

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

41st Legislative Day

4/3/2003

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

Pastor Crawford: "Let us pray. Most gracious and most kind God, who are the author and the finisher of our faith. It is in whom we believe to be the reigning and the ruling authority in our lives. Father, realize that we can do nothing without You. So, it is at this time when our country's at war, it is at this time that we turn to You and ask that You will bless the men and the women of our Armed Forces. We pray that You would bless, preserve and keep them. We pray that You would give them direction. We pray that there is lives lost that is minimum. We pray that the bloodshed is minimal. We pray that You will strengthen them. We pray also that... for the many families that are affected, we pray that You would give them strength, we pray that You would give them comfort, we pray that You would be their God. This we kindly pray and ask in Your Son's name. Amen."

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

Berrios - 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."

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

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

Speaker Hartke: "Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that there's no excused absences among the Republicans and we're happy to be here and ready to do the work of the people."

Speaker Hartke: "Mr. Clerk, take the record. 117 Members answering the quorum call, a quorum is present. And we're ready to do the business of the State of Illinois. Committee Reports."

Clerk Bolin: "Representative Delgado, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on Thursday, April 03, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #3 to House Bill 1715. Representative Holbrook, Chairperson from the Committee on Environment & Energy, to which the following measure/s was/were referred, action taken on Thursday, April 03, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #1 to House Bill 915 and Floor Amendment #2 to House Bill 2866. Representative McCarthy, Chairperson from the Committee on Higher Education, to which the following measure/s was/were referred, action taken on Thursday, April 03, 2003, reported the same back

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with the following recommendation/s: recommends 'be adopted' Floor Amendment #1 to House Bill 2522. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on Thursday, April 03, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #2 to House Bill 305. Representative Flowers, Chairperson from the Committee on Health Care Availability & Access, to which the following measure/s was/were referred, action taken on Thursday, April 03, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #1 to House Bill 2514. Representative Scully, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on Thursday, April 03, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #3 to House Bill 2215."

Speaker Hartke: "Ladies and Gentlemen, we're gonna do a little perfunctory for a few minutes. Please bear with us. We'll be back in about 15 minutes. House Bill 2... 2661. Mr. Clerk, read the Bill. House Bill 2661. Mr. Clerk, read the Bill. House Bill 2661. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2661, a Bill for an Act concerning bonds. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 2663. Mr. Clerk."

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Clerk Rossi: "House Bill 2663, a Bill for an Act making appropriations."

Speaker Hartke: "Hold that Bill. House Bill 2664. Mr. Clerk, read the..."

Clerk Rossi: "House Bill 2664, a Bill for an Act making appropriations."

Speaker Hartke: "House Bill 2668. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2668, a Bill for an Act making appropriations."

Speaker Hartke: "House Bill 2669. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2669, a Bill for an Act making appropriations."

Speaker Hartke: "House Bill 2671. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2671, a Bill for an Act making appropriations."

Speaker Hartke: "House Bill 2672. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2672, a Bill for an Act making appropriations."

Speaker Hartke: "House Bill 2673. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2673, a Bill for an Act making appropriations."

Speaker Hartke: "House Bill 2674. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2674, a Bill for an Act making appropriations."

Speaker Hartke: "House Bill 2678. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2678, a Bill for an Act making appropriations."

Speaker Hartke: "House Bill 2680. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 2680, a Bill for an Act making appropriations."

Speaker Hartke: "Hold that Bill. House Bill 2681. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2681, a Bill for an Act making appropriations."

Speaker Hartke: "Hold that Bill. House Bill 2681. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2682, a Bill for an Act making appropriations."

Speaker Hartke: "Hold that Bill. House Bill 2685. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2685, a Bill for an Act making appropriations."

Speaker Hartke: "House Bill 2686. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2686, a Bill for an Act making appropriations."

Speaker Hartke: "House Bill 2688. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2688, a Bill for an Act making appropriations."

Speaker Hartke: "Hold the Bill. House Bill 2691. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2691, a Bill for an Act making appropriations."

Speaker Hartke: "Mr. Clerk, hold the Bill. House Bill 2693. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2693, a Bill for an Act making appropriations."

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Speaker Hartke: "House Bill 2696. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2696, a Bill for an Act making appropriations."

Speaker Hartke: "Hold that Bill. House Bill 2697. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2697, a Bill for an Act making appropriations."

Speaker Hartke: "House Bill 2698. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2698, a Bill for an Act making appropriations."

Speaker Hartke: "Mr. Clerk, hold the Bill. House Bill 2700. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2700, a Bill for an Act making appropriations."

Speaker Hartke: "Mr. Clerk, hold the Bill. House Bill 2704."

Clerk Rossi: "House Bill 2704, a Bill for an Act making appropriations."

Speaker Hartke: "2705. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2705, a Bill for an Act making appropriations."

Speaker Hartke: "House Bill 2708. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2708, a Bill for an Act making appropriations."

Speaker Hartke: "House Bill 2714. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2714, a Bill for an Act making appropriations."

Speaker Hartke: "Hold the Bill. House Bill 2716. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 2716, a Bill for an Act making appropriations."

Speaker Hartke: "House Bill 2718. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2718, a Bill for an Act making appropriations."

Speaker Hartke: "Hold the Bill. House Bill 2719. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2719, a Bill for an Act making appropriations."

Speaker Hartke: "Mr. Clerk, hold the Bill. House Bill 2721. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2721, a Bill for an Act making appropriations."

Speaker Hartke: "Hold the Bill. House Bill 2726. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2726, a Bill for an Act making appropriations."

Speaker Hartke: "House Bill 2730. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2730, a Bill for an Act making appropriations."

Speaker Hartke: "Mr. Clerk, hold the Bill. House Bill 2735. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2735, a Bill for an Act making appropriations."

Speaker Hartke: "House Bill 2739. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2739, a Bill for an Act making appropriations."

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

Clerk Rossi: "House Bill 2741, a Bill for an Act making
appropriations."

Speaker Hartke: "Hold that Bill. House Bill 2742. Mr. Clerk,
read the Bill."

Clerk Rossi: "House Bill 2742, a Bill for an Act making
appropriations."

Speaker Hartke: "Hold the Bill. House Bill 2743. Mr. Clerk,
read the Bill."

Clerk Rossi: "House Bill 2743, a Bill for an Act making
appropriations."

Speaker Hartke: "House Bill 2744. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2744, a Bill for an Act making
appropriations."

Speaker Hartke: "Hold that Bill. House Bill 2745. Mr. Clerk,
read the Bill."

Clerk Rossi: "House Bill 2745, a Bill for an Act making
appropriations."

Speaker Hartke: "Mr. Clerk, hold that Bill. House Bill 2746.
Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2746, a Bill for an Act making
appropriations."

Speaker Hartke: "House Bill 2747. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2747, a Bill for an Act making
appropriations."

Speaker Hartke: "Hold that Bill. House Bill 2749. Mr. Clerk,
read the Bill."

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Clerk Rossi: "House Bill 2749, a Bill for an Act making appropriations."

Speaker Hartke: "Mr. Clerk, read the Bill. House Bill 2750.
Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2750, a Bill for an Act making appropriations."

