't we want to allow the free market system to... to be able to make a profit on the information they've gathered?"

Washington: "Well, Representative, that's... you make my point for me. We're saying, being that they do make a profit off the information they gather, that they should be in a cooperative spirit to once a year give you back what they have of information for you to be able to review it and see if it's right or wrong. Six other states already are doing what we're suggesting here. So, what's good for the goose, it could be good for the gander."

Parke: "To the Bill."

Speaker Hartke: "To the Bill."

Parke: "Ladies and Gentlemen, let me just say that on the face of it this sounds like something that's consumer friendly, but in fact what we're doing is that there are plenty of places people can get free credit reports. Why would we want to make sure that all of these other groups, like the Transusion (sic-TransUnion) and Experian, who are opposed to this and the Illinois Retail Merchants is opposed to this. You know, we just keep infringing further and further into the market in telling businesses how to do their business. I don't think that this is necessary. I think if somebody wants to get a free credit report that they can do that. But I don't think we should mandate that anybody who wants to get one can get it free from these groups. Ladies and Gentlemen, I rise in opposition to this

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legislation and would hope that we would understand that this is further infringement into the marketplace."

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

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

Speaker Hartke: "The Sponsor will yield."

Davis, M.: "Representative, what is the current Federal Law in reference to credit reporting?"

Washington: "I'm sorry. I didn't hear you, Representative Davis."

Davis, M.: "I said what is the current Federal Law in reference to credit report... reporting."

Washington: "Representative Davis, I really don't know the answer to that. But let me just add and go back to something that the distinguished Gentleman said over the other aisle. And Representative Parke, I want to remind you that, once again, we're not trying to force or rearrange the industry that depends on individual information for its livelihood. But we're saying being that you are unique industry that depend on that livelihood for information, that information must be correct. We live in a age where we talkin' 'bout identity theft where the same thing exists for information theft. I know... I don't know about anybody else here, but I... I've been a victim of information that's been taken and misused by a credit reporting agency where I paid off certain things and, for one reason or another, the exchange of that information didn't reach the right place. And as a result, as a

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consumer and a worker who pay taxes, I've been denied certain things that I could've gotten if the information was correct or if I could've had assist... accessibility to the information at least once a year, that I would've been able to make the proper correction and would've been a even a more happier taxpayer. So, I just wanted to respond to Senator (sic-Representative) Parke, in addition to that."

Davis, M.: "Representative, my understanding is that if you're turned down by any agency or, you know, if you're trying to buy something and you're turned down, then you have the right to a free credit report. Now, does this in any way halt that practice?"

Washington: "No, Ma'am. But... but be mindful of this, Ms. Davis, even though you may be extended the courtesy of a free report, it does not necessarily will accurately convey what is accurate in terms of your personal credit history. But if one can evaluate it at the end of the year, then one has a good working knowledge at the beginning of the year of the things that one needs to do or the things that are incorrect. And one has time to salvage that information."

Davis, M.: "So, even though, perhaps... say you were turned down three times from a mortgage company, a furniture company, a clothing store, your credit was denied, you would have a right to those free credit reports based upon Federal Law. And then your law says... your Bill would say you also have one more free report once per year. Is that correct?"

Washington: "Well, yes, Ma'am. With... this is like having another bite at the apple. But I think that is a safeguard

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in the check and balances that represent an opportunity to assess that information, to make sure it's accurate, and that if one needs to do something one has the time to do so."

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

Washington: "And if anything is not correct, one has the chance to adjust that."

Davis, M.: "Thank you. Thank you."

Speaker Hartke: "To the Bill."

Washington: "Thank you."

Davis, M.: "To the Bill, Mr. Speaker. I think in the... in an age in which people are stealing people's identity and we have so many cases of fraud from the Internet and computer use of credit cards, I think this Bill may serve a lot of people well who have not applied for credit. Perhaps they have not been denied because they have not applied. But they may not even know that someone has placed something on their credit report. I think this Bill deserves a favorable vote."

Speaker Hartke: "Further discussion? There are still three people seeking recognition. Representatives Franks, Black, and Lyons. The Chair recognizes Representative Franks."

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

Speaker Hartke: "The Sponsor will yield."

Franks: "Mr. Washington, I understand what you're trying to do with this Bill and I'm looking at the analysis here. Is what you're trying to accomplish is to make access to credit information easier for the consumer?"

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Washington: "Yes, Sir."

Franks: "Now, right... right now these credit agencies can charge seven and a half or ten dollars to get a credit report, correct?"

Washington: "Yes, Sir. That's correct."

Franks: "And oftentimes people don't know what's in their credit report and it's... it's a... and people could get turned down for credit if they don't know what's... if there is errors in those credit reports. Would that be correct?"

Washington: "Yes, Sir."

Franks: "Now, if... now, if they're indigent and they can tell the... the credit reporting agencies they don't have the means to get a report, presently they can get a free one, correct?"

Washington: "Correct."

Franks: "But for those people who might not know what's in their credit report... because oftentimes if you apply for credit... for instance, if you apply for a credit card, they do a credit score on you. And you don't necessarily know what's in your credit report, correct?"

Washington: "That's right."

Franks: "Okay. So, what you're trying to do is to do what six other states have done and what the trend in the country is, is to allow consumers to get one free credit report a year, regardless of their income status. Would that be correct?"

Washington: "Correct. Yes, Sir, that's correct."

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Franks: "Okay. I think it's a very fine Bill, Representative. And I encourage everyone else to vote for this Bill. Thank you."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill."

Speaker Hartke: "To the Bill."

Black: "In all due respect to the Sponsor and the previous speaker, this Bill is super... it's just... it's superfluous. It... everything that this Bill does is generally already covered under Federal Law. I just... I just paid a credit card Bill, I don't know, last week and in this credit card statement if I wanted a free copy of my Equifax credit report all I had to do was to fill out a piece of paper, pa... put it in the envelope to pay my credit card bill, and I could receive a free copy of my Equifax. There... there are half a dozen or so of these national credit reporting agencies, this one just happened to be Equifax, and they would send me a free copy. And now, if I wanted to get a copy every year, I would pay for it, but I could get a free copy. The... the Federal Law is very clear. Free reports are already available to any consumer who is unemployed and intend to seek employment within the next 60 days, any consumer who is a recipient of public assistance, any consumer who believes their consumer disclosure contains inaccurate information due to fraud, any consumer who receives a notice concerning an adverse action in a credit