Speaker Hartke: "Mr. Clerk, hold the Bill. House Bill 2751.
Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2751, a Bill for an Act making appropriations."

Speaker Hartke: "Mr. Clerk, hold the Bill. House Bill 2753.
Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2753, a Bill for an Act making appropriations."

Speaker Hartke: "Hold that Bill. House Bill 2756. Mr. Clerk,
read the Bill."

Clerk Rossi: "House Bill 2756, a Bill for an Act making appropriations."

Speaker Hartke: "Hold that Bill. House Bill 2758. Mr. Clerk,
read the Bill."

Clerk Rossi: "House Bill 2758, a Bill for an Act making appropriations."

Speaker Hartke: "Mr. Clerk, hold the Bill. House Bill 2759.
Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2759, a Bill for an Act making appropriations."

Speaker Hartke: "Hold the Bill. House Bill 2761. Mr. Clerk,
read the Bill."

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Clerk Rossi: "House Bill 2761, a Bill for an Act making appropriations."

Speaker Hartke: "Hold the Bill. House Bill 2762. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2762, a Bill for an Act making appropriations."

Speaker Hartke: "Hold the Bill. House Bill 2763. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2763, a Bill for an Act making appropriations."

Speaker Hartke: "House Bill 3236. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3236, a Bill for an Act making appropriations."

Speaker Hartke: "Hold the Bill. House Bill 20... 3237. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3237, a Bill for an Act making appropriations."

Speaker Hartke: "Mr. Clerk, hold the Bill. House Bill 3238. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3238, a Bill for an Act making appropriations."

Speaker Hartke: "Hold the Bill. House Bill 3239. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3239, a Bill for an Act making appropriations."

Speaker Hartke: "Hold the Bill. House Bill 3239. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 3239, a Bill for an Act making appropriations."

Speaker Hartke: "Hold the Bill. House Bill 3242. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3242, a Bill for an Act making appropriations."

Speaker Hartke: "Hold the Bill. House Bill 3244. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3244, a Bill for an Act making appropriations."

Speaker Hartke: "Hold the Bill. House Bill 3250. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3250, a Bill for an Act making appropriations."

Speaker Hartke: "Hold the Bill. House Bill 3251. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3251, a Bill for an Act making appropriations."

Speaker Hartke: "House Bill 3252. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3252, a Bill for an Act making appropriations."

Speaker Hartke: "Hold the Bill. House Bill 3255. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3255, a Bill for an Act making appropriations."

Speaker Hartke: "House Bill 3259. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3259, a Bill for an Act making appropriations."

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Speaker Hartke: "House Bill 3260. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3260, a Bill for an Act making appropriations."

Speaker Hartke: "Hold the Bill. House Bill 3261. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3261, a Bill for an Act making appropriations."

Speaker Hartke: "House Bill 3262. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3262, a Bill for an Act making appropriations."

Speaker Hartke: "Hold the Bill. House Bill 3264."

Clerk Rossi: "House Bill 3264, a Bill for an Act making appropriations."

Speaker Hartke: "Hold the Bill. Clerk for an announcement."

Clerk Rossi: "If I could have your attention, please."

Speaker Hartke: "Shhh."

Clerk Rossi: "The Agreed List #3, the long and the short report of the Bills that are contained on that list, are on your laptop under House Reports. So, if you go... if you go to your laptop under House Reports, look for Agreed List #3 and click on that and you can get a long and a short version of the Bills that are on Agreed List #3. In addition, there will be a hard copy of the short list that will be passed out to all the Members shortly."

Speaker Hartke: "Ladies and Gentlemen, this morning during committees several Bills were... Amendments were approved on certain Bills. They're on Second Reading and we're gonna move those Bills to Third Reading to start with here this

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morning. House Bill 915. Mr. Clerk, read the Bill. Mr. Novak."

Clerk Bolin: "House Bill 915, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Novak, has been approved for consideration."

Speaker Hartke: "Representative Novak."

Novak: "Thank you, Mr. Speaker. The Amendment becomes the Bill. Again, this deals with a situation back in my district with respect to two proposed landfills that have been the subject of much discussion in the media and amongst local units of local government back home. The Amendment narrows the purview of the mandate with respect to dual liners in new construction and new landfills or the expansion of current landfills to three counties and those counties, I believe, are Kankakee, Macon and Tazewell. Those are the only counties that are affected by this Amendment. It's a safety... safety concern of ours back home. The Kankakee River is one the more clean, pristine streams in the State of Illinois and one of the proposed landfills, that's already been rejected by the Pollution Control Board, will be very close to that Kankakee River and its watershed. The owner of that landfill has decided to start siting hearings again and make the required recommendations that the Pollution Control Board pointed out. The county that already has a landfill that's op... that is owned and operated by Waste Management is in the process of expanding its landfill to add another 360 acres

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of landfill capacity. So, what do we have in my home County of Kankakee, that Representative O'Brien and I share? We have the specter of two new landfills about the size of about seven or eight hundred acres with a life of that... capacity life of twenty years or more in addition to the current landfill. The margin of safety, I think, with this modest request about a double liner, it will certainly help protect our groundwater sources and the health and welfare of the citizens in our communities. And I ask for your support."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing no one is seeking recognition, except Representative Black. Good morning, Mr. Black."

Black: "Good morning, Mr. Secretary. Good to see ya."

Speaker Hartke: "Pleasure to be here."

Black: "Will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, it's been some time since you and I talked about this Bill. Does this only impact a municipally-owned landfill or will it impact any landfill being built anywhere in the state?"

Novak: "Municipal waste landfills."

Black: "All right. So, if the City of Danville want... we no longer are in the landfill business. Thank goodness. It's costing us a small fortune to deactivate the one we had for years and years. But if a private company wanted to build a landfill in my home county of Vermilion, they got the siting permit, they met all the requirements of the IEPA,

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would they then have to double line that landfill? Because the IEPA doesn't require double liner, it only requires one liner."

Novak: "As I understand it, the Amendment says, municipal landfills."

Black: "All right. So, would your... it would your... it's your intent it would be a landfill owned by a municipality?"

Novak: "Correct."

Black: "Okay. Fine. 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 915?' All those in favor signify by saying 'aye'; opposed 'no'. Opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 2514, Representative May on Amendment #1. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2514, the Bill's been read a second time, previously. No Committees Amendments. Floor Amendment #1, offered by Representative May, has been approved for consideration."

Speaker Hartke: "Representative May."

May: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. We've added an Amendment to flesh out some language to address the problem of small businesses being able to provide health insurance for employees. Many of you will

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recognize this Bill as something that I've worked on before and this has many changes to it. I fully admit that is a work in progress and ask for it to be moved to the Senate. I thank Frank Mautino, an expert in the field of insurance who chairs our Insurance Committee, for working on this with me as well as our guru of health care, Sara Feigenholtz. Just wanted to point out a few things. This is my creative solution to solve a widespread problem, 1.7 million Illinois citizens have no insurance, 700 thousand of these are full-time workers. Small firms have more unemployed than large firms. It affects all geographic areas and all ethnic areas... ethnic groups and even income levels around the state. I'd be happy to answer any questions. We have put some language on to move it forward so that the freshman and other people can see the movement we've made on this... this issue."

Speaker Hartke: "Is there any 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 2514?' All in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 2215. Representative Brosnahan, are you ready? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2215, a Bill for an Act in relation to civil procedure. Second Reading of this House Bill. No

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Committee Amendments. Floor Amendment #1, offered by Representative Brosnahan, has been approved for consideration."

Speaker Hartke: "Withdraw Amendment #1."

Clerk Bolin: "Floor Amendment #3, offered by Representative Brosnahan, has been approved for consideration."

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

Brosnahan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #3 becomes the Bill. This is... addresses some concerns of the committee. It does a couple of things. Number one, it removes four lines from paragraph (b) and paragraph (c) that were the subject of some concern to the committee. They thought it was confusing, so we just removed those four lines from both paragraphs. We also shortened the length of the extension from ten to five years regarding the civil statute of limitations in childhood sexual abuse cases. I'd be happy to answer any questions. And I'd move for its adoption."

Speaker Hartke: "Is there any discussion on Floor Amendment #3? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill 2215?' All those in favor signify by saying 'aye'; opposed 'no'. In 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. Meyer, are you ready on House Bill 305? Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 305, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Meyer, has been approved for consideration."

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

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment 2 becomes the Bill and it amends the Freedom of Information Act and the Open Meetings Act. It makes three changes to the exemptions portion of the Freedom of Information Act and it also amends the Open Meetings Act to provide for closed meetings to discuss security procedures in the use of personnel and equipment to rebuild... respond to an actual or threatened reasonably potential danger to the safety of the public. This is a Bill that's taken two years to bring to you. The language that we're looking at today is an agreed Bill. It was drafted by the Attorney General's Office and it compiles language that came about through negotiations including the Illinois Press Association, who was very helpful in drafting this. Peoples Energy represented the public utilities and then the Municipal League, the DuPage Mayors and Managers, the City of Chicago, and others participated in it. I'd appreciate adoption."

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 305?' All those in favor signify by saying 'aye'; opposed

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'no'. Opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 2522. Representative Berrios, are you ready to call Amendment #1? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2522, a Bill for an Act relating to fictitious higher education degrees. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Berrios, has been approved for consideration."

Speaker Hartke: "Representative Berrios."

Berrios: "Thank you, Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 simply states that the Board of Higher Education is going to create a piece on their website listing all of the universities that are allowed to give higher education degrees via the Internet. That's all it says."

Speaker Hartke: "Is there any discussion..."

Berrios: "And I'd like for the adoption of the Amendment."

Speaker Hartke: "Is there any discussion on Floor Amendment #1?"

Chair recognizes the Gentleman from Cook, Mr. Parke."

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

Speaker Hartke: "Sponsor will yield."

Parke: "Representative, I just don't... I don't understand what are you trying to achieve with your Amendment. Can you share that with us?"

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Berrios: "Well, this is the first Amendment and it's just, ya know, if you go to an employer and they ask you for where you graduated from, you list it, they can go to the Board of Education... the Board of Higher Education's website and get a list of the actual universities that are accredited by them on the Internet."

Parke: "So the... so they can... they can find out what universities use the Internet or that they are bona fide universities by virtue of their... are they Internet universities, like the University of Phoenix?"

Berrios: "Yes, like the University of Phoenix would be on there, Kaplan. They would be listed because they are accredited."

Parke: "Okay."

Berrios: "Anyone else whose... Just to avoid fictitious degrees."

Parke: "And who's gonna... who's gonna provide the website, is this the State Board of Education?"

Berrios: "Yes."

Parke: "Okay. Thank you."

Berrios: "Thank you."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Mr. Stephens, would you like to address Amendment #1?"

Stephens: "Oh, no. Let's go ahead and adopt that. Then I have a... a request."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2522?' All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the

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Chair, the 'ayes' have it. And the Amendment is adopted.
Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Representative Stephens, for
what reason do you seek recognition?"

Stephens: "Point of personal privilege."

Speaker Hartke: "State your point."

Stephens: "My... my seatmate is one heck of a Legislator. He
stands up on Bills having to do with the Criminal Code and
speaks eloquently about them. I found out that really,
like any good Legislator he takes care of his district.
And he, some people might think this is controversial, but
I sure don't. I think if you're trying to defend a concept
or an entity that is unique to your district, I think you
oughta go for it. However, when government or lawyers get
in the way we talk patents and things like that and
sometimes things just don't work out. You might know that
my seatmate introduced a Bill that was going to have to do
with the state doll. The patent office got in the way of
that and maybe that's okay, because... trademark, excuse me,
not a patent, trademark, see, corrected by a lawyer
already, but I thought that maybe unofficially, unless
there's opposition that we could... Mr. Speaker. Mr.
Speaker."

Speaker Hartke: "Yes, Sir."

Stephens: "I want you to know she's got her pass issued by your
Clerk, she can be here. I thought maybe there'd be some
opposition, but we can just proclaim this the unofficial

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doll unless somebody else... Andy's got his little ID card. He wanted to know... he wanted to wait 'til you were in the Chair, Mr. Speaker."

Speaker Hartke: "Well..."

Stephens: "He likes you."

Speaker Hartke: "Well, thank you. That's a great couple over there."

Stephens: "What'd you say about unanimous consent. Is there opposition, Mr. Speaker? Do you see any ones..."

Speaker Hartke: "Well, there might be, I don't there is some lights on."

Stephens: "Is there anyone seeking recognition?"

Speaker Hartke: "Yes. Representative Biggins, for what reason do you seek recognition?"

Biggins: "Well, Mr. Speaker, thank you for recognizing me. I know this mi... some might not sound like a very serious issue to many people, but this Raggedy Ann train got out of the way before it leaves the station. I've been down that track before and I'm not going down it again today. So, I think we should listen to other alternatives and I wanna offer one to the Members of this Body. And I wanna ask you just to do one thing for me, just not for me because it's not about me, it's about my doll and I think we should have an alternative to Raggedy Ann. So, I wanna ask you if you could all just sit back, contemplate and give Chucky a chance, right here."

Speaker Hartke: "I like Chucky."

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Biggins: "All... Can you join me now, all we are saying, give Chucky a chance. Can you hear it? On the other side of the aisle, up and down the streams, across this great state. Can we have more than one doll? I mean, a lot people who... Mr. Speaker, I don't have a second for my Motion."

Speaker Hartke: "No, you don't."

Biggins: "Well, I'll gladly share my doll with, the lovely thing she is... he, he, sorry, well, anyway..."

Speaker Hartke: "Chair recognizes Representative Chapa LaVia."

Chapa LaVia: "Ya know, earlier this morning I was thinking about Raggedy Ann and Andy and then I received this doll, the Ken doll. And ya know, I was gonna vote for him, but then I went over to Representative Mendoza's desk and, ya know, the physique on that doll, that GI Joe doll, outdoes this one. So, I have to refer to my friend over there for further discussion."

Speaker Hartke: "Representative Mendoza."

Mendoza: "Well, I wasn't asking to speak, but I'll take the opportunity to say that GI Joe is pretty hot, besides the fact that he is a representative of our Armed Services and he could pretty much whip the tar out of both Raggedy Ann, I mean of course not Raggedy Ann 'cause she's a lady, but Raggedy Andy definitely, Ken is completely out of his league and Chucky would probably kill 'em but not before he got a few good licks in. So, my vote is still and will continue to be with GI Joe."