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transaction, an adverse action in employment decision, an adverse action in a consumer insurance policy, or an adverse action in a government-granted license or benefit has the right to receive that credit report and also has the right to respond. Any consumer who has a debt reported by a division of a consumer reporting agency to a parent company, that consumer has the right to request that. Any consumer who has a disputed information on file can request that. And any... any consumer who has an adverse decision regarding employment can request and receive a free copy of the credit report under Federal Law. Federal Law allows a charge of \$9. This Bill would allow a report for \$7.50. I'm not aware that the state can mandate something less stringent than the Federal Law. The Bill also has language that says, 'requires the disclose of all information available, including credit score, names of users requesting the information during the previous 12 months, and explanation of the information pursuant to FTC guidelines.' Ladies and Gentlemen of the House, there are no FTC guidelines. There are none whatsoever. So the Bill makes reference to an FTC guideline that does not, in fact, exist. Section 609 of the Fair Credit Reporting Act already requires consumer reporting agencies to disclose full consumer reports to those who have requested this information during the previous 12 months. This Bill is superfluous, it is duplicative, I think is in violation of at least one of the sections of the Federal Fair Report... Credit Reporting Act. And if you want accurate credit

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information, as all of us do, then you have to be willing to pay the freight to get that credit report. There's no free lunch. The... the Federal Law allows a charge of \$9. And many times in your credit bills, your utility bills, you're given the opportunity to access your Equifax or some other national credit report for free, if you're willing then to pay for the report after that. This Bill, I think, flies in the sense of federal... flies in the face of Federal Law. It is unnecessary, it's duplicative of Federal Law, and it's less stringent than Federal Law. That, I'm not sure, is allowed under the existing relationship between State and Federal Law. I would urge a 'no' vote."

Speaker Hartke: "The Chair recognizes Representative Lyons. Eileen Lyons."

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

Speaker Hartke: "The Sponsor will yield."

Lyons, E.: "I think the previous speaker has explained a lot of my reservations about this Bill, but there's one point that I would like to bring up. Representative, in... in this Bill you talk about these agencies being mandated to have their phone number in every phone book serving communities. That is quite broad. I mean, that could include a church directory, it could include a Rotary Club phone book, I mean, I could... I think what you're requesting is... is extraordinary and I think unnecessary, as well. Would you consider amending this Bill to make sure that you're... you're not overreaching as far as the phone book requirements is concerned?"

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Washington: "Yes, Representative Lyons, I'm sorry that the clarity wasn't there. I was... I was mostly speaking about the general tool of information that most of us use. You know, everybody's not in the Rotary Club. But one time or another everybody will use a phone book. And... and being that there are so many different reporting agencies out there, a lot of time people get confused and they don't know how to get access. And I wanted to... to back up to something that was said earlier. I think the State of Illinois, it has a responsibility to protect its consumer. And being that a number of reporting agencies' information that is really misinformation, I think a precredit review for most consumers would work to an advantage of that person knowing before they go into any business dealing as to what they will expect rather than information... I know someone had taken my identity a long time ago before it became a identity theft issue, worked under my Social Security number. And when I went to do something else I found out about it. So, I'm saying, I think if we were able to evaluate, at least in a 12-month window, I think it would serve the consumer and would kind of give everybody a little information break as to preview what's there."

Lyons, E.: "I understand your intentions. But, again, what I think you are asking these credit agencies to do is... is overreaching. Expecting them to publish their number in every single phone book that serves a community, I think, is..."

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Washington: "Well, I said 'yes' to your an... your question. You asked me was there flexibility to amend, the answer was 'yes'."

Lyons, E.: "So..."

Washington: "But then I also clarified that what I was alluding to was not the examples you gave, such as Rotary phone book. Everybody's not a Rotary member but everybody will have a phone book because everybody has a phone normally would have one. But I'm open for some Amendments in the Senate, as well."

Lyons, E.: "Well, I'm glad to hear that."

Washington: "Yes, Ma'am."

Lyons, E.: "Because as... because that's only one of my reservations about this legislation. And I would hope that you can tighten that up because I think it is too ov... too far-reaching in that regard. And, again, I would have to ask you what justification you have for limiting the charge to 7.50 when the Federal Law allows for \$9. What's your justification for doing that?"

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

Lyons, E.: "Your justification for limiting the additional reports to 7.50 when Federal Law allows for the \$9."

Washington: "Because I think it's very acce... excessive. And when you look at the other six states that have adopted this similar legislation it's in with keeping with the... with the fair rate that consumers can pay for, for their own information. We're not talking about something that somebody can go out and create. We're talking about an

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information base that created by the consumers of the State of Illinois."

Lyons, E.: "Well, again, I... I don't think that's justification for that but... because there was a hundred thousand reports issued last year. And you're saying that regardless of how many are... are requested, that you would limit at that. So, again, that's another reservation I have about this Bill. What effect will this have on the businesses across the state who deal with these agencies?"

Washington: "Representative, I'm sorry. I got distracted for a moment."

Lyons, E.: "What effect will it have on the businesses across the state that deal with these agencies? Who will have to bear the costs?"

Washington: "Believe it or not, there's much too much noise catching me. I can hardly hear the last part of what you're saying."

Speaker Hartke: "Shh. Please."

Lyons, E.: "Can you tell me what effect this will have on businesses across the state who deal with these agencies, who are gonna have to bear the costs?"

Washington: "Ma'am, it wouldn't have any effect of businesses at all. What it would do would enrich and enhance the Illinois consumers."

Lyons, E.: "There are 16 hundred employees of TransUnion, alone, how will they be affected?"

Washington: "They won't lose their job, that's for sure."

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Lyons, E.: "Well, I don't under... how you can make that statement when you realize that..."

Washington: "I really can make that statement being a vi... a victim and, hopefully, a beneficiary of this type of legislation. And once again, I am definitely amenable to some Amendments in the Senate."

Lyons, E.: "To the Bill, Mr. Speaker."

Speaker Hartke: "To the Bill."

Lyons, E.: "I think we have to ad... agree to disagree that this legislation is overreaching, well intended but overreaching. I would support a... a 'no' vote."

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

Bailey: "Mr. Speaker."

Speaker Hartke: "To the Bill."

Bailey: "To the Bill. Just a few weeks ago we passed a Bill here in the House on identity theft that I cosponsored. While I'm down here, in Springfield, a hit came on my credit record and I'm sitting here. Someone purchased a home, built it from the ground up in my name. Someone bought a car in my name and I'm sitting here working on Bills to stop this and while I'm sitting here, someone did something else and used my name. And to say all of this, I don't think there is enough laws out here that will stop identity theft. And I stand in support of this Bill because we need to do more and more and more. We need all the help we can with identity theft and correcting our credit. Thank you."