Speaker Hartke: "Representative Rose."

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Rose: "Mr... Thank you, Mr. Speaker. I believe my... and I think I was indirectly referred to in debate. Point of personal privilege."

Speaker Hartke: "State your point."

Rose: "Thank you, seatmate for this wonderful honor. All I have to say is 25 thousand visitors a year to the Raggedy Ann and Andy Museum in Arcola, Illinois. All 50 states and 50 countries nationally come to Arcola, Illinois, because of these two dolls right here. That's tax dollars to the people of the State of Illinois and unfortunately a trademark got in the way, but we'll be back. Thank you."

Speaker Hartke: "Representative May."

May: "I have a question for Representative Rose. You're probably too young to know, but the authentic Raggedy Ann and Andy dolls have an 'I Love You' over the heart. Can you check to see if we... if these are authentic Raggedy Ann and Andy..."

Speaker Hartke: "He said, he's not going there."

May: "They... Okay. And I know this... I don't see a Bill on the board, so I assume it's okay to address it, but I have a question for Representative Biggins. Your singing, was that an audition for the COWL Capers? Ya know, you... Which is May 13 this year. Bob, we've relied on you to do... you're in... I thought it was a little ragged, but I think I can affect the judges here. But rather than just singing, we rely on you to provide the segues for our act. So, was this a tryout for singing or are you still gonna be the MC?"

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Speaker Hartke: "Representative Biggins."

Biggins: "Thank you, Mr. Speaker. Representative, if you'll help me with these segues, if you and I can segue to another part of the Capitol we can maybe work on that skit right now."

May: "We'll do it other ways."

Biggins: "Thank you."

May: "But I'll be happy to help you with the segues. Thank you."

Speaker Hartke: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I wanna support Representative Rose, also. I mean which one of these other dolls has a U.S. postage stamp? They had... Raggedy Ann had a commemorative postage stamp and she was one of the outstanding classic dolls that was listed several years ago as a classic and a commemorative and a keepsake. I think that that speaks for itself and it's from our town in Illinois and industry is important, but Raggedy Ann is dear to the hearts of everyone, plus has her own stamp."

Speaker Hartke: "Okay. Let's... let's get down to business here. Chair recognizes Representative Brady on House Bill 1715. Representative Brady. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1715, a Bill for an Act in relation to public health. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #3, offered by Representative Brady, has been approved for consideration."

Speaker Hartke: "Representative Brady."

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Brady: "Thank you very... thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Amendment #3 or Floor Amendment #3 to House Bill 1715 deals with the distribution of funds from the now defunct Necropsy Board, which was an advisory board in the Illinois Coroners Medical Examiners Association. This simply would allow now the Department of Public Health to carry on in the absence of the Necropsy Board for distribution of funds to Illinois coroners or those charged by statute with death investigations throughout this state. I'd be happy to answer questions."

Speaker Hartke: "Is there any discussion on Floor Amendment #3? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill 1715?' 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. Is Mr. Reitz in the chamber? Out of the record. House Bill 209. Representative Franks on Amendment #2 and... 1 and 2. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 209, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Franks, has been approved for consideration."

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

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Franks: "Thank you. It might be easier to put Amendments #1 and 2 together, because Amendment #2 is technical, adding one small..."

Speaker Hartke: "We'll adopt 'em separately, explain #1."

Franks: "We'll adopt 'em separately. Okay. This is our prescription drug Bill. We'll probably have the... more debate tomorrow on this. But what we're doing is setting up the buying club for seniors in the State of Illinois. And that's what this Amendment does. I'd be glad to answer any questions."

Speaker Hartke: "Is there any 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 209?' 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: "Floor Amendment #2, offered by Representative Franks."

Speaker Hartke: "Mr. Franks."

Franks: "Thank you, Mr. Speaker. Floor Amendment #2 makes a technical change and we're clarifying the intent that mail order can be used with this Amendment. I'd be glad to answer any questions."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 209?' All in favor signify by saying 'aye'; opposed 'no'."

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In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. Several notes have been requested on the Bill as amended and the notes have not been filed."

Speaker Hartke: "It'll remain on Second Reading. House Bill 1451, Mr. Brosnahan. Mr. Brosnahan. Out of the record. Mr. Daniels in the chamber? House Bill 1662. Representative Daniels. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1662, a Bill for an Act in relation to public aid. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Daniels, has been approved for consideration."

Speaker Hartke: "Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. Is this Amendment #1? I think we want to withdraw 1 and Amendment #2 I think is..."

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

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

Speaker Hartke: "Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, Floor Amendment #2 becomes the Bill. And it was the work of the Committee on the Developmentally Disabled and Mentally Ill that provides the Department of Public Aid may offer to children with DD and MI or emotionally disturbed children

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home-based and community-based services instead of institutional placement as allowed under paragraph 7 of Section 5-2 regarding the Katie Beckett Waiver or home and community-based services waiver. This is a 'may' offer and I know of no opposition. It has been agreed to by Members of the committee on both sides of the aisle. I seek your favorable support."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 1662?' 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. House Bill 209. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 209, the Bill's been read a second time, previously. Was held on the Order of Second Reading pending the filing of the notes. The note request has been withdrawn."

Speaker Hartke: "Move that Bill to Third Reading. House Bill 235, Mr. Franks. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 235, the Bill has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Franks, has been approved for consideration."

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

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Franks: "Thank you, Mr. Speaker. Floor Amendment #2 becomes the Bill. This is... we spent about a month working on this Bill with interested parties including the Chamber of Commerce and the Illinois Manufacturers' Association, as well as Illinois Retail Merchants Association. We just talked to the IMA and they have a couple of small changes, which are technical, which we'd like to do over in the Senate only because we haven't got time. I'd be glad to answer any questions. But this is... we'd like to move to Third and pass this Bill over to the Senate."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Amendment. Our side of the aisle objected to this Amendment going directly to the floor. It's a much more substantive Amendment than I... than I believe the Sponsor... Well, I don't know that he intends it to be a substantive Amendment, I think it's much more substantive than he said in his remarks. This... this Amendment, in our opinion, should go to committee for a full hearing. There is no agreement on this Amendment regardless of what anybody says, I can assure you and I have talked to several business representatives, there is no agreement at this time on this Amendment. We feel strongly that it should've gone to committee and let people testify pro or con. There's time. That committee meeting could've been held today and the Bill could still be acted on tomorrow. I... Mr. Speaker, I don't... I don't wanna delay

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the process anymore than is necessary and I think all of us are tired by the end of Third Reading deadline week. I'll not ask for a Roll Call on the Amendment, but I do want our side of aisle objections noted for the record. We believe strongly that this Amendment should go to substantive committee, have a full hearing. We'd have a much better understanding by this time tomorrow on who is in favor of the Amendment, who's not in favor of the Amendment. And it makes me a little bit nervous when somebody gets up and says there's a few technical changes that need to be made and will be made in the Senate. I love the Senate dearly and you know I've kidded them unmercifully over the years, but it's not my job to rely on the Senate to clean up a House Bill. It's my job to vote 'yea' or 'nay' on a Bill when it leaves this chamber and I can't in good conscience vote 'aye' for a Bill that even the Sponsor says needs some changes and those changes will be addressed in the Senate. I don't know if those changes will be addressed in the Senate. God, they worked so late last night they're liable to be gone for the next month. Ya know, it's... In all seriousness, I just... I think it's wrong to let a Bill go out of this chamber when the Sponsor of the Bill admits that there are some changes that need to be made and he has confidence that those changes will be made in the Senate. It's the Sponsor's job and the job of the Members of the House to get our Bill in order before it leaves this chamber. We stand in opposition to the Amendment. We will

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not ask for a Roll Call on the Amendment, but we are prepared to debate the Bill aggressively on Third Reading."