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

Washington: "Mr. Speaker and my distinguished colleague, Ms. Lyons... Representative Lyons. To back up to something you said, I'm very amenable to relaxing or even removing some of the phone book requirements that you spoke of as a courtesy to you. 'Cause I can understand a little bit where you're going with that but I'm hoping that my colleague will find this a good Bill to support. Because in the Federal Government, though you can get a free credit report, you generally can only get it at the heels of a negative factor in being denied something. So, with a preevaluation of one's credit one has an idea of what to expect going in and really can kind of meet those obligations before taking out any big purchases and making sure that that credit and that information is correct. But I thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 2344?' All in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 44 Members voting 'no', 61 Members voting... excuse me, 44 Members voting 'yes', 61 Members voting 'no', 6 Members voting 'present'. And this Bill, having failed to reach the Constitutional Majority, is hereby declared lost. On page

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39 on the Calendar, on the Order of Third Reading, appears House Bill 3455. Representative Yarbrough. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3455, a Bill for an Act in relation to disabled persons. Third Reading of this House Bill."

Speaker Hartke: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker and Members of the General Assembly. House Bill 3455 raises the asset limit for eligibility to receive home-based services through the Department of Human Services from \$10 thousand to \$20 thousand. DHS provides home-based services to people under 65 years of age who are at risk of being institutionalized without these services. To be eligible for these services people must re... much... must cer... meet certain income and asset requirements. Currently, only people with less than \$10 thousand in assets are eligible to receive such services. Those kind of services are... are like personal hygiene, cleaning, and shopping services. And I'm op... open for any questions. This is also subject to appropriation."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass House Bill 3455?' 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. Representative Pankau. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 87 Members voting 'yes', 4 Members voting 'no', and 22 Members

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voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 38 on the Calendar appears House Bill 3058. Representative Pihos. Mr. Clerk... Out of the record. On fourth priority... on page 38 on the Calendar, on the Order of Third Reading, appears House Bill 2456. Representative Boland. Representative Boland. Out of the record. On page 37 on the Calendar, on the Order of Third Reading, appears House Bill 2267. Representative Delgado. Representative Delgado. 2267. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2267, a Bill for an Act in relation to criminal law. Third Reading of thi... of this House Bill."

Speaker Hartke: "Representative Delgado."

Delgado: "Thank you, Mr. Speaker. House Bill 2267 does the following. It amends and creates a new offense and provides that a person that commits the offense of paternity fraud when: (1) he or she knowingly alleges that a person is the biological father of a child; and (2) he or she knows that the allegation is false and may result in that person alleged to be the father being adjudicated as the father. This Bill will... for paternity fraud will create a Class A misdemeanor. And I would ask for your 'aye' vote."

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

Mulligan: "Representative, what constitutes fraud? I mean..."

Delgado: "In the Bill, what... what constitutes fraud is if they knowingly and willingly say that this person is the father

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or mother... in this case, say he's the father of my child, and knowingly is not. That person is then... would then be charged with... and then proven, would be charged with a fraud. 'Cause what we're finding is many folks have been paying child support for years and years and years and, indeed, find out that they were not, indeed, the biological parent. That has thrown their lives into a whirlwind. So, this is knowingly and egregious... in an egregious fashion."

Mulligan: "Well, I'm gonna come at this from two aspects. I had something like this happen in my district but the punitive father was married to the woman and found out after they were divorced that the child was not his. But I think he still was interested in having the child there as... as his child, except after a while, it got to be very, very expensive and then he decided he wanted opt out. But what if a woman has slept with several men and isn't sure who the father is and so she picks whoever she thinks or wants it to be, then she has a test and she finds out, oh, it's not. He's not the father. Then would that come under fraud under your instance?"

Delgado: "Right."

Mulligan: "Or would it only be if she's never re... had relations with him and just charges that the child is hers (sic-his)."

Delgado: "That is correct. The latter part is correct. It would not... that is not intended for someone who... who maybe, if it's through promiscuity or other reasons and can't identify the dad. That happens many time in cases in DCFS,

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for example, that there is a punitive parent and is... and someone will name... give a name at the moment of giving birth. But no, it has no intention on doing it. They must knowingly and willingly say... knowing that they're lying and under oath they're gonna find out different. This legislation was brought to me, Representative, by... by an attorney of fathers' rights, Jeff Levine, who is creating legislation to protect fathers' rights. And this would have to be a clear violation, knowing that they lied."

Mulligan: "And what's the penalty?"

Delgado: "The penalty would be a Class A misdemeanor, I believe."

Mulligan: "All right. And I would imagine that there has to be a burden of proof rather than he shaid... he said-she said."

Delgado: "That is correct. There'd be a burden of proof. And, of course, I would intelligently assume, at this point, too, with DNA and with all the paternity testing, witnesses... collateral witnesses. But it'd be clear in that if it's a child... many of these cases are old cases. And someone's been rearing someone else's child for many years because they can financially do so. And the female or male knowingly... all this time knew that they had hoodwinked this individual and unfortunately it happens too many times. So, Mr. Levine brought this legislation to me and since he has a very nationally known reputation for protecting fathers' rights and custody, this will... this is national legislation actually that would really... what they're doing is criminalizing the paternity fraud."

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Mulligan: "My only concern is that at some point down the road you're also harming the child in this and so that would be a difficult situation as..."

Delgado: "And... and being someone who's worked in the field, Representative, it's not my intention ever. The best interest of the child is to know who their real parent is. Being, in that case, we should be... we would be helping that child. But I do agree with you, it is... in that aspect of the child would need quite a bit of support. But at the same time that entire family and... and the person who's been alleged upon, they also go through quite a bit of financially and mentally when they have to realize that as much love and as much money as I've given, doesn't change my love, but it's not my biological child. We could've did this another way. And this is an added protection for those individuals who fall in this category."

Mulligan: "Thank you, Representative."

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

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

Speaker Hartke: "The Sponsor will yield."

Lindner: "Yes, Representative, do you know is there anything in law now that once you accept that you are the father of a child and... and start paying support for a certain number of years, is there anything in statute or case law that would make that a prima facie case that you are the father of the child?"

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Delgado: "At this point, Representative, I do not know the answer to that question."

Lindner: "Our analysis also said that this law could apply to third parties. Could you tell me how... what kind of scenario that could be?"

Delgado: "In regards to a third party, Representative Lindner, I'm not sure what it's reading in your particular readout there, but the only one that I can think of would be it's the parent who's been lied to, the spouse that lied, the third party, I would only intelligently assume, would be a thir... another spouse, a paramour involved. But no, this would involve two individuals, the person that was lied to and the person that lied. And that person can be brought up on charges for lying about paternity and causing undue... undue pain to an individual. If you can help me with what your analysis says 'cause mine... mine does not say that."

Lindner: "Okay, thank you."

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

Flowers: "Thank you, Mr. Speaker. Representative Delgado, does the State of Illinois recognize common-law marriages?"

Delgado: "The State of Illinois, to my knowledge, does not recognize common-law marriage."

Flowers: "I thought... I thought the State of Illinois do recognize common-law marriage."

Delgado: "For separation of property, no they do not, Representative. No, they do not."

Flowers: "Okay, thank you."

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Speaker Hartke: "Further..."

Flowers: "Representative..."

Delgado: "Yeah."

Flowers: "...what if... what if the mother is pregnant with twins and she thought that the other one... maybe the father was one and it ended up being the other? I mean, what if it's an actual... it's just a mistake? And then it happened to be one of twins belonged to him and the other twin belonged to the other."

Delgado: "Yes, and through the paternity test and through... through your DNA, if this comes... if this... if it didn't happen 15 years ago, Representative, it happened today, that individual's very guarded with all the scientists and all the science that we have available to her or he that would be able to prove that beyond a reasonable doubt on that aspect. Many cases are now 20 years old and... and that wasn't available then. But, again, it would be... the person would have to knowingly lied. In this case..."

Flowers: "But how..."

Delgado: "...if she's mistaken..."

Flowers: "...but how does one knowingly..."

Delgado: "Right, if she..."

Flowers: "How would you prove that I'd knowingly lied. I mean, I actually thought it was you."

Delgado: "Yes, and if that's the case and it's... and it's... and they... they really believe it, that will all come out in the process in court. It's gonna be a pa... there will be a paternity challenge anyway. What this Bill does is say

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that if you get busted for it you're gonna have a misdemeanor Class A. If you got busted for it before this law, really nothing could happen to you, although you could be charged with perjury."

Flowers: "So, when you talk about the witnesses, who else would be a witness to this other than you and I?"

Delgado: "Well, it could be your best friend, it could be a science test that you have, that you've taken for DNA, your paternity. It's gonna follow... it's gonna be a science. Because other than you, the individual, and that person you supposedly had this relationship with are the only two. But the bottom line is that today would be a paternity test to test that child."

Flowers: "Well, see my point to you, if there's a maternity (sic-paternity) test and if the tests say that you're not the father, you're just not the father."

Delgado: "That is correct."

Flowers: "But, you know, if I actually thought that you were the father and now you're gonna charge me with a Class A misdemeanor because of some witness who said that they thought that I said that you were the father or whatever. You know, to me this is... this is just hearsay legislation. I mean, or that would... that would be hearsay because the proof is in the test. That's the only proof."

Delgado: "Yes, the proof is in the test but then there's also people who have said... they pick up a phone book and pick the dad out of a phone book and that... and that's the person they say did it. And many times there may be someone there

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who shared that with 'em and there's documented cases. And... and so if somebody who could be a witness and there's someone who said I supplied her the phone book."

Flowers: "You know what, Representative? I think this Bill here is discriminatory because it's only applicable to women and so therefore, I would have to graciously ask everyone to please vote 'no' on your Bill. Because there's other ways of proving that... that the woman may have made a mistake because she actually thought the father that she... the person that she thought was the father was the father. It's an honest mistake."

Delgado: "And that... and I agree with you, Representative. And that... and that person would not be caught up in this net. And, again, if they... even without this Bill they could be held for perjury. But we're also protecting the rights of the men and the individuals that say, 'but look what happened to me. I paid 15 years. I gave that child... I loved the child. However...'"

Flowers: "Representative..."

Delgado: "...I need some recourse here.' And this is a legal remedy that would be available to them."

Flowers: "Representative, I think this is a two-way street and there are so many women out there who've been trying to get child support and have not been successful in doing so. So..."

Delgado: "I agree and I support them with all the legislation I work on here, too."

Flowers: "Right."

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Delgado: "And that's why you're right, it is a two-way street. You're right."

Flowers: "Well, let me just ask you this, what about the men who deny maternity (sic-paternity) and then it ended up being that he is the father. How was that applicable?"

Delgado: "They too would... right... that person, too. Knowingly and willingly."

Flowers: "Is that... is that in this legislation, Representative?"

Delgado: "Yes, it is because it's he or she. Yes, it is."

Flowers: "So if he denied that he's the father..."

Delgado: "Yeah, that's correct."

Flowers: "Now, what if he honestly think that he's not the father?"

Delgado: "I'm sorry, your last part?"

Flowers: "What... what if he honestly think that he's not the father? Why are we trying to make criminals out of people who just happen to not remember?"

Delgado: "Well, let me give you a hypothetical, Representative. He could be in love with his ex-girl... his girlfriend left him and he doesn't wanna let her go. And she had another baby and he said, 'that's my baby, that's my baby,' 'cause he doesn't wanna let her go. And he's gonna lie about it. And that individual can be brought up under this Bill and be charged with a misdemeanor because he just doesn't wanna admit the fact that she moved on. And that's... and so he too would fall under this Bill. So that's why it's not

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discriminatory. I do not file discriminatory legislation, Representative."

Flowers: "This sound like a case for Jerry Springer, Representative. Thank you."

Delgado: "On the contrary..."

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

Collins: "Thank you, Mr. Speaker. Delgado, just a couple questions. Are we talking about married couples or are we talking about single couples? Who are we talking about?"

Delgado: "No, we're talking about two individuals. One has said that that is the daddy or that is the momma and one of them... and... and in either case they lied, knowingly, willingly and said I'm gonna get this... this is... I know he can pay for it. For whatever reason it may be collaterally, and I'm going after him. And the bottom line is, all and all knows that someone else is living somewhere else in another state and is the father to that child or the mother to that child. And that is what this goo... this Bill is about."

Collins: "So we're talking about, like, years later you find out that this is not your child. So we're not talking about on the onset."

Delgado: "Right. Exactly."

Collins: "Because if you're married you do..."

Delgado: "You're right about that."

Collins: "You do know if you are married, automatically, whether you're the father or not, you're the father."

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Delgado: "That's correct."

Collins: "And you also know that if you have a child today you can't sign a father's name to their birth certificate. The father... unless you are married you have to come to the hospital, after you have the baby, the father has to say, 'this is my child,' and then he signs the birth certificate. So, now if he don't think this is his child, at that point he should probably do a DNA check."

Delgado: "That's..."

Collins: "At that point. Not..."

Delgado: "That's correct. And you'd be informed of DCFS... are you familiar also with the voluntary paternal signatures that can be given? DCFS... a ton of punitive fathers and they're in the hospital. We both work for the agency, Representative."

Collins: "But the whole point is..."

Delgado: "Isn't that true?"

Collins: "...is that if they're getting child support, most times it's through the court system. If you go to the court system, I thought... from my understanding from the people that I've dealt with, they go to court, they do a DNA test..."

Delgado: "That's correct."