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

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

Speaker Hartke: "Sponsor will yield."

Watson: "Representative Franks, first I just wanna tell you, I know you've had good faith effort in trying to work with the different groups and I appreciate that. Just to clarify for the record so everyone knows, the whole point of this Bill is... is if a company fails to meet the terms and conditions of an economic development contract with the state that they will repay a pro rata proportion of that. Is that correct?"

Franks: "Well, it's more than that, but that is the premise. We're also gonna be requiring disclosure of the... I guess there's three main things that this Bill does. First, it establishes minimum standards in the application and monitoring of agreements. Second, it requires public disclosure of economic development assistance spending since the state spent about a billion dollars last year. And lastly, there is recapturing state taxpayer money if the company doesn't live up to its agreement. So, there's three main portions of this Bill. And as you know, Representative, I really appreciate your... your leadership on this. You and Representative Moffitt worked closely with Representative Flider and myself with all the other groups. We spent about a month negotiating. We had the

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Amendment #1 where we had a lot of things in there and about 99 percent of that has been changed to get to the core where we're at now. And just this morning we heard from the IMA that they had two changes, basically clarifications because we didn't wanna... and we agree with those changes and we're happy to do that. And once it gets to the Senate the Sponsor will hold that until the new Amendment is placed."

Watson: "Is there any way to... to extend this to... 'til next week?"

Franks: "I wish there was. I had asked our Leadership to see if we could have this extended and we can't. And that's why I'm bringing the... the Bill now to the floor."

Watson: "Okay. Okay."

Franks: "My first choice would be to extend the deadline, but we don't have that luxury."

Watson: "Okay. And just for clarification for our point, IMA had several... several minor changes, but if they're not changed it will... they're major problems and then IRMA... IRMA had several language changes they would like to see, too. So, that is the basis of our opposition at this time."

Franks: "Absolutely. We understand that, but I can tell you, once we get it to the Senate we will negotiate at that end as well, but if we don't move it at this point it's not gonna move and this is something that we've worked hard and we're... and we're basically in agreement with the changes which IMA has requested. So, we are in agreement, we have

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a meeting of the minds, now it's a question of getting it taken care of."

Watson: "Okay. Mr. Franks, thank you. Again, Mr. Speaker, to the Bill. We would... we would strongly encourage delaying this through next week given an extension so we could work through this and have an agreed Bill going over. And that is... that is our position. Thank you."

Speaker Hartke: "Further discussion? Representative Daniels."

Daniels: "Will the Gentleman yield?"

Speaker Hartke: "The Gentleman will yield."

Daniels: "Just for a point of clarification. Is the Illinois Chamber of Commerce, with your Amendment, in favor of the Bill now?"

Franks: "No, not that... and I don't know where they are with the changes, as well I have not heard from the Chamber yet today."

Daniels: "What about..."

Franks: "I only heard from the IMA and they presented me with their reasons for the opposition and I agreed with their changes."

Daniels: "If... if you make the changes and I... and you said you would that the IMA asked for, will they then be in favor of the Bill?"

Franks: "IMA, I believe they will be."

Daniels: "That's the..."

Franks: "Worst case scenario, I believe they'd be neutral."

Daniels: "Okay. And what about the Municipal League?"

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Franks: "I believe they'll be okay as well, because in the original Amendment, Mr. Daniels..."

Daniels: "Yes."

Franks: "Amendment #1..."

Daniels: "Right."

Franks: "...we had reference to the municipalities, that's all been deleted in this Amendment."

Daniels: "So it... so it... I'm just going from our analysis."

Franks: "Sure."

Daniels: "I don't wanna delay things here. I just wanna make sure that groups that we are concerned about, that I know you've been working with, have removed their opposition if you agree to adopt that. And is that your understanding?"

Franks: "That's my... that's my belief and that's what's been presented to me by the interested groups."

Daniels: "All right. Thank you."

Speaker Hartke: "Further discussion? Since no... Chair recognizes Representative Flider."

Flider: "Yes, thank you, Mr. Speaker. I rise in support of adopting this Amendment. We all recognize that we have deadlines in our chamber, but we also recognize that the Sponsor has been good for his word at holding this Bill on Second Reading while negotiations have occurred. And there have been several rounds of discussions, there have been several drafts and I think in earnest the Sponsor has worked with all groups and all parties. And certainly, we respect the deadlines that we have here and I'm very impressed with the fact that we have a process for moving

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Bills forward and also would state to you that if the Sponsor indicates he will continue to try and improve the Bill as we go forward and with the concurrence of the Sponsor in the Senate then certainly I think then we should adopt this Amendment and continue the process. Thank you."

Speaker Hartke: "Further discussion? Representative Mulligan."

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

Speaker Hartke: "Sponsor will yield."

Mulligan: "Representative, we all know that Speaker Madigan could easily keep this Bill over for another week or two and with the condition of the state right now with the economy, particularly manufacturing being the worst part of the economy in the state and the slowest to recover, why would you move forward without trying to come to an agreement with everybody at this time? I mean because you have the power or you have the majority doesn't mean that we should take on the state and wreck the economy further by putting forth an effort on something that everybody hasn't agreed to in a reasonable fashion."

Franks: "This will not wreck the economy, if anything this will strengthen our economy because people will know what to expect in business. I think business likes to know what's going to happen. When we make decisions we wanna have informed decision makers and this Bill will only strengthen business. That's why with these very minor changes the IMA's opposition goes away, because they know it's good for business, they absolutely know it's good for business. And

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we have a strong business climate in this state and I believe this will strengthen our business climate."

Mulligan: "What's ch..."

Franks: "It will only enhance it."

Mulligan: "What's changed in the last day or so when people from IMA and IRMA were down here lobbying us and strongly against these Bills?"

Franks: "Because they had not seen the second Amendment. They were... their opposition was to Amendment #1, which admittedly was over the top and we had everything in there but the kitchen sink. They gave a strong list of things they wanted changed and we met them every step of the way."

Mulligan: "So has this Amendment gone to committee to be discussed fully?"

Franks: "No."

Mulligan: "See, I always have a problem with that. Since we changed the process here the limited debate on the House Floor and the fact that advocates can no longer testify because you're in a closed process here, you take away the substantive part of the discussion on a substantive Bill. Floor Amendments should always only be very small or very technical or totally agreed upon. They should not be a substantive Amendment that has not been discussed in committee. I find that to be problematic because although you're standing here on the House Floor and much as I would like to say you're an honorable man and this, I have not been lobbied by the IMA or any other group that this is a fine thing to move forward with. Not only that, you know

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as an attorney who has probably done negotiations, that the perfect negotiation is when everybody's a little unhappy. And it doesn't seem to me that everybody's a little unhappy here, it seems to me that you're very happy and that a lot.."