Collins: "...and the court decides that they are the father, then they are father."

Delgado: "Yes."

Collins: "Now, if you decide on your own, if you are not married, that this is your child then it's your child."

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Now, nine times out of ten... you must not watch Jenny Jones and Montel Williams."

Delgado: "I don't watch any of that."

Collins: "Those girls really believe that maybe Eddy is the father of their baby."

Delgado: "I believe that."

Collins: "They don't know."

Delgado: "I believe that. I believe that."

Collins: "And then come to find out, after they do a DNA test... and some girls after five times still didn't know the father so they really, really believe that they're the father. So... well, so my point is is that I don't think we should make criminals out of people that, if you're having a sexual relationship with a person, that it's a possibility that you may have sex."

Delgado: "Right."

Collins: "I think what we should be doing is talking about safe, protective sex."

Delgado: "Oh, I agree."

Collins: "That's what we should be doing."

Delgado: "I agree. But..."

Collins: "Not making criminals out of people. Because if I slept with five men I would not know who the father of my child was. So it would be one of those five people."

Delgado: "I understand, Representative. But you didn't knowingly."

Collins: "So, and it's... you said and it's..."

Delgado: "You didn't knowingly."

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Collins: "But that's my point."

Delgado: "You didn't lie. Because..."

Collins: "Five people... you got different partners you don't know, so each one of 'em is a possibility because you laid down with them. So that's my point. So it... it would be impossible... only time you could not name a father... and if that person admits it because he had a relationship with that women. So it is a possibility that he may be the father. And that's the only thing we can say that if I have sex with a man then there's a possibility that that person is the father of my child. And otherwise, if I didn't have sex with him there's no way he could be the father and there's no way that that person could be accepted and then in that case, and only in that case, that if you did not have sex with a man then you can say that this person is probably not the father. So if you went around lying and saying, yeah, this person is the father, I may see that. But in any other case..."

Delgado: "Well, that's what this Bill..."

Collins: "...it's not possible."

Delgado: "Well, that's what this Bill does, Representative. Exactly what you just said at the end. And... and that's why... and by the way, if they did lie on the... on the stand, using the same example you just gave me, they're... they... they perjured. So, you're criminalize... they're already criminals because they lied. Now, if they didn't bring it up with the state's attorney that's one thing, but this will guarantee of your party that you're gonna get them on

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the other. But really, if I'm the lawyer, I'm gonna get 'em for lying and I'm gonna get 'em for lying about this paternity because they've injured the child, they've injured me, and they've made this family in a dysfunctional situation. And that's why this is a good Bill, Representative."

Collins: "Well, I understand that. But I think the only time you can lie about someone being the father of your child is if you had no sexual relationships with that person."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Soto. Ladies and Gentlemen, please. Shh. Please. Representative Soto."

Soto: "To the Bill, Speaker. To the Bill."

Speaker Hartke: "To the Bill."

Soto: "To the Bill. Members of the General Assembly, I've been employed by the Cook County State's Attorneys Office, Child Support Enforcement Division, for the last 20 years. I took a leave to come here... and work in the General Assembly full-time. My experience of working in the courtroom, there's been many cases where a... the... the mom had named the... the father-to-be of the child... they've been on... usually on paternity cases. What has happened is they have named the wrong person. I think that, of course, we all want to represent these moms who have custody of these children. But in the case where the mom's knowingly is naming someone that is not guilty, that is wrong. I think we all know that. We all have... we all have constituents who might have come to us and have said, 'Representative,

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I'm not the father of that child.' Then you have the arrears... and, you know what, but now we have DNA testing. Now, we're able to find out if this truly is the father of the child. This is not to hurt someone or... or to make them a criminal, this is... this is... this needs to be fair across the board. If someone wants to be responsible, then we must be there for them. If someone... if naming someone to be the father and they're not, then you know what, they need to be responsible, too. And if they do something wrong, then you know what, their day will come. What goes around comes around. But I think this is a very good Bill. I just added myself on. Thank you, Representative Delgado. This is a good Bill. Anyone that knows about child support knows it happens a lot. I've sat in... I've sat in courtrooms where we've had trials and then the mom will be under oath and say, knowingly, that she knew that that wasn't the person, but she had to name someone because the Illinois Department of Public Aid wanted someone's name. So, that's the reason why you have this going on. But this will help that a lot. That... this will help the Illinois Department of Public Aid get the... the true father to these children. Again, thank you. This is a good Bill and I urge your support for this Bill. Thank you very much."

Speaker Hartke: "Further discussion? Representative Molaro and then Representative Black and then we'll go to conclusion. Representative Molaro."

Molaro: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

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Speaker Hartke: "The Sponsor will yield."

Molaro: "It... it was a little loud in here."

Delgado: "Yes."

Molaro: "When Representative Flowers asked you, and... and I don't know if she asked it directly this way, but obviously we talk about if a woman comes up and says that this man's the father when she knows he can't be the father. And so that would make her a criminal, Class A misdemeanor. She would be convicted of a crime."

Delgado: "Correct. She'll be convicted for per... well, she can be convicted for perjury, but yes, under this Bill she'd be convicted for a crime."

Molaro: "Right, she'd become a criminal."

Delgado: "For paternity fraud."

Molaro: "Now, what if the father knows that he could be the father but he says, 'there's no way, I never had sex with her', and he's a liar. Under your Bill, does that make him a criminal? Under your Bill."

Delgado: "No, it does not because of your example, you stated that if he... if he... if he says he knows he's not the father 'cause he's never slept with her and then you want the other side of it saying that he possibly could be?"

Molaro: "No, he's gonna... he has slept with her but he goes out and makes a false statement says, 'I never slept with this woman', knowing that that's false. Does he become a criminal under this Bill?"

Delgado: "Technically, he could, Representative. Under this... under this Bill, technically he could until the DNA's

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tested, 'til the court process is remedied. Yeah, technically he could be. But if... but in this case I would intelligently assume he's making the allegation."

Molaro: "Well, I... I will just take issue with you that he couldn't be a criminal under this particular Bill. If you read it, there's just no way. But let me make another point. Let me make some other point. Representative Delgado, here's... here's... I understand what you're doing. I happen to be a male, I don't want to be falsely accused. But... but let me say this, we, as males, can be falsely accused under 20, 30 different other crimes. We could be... be accused of battery when we didn't do it. We can be accused of... of theft, when we didn't do it, by women. So, why would we single out this? Why don't we say that if someone accuses me of theft when I didn't do it, when someone accuses me of battery when I didn't do it, and they know it's false, we could get 'em for false report. We could get 'em for..."

Delgado: "That's correct."

Molaro: "...for a frivolous lawsuit. Why would we single out paternity? Why don't we single out these other types of... of... of accusations? Why are we just singling this out?"

Delgado: "Because... I agree with you. Those are other Bills. This particular Bill..."

Molaro: "Are you... are you gonna bring those other Bills to the floor?"

Delgado: "Those other Bills... this particular legislation's very specific. This is coming from an attorney who does father

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right to custody, Jeff Levine, who I know you know. And what he's doing is enha... is buil... creating a law that is protecting many individuals who are finding themselves have paid long-term paternities and then find out that they were never the dad and someone knowingly and willingly lied because they knew that this individual can provide a wonderful life for Johnny or Suzie, knowingly. And that's all this thing does. Because theoretically, just with the lie, they could be held for perjury. So this is a protective for fathers."

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

Turner: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I want to commend the Sponsor for this legislation. I have a constituent who came into my office that we've been trying to assist for the last couple of months. And this is the situation that he's described with. And that is he says that he's not the paternal father of the child and the mother refuses to come in and do a blood test or a DNA test. This guy has submitted his blood on two occasions and for the last year and a half he's been paying paternity and he says that the child is not his child and the mother refuses to bring the child in, nor will she come in for the blood test. And so, it's quite obvious that she's not telling the truth and I think legislation like this would help in that particular situation. And I rise in support of it."

Speaker Hartke: "Representative Delgado to close."

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Delgado: "Thank you, Mr. Speaker. As such a spirited debate, I am totally awake for the rest of the week. And again, this does not create any two tier, this is a safeguard and for those individuals who are totally being hoodwinked. And I would ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 2267?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On this question, there are 81 Members voting 'yes', 26 Members voting 'no', 5 Members voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 38 of the Calendar, on the Order of Third Reading, appears House Bill 3021. Representative Feigenholtz. Representative Feigenholtz. Out of the record. On page 36 on the Calendar, on the Order of Third Reading, appears House Bill... Representative Davis, for what reason do you seek recognition?"

Davis, S.: "Yes, thank you, Mr. Speaker. Point of personal privilege for the..."

Speaker Hartke: "State your point."

Davis, S.: "...purpose of an announcement."

Speaker Hartke: "State your announcement."

Davis, S.: "The Associated Firefighters of Illinois are having their reception tonight at the Governor's Mansion. And they've told me that they're going to extend it until 8

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o'clock and they want to extend an invitation to all the House Members to make sure they stop by the Governor's Mansion this evening. Thank you."

Speaker Hartke: "Thank you. On page 36 on the Calendar, on the Order of Third Reading, appears House Bill 1150. Representative Fritchey. Mr. Fritchey. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1150, a Bill for an Act concerning electronic fund transfers. Third... Third Reading of this House Bill."

Speaker Hartke: "Representative Fritchey."

Fritchey: "Thank you, Speaker. House Bill 1150 specifically expands something this Body did several years ago. At some point in time this Body chose it wise to disclose to consumers at ATM terminals that there was gonna be a fee imposed if they used their cards there. What is now happening is that certain fees are being imposed upon consumers by using their debit card when they go to pay at a retail outlet. All this Bill would do is not cap the fee, not the ban the fee, it would simply say that if a fee is going to be charged that a note is to be posted at the terminal that says something along the lines of, 'Your financial institution may impose a fee for use of this card. Please consult your financial institution for further details.' I'd be happy to answer any questions."

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

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Parke: "Representative, why is the legal financial institutions opposed to this?"

Fritchey: "Actually, Representative, at... at committee my understanding was that there was no opposition. I really don't know why there would be... you know, all of the financial industry has said that they want consumers to make an educated choice. They can't make an informed decision without the information. All we're saying is this provides them with the information that there may be a fee imposed, if that's the case. Otherwise, they won't know this until after the fact."

Speaker Hartke: "Mr. Parke, have you concluded?"

Parke: "My colleague has some questions, Representative Black, so I will be defer to him."

Speaker Hartke: "Representative Black."

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, what... what is a... give me a working definition of a point-of-sale machine, vis-à-vis an ATM."

Fritchey: "A point of sale machine, essentially, is a cash register that you would go to check out at. So, if you are at a, I don't want to single out any retail outlets, but if you were at a Walgreen's, an Osco, something along those lines, which is where you would use your debit card."

Black: "Okay."

Fritchey: "Just for clarification, this isn't an ATM usage. It's... Ya know, the banks, for a lot of... for a long time, Representative, said if you want to avoid the ATM fee, just

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use your card as a debit card and use it to pay much as you would a credit card. And that was fine and it's good advice and it's convenient. I've... I've made the fight in trying to ban these fees. And I've seen the light, I think, for now at least. And that's not this fight. What we're saying is now that they are starting to charge a fee, it may be a quarter, it may be fifty cents, may be a dollar. If you're going to charge a fee when somebody goes to check out, just let them know that there may be a fee because otherwise, right now, Bill, you're not seeing it. You're being charged a fee and you may find out once you see your bank statement three weeks later."

Black: "All right, so all your Bill is doing then is you're not mandating any specific fee, you're just... you're mandating constructive notice that a debit card may, in fact, incur a fee over and above your transaction?"

Fritchey: "Exactly and if you would ask, the Bill itself simply adds in a couple of words to count debit card transactions. It's the same Bill that we had put in, actually, prior to my getting here, about notification of fees. At that point, debit cards weren't included because there were no fees for those cards. Now those fees are starting to come into existence, so we're simply expanding that provision."

Black: "Well, I know when my bank sent me a debit card they made it very clear that many of those transactions would carry a fee. And it's why I cut up the debit card, I just don't use it. In the words of downstaters, if you want to avoid this, pay cash. Ya know, I... at some point... I don't

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stand in opposition to your Bill because it's constructive notice. But I... I hope we all realize in this chamber that all of these electronic gizmos cost money to run, ATM machines, debit cards. And there's certainly a convenience factor for those who use them. I just... I just don't choose to pay the fee, which is a... which is kind of a fib because it really is I don't know how to use 'em. But be that as it may, if... if we're not careful in this chamber and we... we suppress fees or we legislate fees that don't cover the cost of doing business, then pretty soon all those ATMs and all these fancy debit card checkouts will disappear. And heaven forbid, we might have to go back to the old way of paying cash or writing a check. As long as you just deal with constructive notice, I don't have a problem with that. The problem I have is that we so often want to inhibit the fee. We want the convenience of the network but we don't want anybody to pay for it. At least you're not doing that and a man of your integrity would probably not do that, but then, who knows. So... now, if I... if I knowingly use my debit card and it turns out to be my wife's debit card, am I guilty of a Class A misdemeanor? Or do... do I have to show a paternity test if I use my wife's debit card?"

Fritchey: "Well, that's just an area I'd prefer not to get into."