Franks: "No, I think..."

Mulligan: "...of the groups are not happy."

Franks: "I think you misread this completely. I'd be much happier with the first Amendment, which gave us a lot... a lot more onerous restrictions, quite frankly, now municipalities aren't included, for instance, now there is waivers for DCEO where they would be... and DCEO has signed off on this Bill. I tell ya, DCEO was harder to deal with than the IMA, believe it or not, because we had to give them waiver provisions that weren't there in the initial. Certainly, I'm not happy with all the things we had to give up, but I am happy with the fact that we're gonna get a Bill that will work and that will... and needs to happen. And if you think that this Bill has not been changed significantly, you'd be absolutely wrong. And maybe this should be in committee so we can explain all those things, that wouldn't bother me either, I'm happy to do either way. This is how it was setup today and that's why I'm standing up arguing it on the floor. If it goes to committee, if you wanna recess for an hour, let's go to committee and I'll go through every point with you or I'll do it right now. But let me tell ya, there has been a ton of changes to this Bill, substantively."

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Mulligan: "Well, I think that's... that's a very fair offer and if you would take the Bill out of the record we could go to committee for an hour, because I think this..."

Franks: "I won't take it out of the record unless we go to committee."

Mulligan: "Well, I would think that that's up to the Speaker and that you certainly should have a lobby to do that. Quite frankly, I can see why DCEO would be the one that would be the most concerned. Manufacturers will just leave or they won't hire new people. DCEO has the mission of the state to move forward in business and to encourage people to come here."

Franks: "And DCEO agrees with this."

Mulligan: "It's a difference of whether the Governor is successful is if you encourage new business in the state, you encourage new jobs. One of his criteria was encouraging new jobs in the state. I do not find this to be an encouragement, at least I have not been lobbied as such."

Franks: "DCEO believes it is. DCEO believes it is and they have worked on this for a month with all the interested parties and they've been very tough negotiators."

Mulligan: "Well, if it's that good..."

Franks: "And they're the one... they've signed off on this Bill."

Mulligan: "...why are you concerned about going to committee..."

Franks: "I'm not concerned."

Mulligan: "...because the process of this Body..."

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Franks: "I'm saying if we have it I'll do it, but I'm not pulling it out of the record so a Bill dies."

Speaker Hartke: "Representative Franks..."

Mulligan: "It's certainly not gonna die, you have two days."

Speaker Hartke: "...would you please allow Representative Mulligan to ask her question."

Franks: "Sure."

Speaker Hartke: "Representative Mulligan."

Mulligan: "I think that this... the Sponsor's spoke exactly what should be done. The Bill should go back to the committee, it's a substantive Amendment. The way we process legislation in this Body is substantive Amendments, substantive Bills have the biggest discussion in committee where people can stand up and testify from the outside, the people that they impact. None of us are experts in these areas, are all areas that we vote on in legislation; therefore, the people that are the experts should be allowed to testify, which cannot happen on the floor. So, when it comes to the floor the people that have worked on the Bill, the people on the committee like Representative Watson, Representative Moffitt, who say that this is not soup yet and are unhappy because the Bill is being brought to the floor in the form of an Amendment now, that we cannot discuss, have pointed that out. I see no problem in any of us when a Bill that is this substantive, that impacts the economy of our state and what kind of a... what kind of business we're gonna attract to our state should be put out on an Amendment on the floor is totally uncalled

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for. It should go to committee where everybody can testify so that we feel comfortable that the proponents of this Bill and the opponents of this Bill have come together and allowed for this to be a good negotiation."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Meyer on Amendment #2."

Meyer: "Thank you, Mr. Speaker. Representative, would you yield for a question?"

Speaker Hartke: "Representative will yield."

Meyer: "Representative, did I understand you correctly to say that DCEO has... is in total agreement with this Amendment?"

Franks: "They are in agreement, they helped draft this Amendment. And I can go... we can treat this as the Committee as the Whole if you'd like, I'd be glad to go through the significant points that have changed."

Meyer: "Well..."

Franks: "I've put together a list and..."

Meyer: "The reason, if I could, the reason I am asking that question, is as of yesterday my understanding was that DCEO was still opposed to this. They felt that... that proprietary information dealing with business would be exposed and that it was not good for business development in this state."

Franks: "The deputy... I spoke with the Deputy Governor yesterday on the House Floor, Julie Curry, who indicated they are in agreement, that... they're the ones who helped draft this Bill, they've been in the center of these negotiations over the last two or three weeks."

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Meyer: "Well, Representative, I won't belabor it with you, I think you've been forthcoming with me. But, Speaker, I would ask that we do delay the proceedings of this House, we do go to committee so that all this can be ironed out where we can have parties come in and give expert testimony on what... where they stand on this Bill. And I certainly am willing to stay here while that committee occurs. And we would like to have the deadline extended on this Bill also, so that we could bring the parties together, get a Bill that is good... everyone feels confident and is good for the state and the development of business in this state so we can properly compete for jobs bringing 'em into the state and turning this economy around. Respectfully, I'd make that request."

Speaker Hartke: "Chair recognizes Representative Moffitt for further discussion."

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

Speaker Hartke: "Sponsor will yield."

Moffitt: "Representative, this has been an ongoing effort and I... and I appreciate the fact that you have made a real effort to bring parties together and this isn't just once or twice, but over a period of weeks. That was a commitment you made in committee and you've honored that commitment. I was off the floor for a little bit, so if any of these questions have been asked and if you've responded I apologize, but I didn't hear it. I guess if there's anyway... and I certainly support the intent of what we're trying to do here. I had a situation in my district

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where a company had received millions and millions and millions of incentives, both local and state, and then has decided to leave and it's very unfortunate after all those incentives. So, I think we do need to address this as a Body, as a State Government, and that's what's attempting to be done here. But a couple things and I don't know if they've been asked. If we could go back to committee and again, you know I support the intent that we're trying to do here, if we could go back to committee the good thing about that is that anyone that has concerns or that are still opponents would have opportunity for input, not to kill the Bill, you know we don't wanna kill the Bill. But if we had that option, I hope you will consider that so that... not... we don't just debate it as a Committee of the Whole, but those opponents or those with concerns can... can address it. I would appreciate it if we can do that. The other thing that would allow us some time, I don't know if the Speaker would consider extending the deadline on this Bill..."

Franks: "I've requested that and I've been denied."

Moffitt: "Okay. Well, I thought that was another possibility."

Franks: "Yeah, I agree. I've request... I wish we could."

Moffitt: "Do you... you do consider this a work in progress, don't you Rep..."

Franks: "Ab..."

Moffitt: "As oppos..."

Franks: "And I tell ya how close we are to getting this done, I thought we had it all taken care of yesterday and then I..."

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then they pointed out a couple of technical changes that they wanted to make sure that we weren't hurting existing companies that are already getting some of these incentives that area already in the enterprise zones and I a hundred percent agree. So, that will be taken care of in the Senate and we have a wonderful Senate Sponsor that we all admire, it's Senator Clayborne, whose word is good, and it'll be held until this is fixed. But that's the only real change. I just met with the IMA less than a half an hour ago and I have a document that they presented with me to... telling me the two changes they required and we've agreed to them."