Black: "I think you're right. It's best that we just vote on your Bill."

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

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Fritchey: "I request an 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 1150?' 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 108... 9 Member... 109 Members voting 'yes', 0 voting 'no', and 4 Members voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 15 of the Calendar, on the Order of Second Reading, appears House Bill 2391. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2391... House Bill 2391, a Bill for an Act in relation to expungement of crim... criminal records. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Mo... Motions filed."

Speaker Hartke: "Leave that Bill on Second Reading. On page 9 on the Calendar, on Second Reading appears House Bill 1414. Representative Pankau. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1414, a Bill for an Act concerning liens. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. On page 9 on the Calendar, on the Order of Second Reading, appears House Bill 1451. Representative Brosnahan. Mr. Clerk... Out of the record. On page 33 on the Calendar, on the Order of Second Reading, appears House Bill 3671. Representative Davis, Willy

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Davis. Out of the record. On page 5 of the Calendar, on the Order of Second Reading, appears House Bill 344. Representative Jakobsson, Naomi Jakobsson. Mr. Clerk, out of the record. On page 27 on the Calendar, on the Order of Second Reading, appears House Bill 3062. Representative Jones, Lou Jones. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3062, a Bill for an Act in relation to children. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. On page 32 of the Calendar appears House Bill 3527. Representative Joyce. Out of the record. On page 31 on the Calendar appears House Bill 3398. Representative McGuire. Out of the record. On page 17 on the Calendar, on the Order of Second Reading, appears House Bill 2567. Representative Mendoza. Representative Mendoza. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2567, a Bill for an Act concerning taxes. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Mendoza, has been approved for consideration."

Speaker Hartke: "Representative Mendoza on Amendment #1. On Amendment #1."

Mendoza: "Thank you, Mr. Speaker. House Amendment #1 makes a very quick and simple change to the original Bill. Says that each appeal shall be limited to the grounds listed in the petition filed with the Property Tax Board of Appeals. The original Bill just asks that the Property Tax Board of

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Appeals give information to the counties and different municipalities regarding how many... information regarding assessments that are made. And... and... it's just a technical Amendment to the original Bill."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2567?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On page 16 on the Calendar, on the Order of Second Reading, appears House Bill 2526. Representative Osterman. Out of the record. On page 10 on the Calendar, on the Order of Second Reading, appears House Bill 1518. Representative Phelps. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1518, a Bill for an Act in relation to deer hunting. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. On page 27 on the Calendar, on the Order of Second Reading, appears House Bill 3078. Representative Reitz. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3078, a Bill for an Act in relation to criminal law. Second Reading of this House Bill. No

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Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 4 on the Calendar appears House Bill 2020. Representative Slone. Representative Slone. 220. Out of the record. Representative Slone, do you wanna call that Bill? So, it's Second Reading, move it to Third? Out of the record. On page 18 on the Calendar, on the Order of Second Reading, appears House Bill 2601. Representative Wyvetter Younge. Representative Younge. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2601, a Bill for an Act in relation to East St. Louis Area Economic Development. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 33 on the Calendar, on the Order of Second Reading, appears House Bill 3671. Representative Davis. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3671, a Bill for an Act concerning emergency care. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 3 on the Calendar is House Bill 197. Representative Davis. Mr... Monique Davis. Mr. Clerk, read the... Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 197, a Bill for an Act in relation to public health. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by

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Representative Monique Davis, has been approved for consideration."

Speaker Hartke: "Third Reading. Oh, oh, the Amendment. Representative Davis on the Amendment."

Davis, M.: "Thank you very much. I wish you would just pass it like that. I like that very much. The Amendment re... merely says that screening of pregnant or lactating women should be made available, subject to appropriations, that the depart... excuse me, the department shall establish a program to provide lead poisoning screening for women who are determined to reside in an area defined as high risk by the department, age 13 or older and either pregnant or lactating. And that's all the Amendment says."

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

Fritchey: "Speaker, on a point of personal privilege. At the request of Chairman Saviano, the Registration Regulation Committee hearing tomorrow is going to be canceled, as we have no subjects before the committee."

Speaker Hartke: "Okay, thank you. Is there any discussion on the Amendment? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill... Representative Kosel.'"

Kosel: "Yes, Mr. Speaker, I wanted to ask the Sponsor and didn't get my button in time. She had said that she was going to hold this Bill until... that the Amendment was going to remove the fee. Has it done that?"

Davis, M.: "I'm sorry, I can't hear her."

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Kosel: "Did the Amendment remove the fee? There was a fee in the original Bill."

Davis, M.: "The... the Amendment removes all fees."

Kosel: "Thank you."

Davis, M.: "There are absolutely no fees here. It says that it's subject to appropriations, which means..."

Kosel: "Just... just wanted to make sure that fee was removed. Thank you."

Davis, M.: "Oh yeah. Thank you."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #1 to House Bill 197?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On page 5 on the Calendar, on Second Reading appears House Bill 429. On page 3 on the Calendar, on House Bills-Second Reading, appears House Bill 115. Representative Moffitt. Mr. Moffitt. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 115, a Bill for an Act in relation to fire protection. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Moffitt, has been approved for consideration."

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

Moffitt: "Thank you, Mr. Speaker. Floor Amendment #2 makes a couple changes... or a change and an addition. When we very..."

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when we first entered this concept we had it that DCCA would administer it and then the state treasurer. We worked with the treasurer's office and she was very willing and... and very supportive of this. As this has advanced the... the thinking now is that probably the Illinois Rural Bond Bank would be the appropriate agency to administer the loans. So, Amendment 2 would have this be administered by the Illinois Rural Bond Bank and also takes care of adding that it's... also includes township fire departments so the two that... in Representative Bost's district would be eligible for the loan. Move to adopt."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 115?' All those in favor signify by saying 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On page 7 on the Calendar, on Second Reading appears House Bill 1161. Representative Winters. Mr. Winters. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1161, a Bill for an Act concerning unemployment. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Winters, has been approved for consideration."

Speaker Hartke: "Mr. Winters on Amendment #2."

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Winters: "Amendment #2 reads simply, 'except in cases of willful and wanton misconduct deed.' It's a very technical Amendment and I think we have an agreement."

Speaker Hartke: "Is there any discussion on the Amendment? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 House Bill 1161?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On page 4 of the Calendar, on House Bill... on Second Reading appears House Bill 310. Representative Mendoza. Representative Mendoza. Out of the record. On page 18 on the Calendar, on the Order of Second Reading, appears House Bill 2598. Representative Younge. Wyvetter Younge. Mr. Clerk, read the Bill. Representative Younge. Out of the record. On page 9 of the Calendar, on Second Reading appears House Bill 1400. Mr. Fritchey. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1400, a Bill for an Act concerning civil no contact orders. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Fritchey, has been approved for consideration."