Moffitt: "Okay. If... and again with your... your... ya know, your side of the aisle having the majority and definitely setting the agenda, couldn't... isn't it possible that this could go to committee, we'd have public input and still you'd meet deadlines with the assurance that you'll have it back this afternoon or tomorrow and it would still be on track. Is that... is that a real possibility? And if we could, I think you probably would actually, ya know, pick up some support if we have that opportunity."

Franks: "I wish I could guarantee ya, I'm not the Speaker, but we can move this to Third Reading and we can debate it then and we can do any... and we can at that time ask for an extended deadline, as well. But right now I've asked for extended deadline and I've not been granted that."

Moffitt: "Okay. But if we would... I would think you could get the assurance that it could come back later today or

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tomorrow if you do have that committee... hearing committee input, I think that would relieve a lot of concerns. And again, I say this from the standpoint of being in support of what we're trying to do here, but if we could address... allow that opportunity, I think we'd relieve a lot of concerns."

Franks: "I... I understand what you're saying..."

Moffitt: "And then... that's within the..."

Franks: "...but I, ya know, right now we can answer these questions. I don't wanna get into semantics whether we go to that committee or just treat this as a Committee of the Whole. I rep... the previous speaker had some questions. If you'd like, Representative Moffitt, I can go through the nine bullet points where we changed from Amendment #1 and I think that would certainly answer the substantive questions that people have. If you..."

Moffitt: "Well, I think... I think the real added benefit is that... that the individuals could testify in committee, they're not going to have that opportunity here, it's indirect. That's the added benefit that we have that we're showing in good faith. We want your input, we're working with you. This is a work in progress. Yes, we want it to proceed. We're not... we don't want the Bill killed..."

Franks: "Right."

Moffitt: "...but if we go to committee then we've in good faith shown those people that yes, we're listening."

Franks: "I agree..."

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Moffitt: "If we can do that and I think your side could assure us, this could come back this afternoon or tomorrow and we're still on."

Franks: "I agree with you. I don't have... I'm not the one who makes the decision here. I was told a little while ago that this was on the floor, so that's why I'm arguing it now."

Moffitt: "What you don't... I'd be... I'll bet you could get that assurance."

Franks: "Apparently not."

Moffitt: "Well, Representative, I thank you. And I would just, in the interest of just open debate and good government, I think this is an opportunity that we have to... to allow that input that just makes this Bill a better Bill. We don't wanna ki... I don't wanna kill it, that's not my objective, because I've been... stood with you. But I think that if we allow that public input through committee hearing we've served the best interests of the State of Illinois and I'd urge you to work to that end, again, you knowing that I want... that I support the overall intent of the claw back and trying to make... bring accountability to business. So, thank you."

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

Stephens: "Thank you, Mr. Speaker. Inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Stephens: "Well, we're a little frustrated over here. What are the rules by which Bills get sent out of the Rules

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Committee to the floor or get sent to committee? We... we met this morning, a variety of committees met this morning. This committee could be called, I believe, at the Majority Leaders whim, just make the announcement, send the Bill down to committee and get it over with. But we dealt with Bills this morning. I have Bills that... or a Bill that needs Amendment, I don't know if it's gonna be comin' straight to the floor. Can you help us understand what the process is?"

Speaker Hartke: "Yes, certain Bills are referred to com... full committees, others are referred to the Rules Committee. If the Rules Committee approves an Amendment it is taken directly to the floor."

Stephens: "Is there anything that can help us determine before those decisions are made what the rules will be?"

Speaker Hartke: "Yes, I would suggest you see the Chairman of the Rules Committee."

Stephens: "That would be the Majority Leader?"

Speaker Hartke: "That would be the Majority Leader."

Stephens: "A great Representative. And can we talk to her on the House Floor, is that all right? I know she's here..."

Speaker Hartke: "She's right..."

Stephens: "I just wanna know if it's okay."

Speaker Hartke: "She's right over there."

Stephens: "Okay. Thanks, Speaker."

Speaker Hartke: "Representative Franks to close."

Franks: "Thank you. And I'd like to respond to the people who had some questions about the substantive changes. I'm

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gonna briefly tell you what they are from the Amendment #1 to this final version and I think it will take away many of the fears that people have, because we really are very close to the agreed Bill. And I wanna thank everyone who's been working with us. In our original Bill and with the Amendment, Amendment #1, Amendment #2 responded this way. It removed all mandated wage benefit criteria from the Act, as well as total assistance cap, so it allows the department flexibility in the assistance agreements. This is something the department needed. Number two, the difference, we removed all local property tax reporting, something that the locals wanted removed. It was taken care of. Number three, we removed all language regarding corporate, parent and affiliated groups, including mandated job levels by affiliated groups in Illinois. This is the business community wanted that. Number four, we significantly narrowed the scope of development assistance to... to big-ticket items offered by the state. This is not gonna affect the small businesses, only the big-ticket items. In fact, by leaving out property taxes and other tax incentives offered by the state we're leaving gaps there, leaving it open for... for DCEO. We also, in response to criticism, we narrowed the scope of new employee per business community concerns. We also significantly altered the unified economic development budget produced by revenue to include only aggregate data and not broken down by company. We also removed, this is a very significant point, we removed all prospective recapture provisions.

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Recapture includes only those DCEO programs noted in the Act. We've also included waiver language on recapture that allows companies to continue to receive assistance if facing imminent and demonstrable hardship. We also removed narrative language in the application and process report provisions compelling the company to disclose information on consolidations and closures. And we've also added language to deal with job retention concerns. So, this Amendment #2 really addresses all the concerns that were brought up by the interested parties. We understand when this gets to the Senate there has to be a couple of minor revisions for the IMA and we are prepared to give that and the Senate Sponsor will hold this until that's done. Folks, this is important that we pass this Bill today. Let me tell you what happened in my community this last... this last week. Motorola, which received multimillions of dollars in state aid, closed their door in Harvard on April Fool's Day. Five thousand people lost their jobs. I'm sorry, it wasn't a joke, it was... it's sad. And what really is bad, is the State of Illinois gave this company multimillions of dollars. We subsidized them to fire Illinoisans. We subsidized the company that sent these mar... that sent these jobs overseas. Now, Motorola had a pretty big profit last quarter. I don't think that we're... we should be giving tax incentives without strings attached. If we're going to be giving tax incentives they need to be rational. This Bill does those three things that will help not only business, but also help the

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taxpayers. It establishes the minimum standards in the application and the monitoring of the agreements. It requires public disclosure of economic development assistance spending and it also provides for recapture if the company doesn't live up to its agreement. And we're gonna have this on a sliding scale, it's not gonna be a hammer. If they promise to make a hundred jobs, but then only create ninety jobs, well they're gonna get to keep 90 percent of those incentives, we're not gonna make 'em give 'em all back. It's just commonsense, rational things that we need to do. Corporations can't have it both ways. They can't say give us everything and... then but don't watch what we're doing. A corporation can't request concessions from government and then refuse the incumbent responsibilities. This is just doing what's right. I'd ask everyone for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #2 to House Bill 235?' All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments. But a fiscal note and state mandates note have been requested on the Bill by Representative Black."