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

Fritchey: "Thank you, Speaker. Floor Amendment 1 really cleans up and strengthens the underlying Bill. It was the

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initiative of the Cook County State's Attorneys Office.
I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion on Floor Amendment #1?
Seeing no one is seeking recognition, the question is,
'Shall the House adopt Floor Amendment #1 to House Bill
1400?' All those in favor signify by saying 'aye'; opposed
'no'. In the opinion of the Chair, the 'ayes' have. And
the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Representative Bost, for what
reason do you seek recognition?"

Bost: "For an inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Bost: "I was noticing the Speaker there behind you and I was
just kind of wondering if he was interested in to
recognizing Mr. Joyce for a Motion?"

Speaker Hartke: "No."

Bost: "No."

Speaker Hartke: "The Clerk for an announcement."

Clerk Rossi: "The following committees scheduled for tomorrow
have been canceled: the Executive Committee, the Health
Care Availability & Access Committee, and the Registration
& Regulation Committee."

Speaker Hartke: "Representative Howard, for what reason do you
seek recognition?"

Howard: "Yes, Mr... Mr. Speaker. I just wanted to make certain
that all of my colleagues did receive a... an invitation to a
break... breakfast tomorrow morning from the Alpha Kappa

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Alpha Sorority women who will be in town. Everybody's invited. It's going to be at 7:30 at the YWCA. I look forward to seeing you all."

Speaker Hartke: "Representative Giles, for what reason do you seek recognition?"

Giles: "Thank you, Mr. Speaker. The Members of the Elementary & Secondary Education Committee, in Room 118, instead of meeting at 8:30 a.m. we will meet at 10:30 a.m. in that same room. That is enough time to do the business of the people."

Speaker Hartke: "Representative Giles, please approach the podium. Representative Currie now moves that the House stand adjourned, allowing perfunctory time for the Clerk, 'til the hour of 11 a.m., Wednesday, March 26, 11 a.m. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned until 11 a.m."

Clerk Rossi: "House Perfunctory Session will come to order. Introduction and First Reading of Senate Bills. Senate Bill 44, offered by Representative Bellock, a Bill for an Act in relation to child support. Senate Bill 149, offered by Representative Feigenholtz, a Bill for an Act concerning family law. Senate Bill 193, offered by Representative Hannig, a Bill for an Act in relation to public employee benefits. Senate Bill 256, offered by Representative Steve Davis, a Bill for an Act in relation to criminal law. Senate Bill 611, offered by Representative Reitz, a Bill for an Act concerning electronic mail. Senate Bill 639,

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offered by Representative Smith, a Bill for an Act concerning mental health. Senate Bill 1039, offered by Representative Howard, a Bill for an Act concerning education. Senate Bill 1383, offered by Representative Smith, a Bill for an Act in relation to civic centers. Senate Bill 1468, offered by Representative Rose, a Bill for an Act in relation to criminal law. Senate Bill 1471, offered by Representative Mitchell, a Bill for an Act in relation to vehicles. Senate Bill 1793, offered by Representative Phelps, a Bill for an Act in relation to criminal law. Senate Bill 1804, offered by Representative Steve Davis, a Bill for an Act concerning recreational trails. Senate Bill 1848, offered by Representative Nekritz, a Bill for an Act in relation to highways. First Reading of these Senate Bills. House Bill 406 (sic-Senate Bill 406), offered by Representative Watson, a Bill for an Act in relation to criminal law. House Bill 414 (sic-Senate Bill 414), offered by Representative Dunkin, a Bill for an Act in relation to housing. House Bill 460 (sic-Senate Bill 460), offered by Representative Flowers, a Bill for an Act concerning health care. House Bill 805... Senate Bill 805, offered by Representative Eileen Lyons, a Bill for an Act regarding school students. Senate Bill 12... 1028, offered by Representative Dunkin, a Bill for an Act concerning commemorative dates. Senate Bill 1147, offered by Representative Kosel, a Bill for an Act concerning the American flag. Senate Bill 1202, offered by Representative Feigenholtz, a Bill for an Act in relation to public aid.

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Senate Bill 1578, offered by Representative Flider, a Bill for an Act in relation to criminal law. Senate Bill 21, offered by Representative Meyer, a Bill for an Act in relation to vehicles. Senate Bill 78, offered by Representative Soto, a Bill for an Act concerning nurses. Senate Bill 131, offered by Representative Feigenholtz, a Bill for an Act concerning health facilities. Senate Bill 210, offered by Representative Holbrook, a Bill for an Act in relation to sports authorities. Senate Bill 218, offered by Representative Mathias, a Bill for an Act in relation to alcoholic liquor. Senate Bill 228, offered by Representative Washington, a Bill for an Act concerning automotive motor vehicle repairs. Senate Bill 257, offered by Representative Phelps, a Bill for an Act in relation to deer hunting. Senate Bill 270, offered by Representative Beaubien, a Bill for an Act concerning property taxes. Senate Bill 289, offered by Representative Sommer, a Bill for an Act concerning taxes. Senate Bill 320, offered by Representative Capparelli, a Bill for an Act in relation to the Metropolitan Water Reclamation District. Senate Bill 336, offered by Representative Lang, a Bill for an Act in relation to alcoholic liquor. Senate Bill 362, offered by Representative Franks, a Bill for an Act concerning taxes. Senate Bill 371, offered by Representative Mathias, a Bill for an Act in relation to public health. Senate Bill 382, offered by Representative Mathias, a Bill for an Act in relation to criminal law. Senate Bill 490, offered by Representative Rita, a Bill for an Act regarding schools.

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Senate Bill 611, offered by Representative Reitz, a Bill for an Act concerning electronic mail. Senate Bill 618, offered by Representative Giles, a Bill for an Act regarding education. Senate Bill 697, offered by Representative Hannig, a Bill for an Act regarding schools. Senate Bill 1104, offered by Representative Mautino, a Bill for an Act in relation to insurance. Senate Bill 1107, offered by Representative Hendon (sic-Jones, L.), a Bill for an Act relating to schools... school students. Senate Bill 1210, offered by Representative Saviano, a Bill for an Act in relation to municipalities. Senate Bill 1351, offered by Representative Saviano, a Bill for an Act concerning the regulation of professions. Senate Bill 1503, offered by Representative Franks, a Bill for an Act concerning child support. Senate Bill 1785, offered by Representative Franks, a Bill for an Act concerning whistleblower protection. Senate Bill 1789, offered by Representative Hannig, a Bill for an Act in relation to state finance. Introduction and First Reading of these Senate Bills. There being no further business, the House Perfunctory Session will stand adjourned."