Speaker Hartke: "The... or the... the Bill will stay on the Order of Second Reading. Representative Leitch, for what reason for do you seek recognition?"

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Leitch: "I was trying to seek a Roll Call on that. And so, I would appreciate when my light's on, being called upon."

Speaker Hartke: "There was a... Okay. Thank you. Representative Morrow."

Morrow: "Yes, thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker Hartke: "State your point."

Morrow: "I thought it was against the House Rules to have literature like this passed... passed around by Pages to state a... a position papers on Bills. I feel that that's... that's the job of the lobbyist to call us out. I don't think it's the job of these Pages to passing position papers on the House Floor. And... and... and... and... and I'm not here to get the Page in trouble, I don't know who gave it to her, but I don't think it's fair."

Speaker Hartke: "Chair recognizes Representative Black."

Black: "Mr. Speaker, I have an inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "Would ask that you check with the parliamentarian. I... we don't have time to call up the transcript and the debate. It was my understanding that when we discussed the House Rules and it has been said previously on this House Floor that when we get to this point in the process that technical Amendments could be reported directly to the floor and we've never had a problem with that. But it was my understanding that substantive Amendments were... what's the word, I... my perception was that substantive Amendments at this point in the process were to go to committee. Now,

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I can't... I can't find that with specificity in the Rules, but I would... I would ask the Chair to look at... look at what I perceive to be the debate on the House Rules on more than one occasion that substantive Amendments were to be referred to substantive committee, technical Amendments could be reported from Rules directly to the floor."

Speaker Hartke: "Your point is well-taken."

Black: "Thank you."

Speaker Hartke: "And we will check with the parliamentarian on that issue. Rules Report."

Clerk Rossi: "Rules Report. Representative Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on April 03, 2003, reported the same back with the following recommendation/s: 'to the floor for consideration' Floor Amendments 1 and 2 to House Bill 209; Floor Amendment #3 to House Bill 1091; Floor Amendment #1 to House Bill 1360; Floor Amendments 3 and 5 to House Bill 1451; Floor Amendment #2 to House Bill 1662; Floor Amendment #4 to House Bill 2206; Floor Amendment #2 to House Bill 2221; Floor Amendment #2 to House Bill 2313; Floor Amendment #1 to House Bill 2459; Floor Amendment #2 to House Bill 2786; Floor Amendment #1 to House Bill 3061; Floor Amendment #2 to House Bill 3146; Floor Amendment #1 to House Bill 3190; Floor Amendment #1 to House Bill 3191; Floor Amendment #2 to House Bill 3309; Floor Amendment #2 to House Bill 3626; and Floor Amendment #2 to House Bill 3661, Floor Amendment #2 to House Bill 235."

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Speaker Hartke: "House Bill 1451, Representative Brosnahan. Out of the record. House Bill 2206, Representative Feigenholtz. The Amendment has been approved for consideration. Amendment #4. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2206, a Bill for an Act in relation to housing. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #4, offered by Representative Hamos, has been approved for consideration."

Speaker Hartke: "Representative Hamos on Amendment #4."

Hamos: "Thank you, Ladies and Gentlemen. This is a Bill... this is an Amendment that shells the Bill and as you know that this year the Housing & Urban Development Committee has been doing some very hard work sorting through a lot of important Bills that have been brought to us. We were not ready to present this as a final Bill, it just really shells the Bill. And we're asking your help in letting us continue to work on this program. Thank you."

Speaker Hartke: "Is there any discussion on Amendment #4? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #4 to House Bill 2206?' 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. A fiscal note has been requested on the Bill as amended by Amendment #4 and the notes have not been filed."

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Speaker Hartke: "The Bill will remain on Second Reading pending the filing of the notes. House Bill 2221, Representative Burke. Representative Burke. You have Amendment #2 approved. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2221, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Burke, has been approved for consideration."

Speaker Hartke: "Representative Burke on Floor Amendment #2. Take this Bill out of the record temporarily. House Bill 2313, Representative Davis. Steve Davis. Mr. Davis. 2313 on Amendment #2. Kicked out of Rules today. Out of the record. Representative Morrow on House Bill 2459. Amendment #1 has been approved for consideration. Are you ready? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2459, a Bill for an Act in relation to apprentice programs. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Morrow, has been approved for consideration."

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

Morrow: "Yes, thank you, Mr. Speaker. This is on Amendment #1. Basically... could... could... could we take this Bill out of the record for one moment and maybe we'll come back to it..."

Speaker Hartke: "Sure."

Morrow: "...Mr. Speaker?"

Speaker Hartke: "Let's go back to Representative Burke. 2221."

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Burke: "Thank you, Speaker and Ladies and Gentlemen of the House."

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

Clerk Bolin: "House Bill 2221, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Burke, has been approved for consideration."

Speaker Hartke: "Representative Burke."

Burke: "Thank you, Speaker and Ladies and Gentlemen of the House. Amendment #2 will shell the matter, negotiations are still ongoing. I'd appreciate the Body's favorable consideration."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 2221?' 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. Burke, are you ready on 3146? Out of the record. Representative Lou Jones, are you ready for House Bill 1091, on Amendment #3? Out of the record. How about 1360, Representative Jones? Lou Jones, how about 1360? Amendment #1. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1360, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Jones, has been approved for consideration."

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

Jones: "Thank you, Mr. Speaker. I have a Amendment to go on 1360."

Speaker Hartke: "Floor Amendment #1. Yes, please, present your Amendment."

Jones: "Amendment #1 to House Bill 1360, it just changes the 15 percent increase to a 5 percent increase, TANF increase."

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 1360?' All those in favor signify by saying 'aye'; opposed 'no'. Opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 2559. Mr. Clerk, read the Bill. Yes, 2459."

Clerk Rossi: "House Bill 2459, a Bill for an Act in relation to apprentice programs. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Morrow, has been approved for consideration."

Speaker Hartke: "Representative Morrow."

Morrow: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Amendment #1 to House Bill 2491 provides that the director of the Capital Development Board and the Secretary of Transportations shall establish goals for contractors regarding the number of minority and female apprentices/trainees and the building trades should be

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assigned work according to the contracts. I'd be glad to answer any questions."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing that no one is seeking recognition except Representative Black."

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

Speaker Hartke: "Sponsor will yield. Shh."

Black: "Representative, with this Amendment, basically the same language, let me get... excuse me, if I could get to the intent of your Amendment. Would this Amendment help prevent what I am often told by the craft unions in my district when I sometimes say, I don't see any people of color working on this road contract and they say, well we can't get anybody in the apprentice program, we haven't had anybody apply. And as you and I were talking, I ran a class for flaggers so they could be certified by IDOT, because if you aren't certified by IDOT you can't be a flagger on a highway construction project. And I think we did it on a Saturday out at the community college and I think we certified 10 people. I have yet to see any of those flaggers working on a project and yet I keep getting told, well, they didn't apply, they didn't come forward, they don't join the apprentice program. Would this give us added teeth to hold people accountable to why they often tell us that people of color just don't seem to apply or didn't pass the test or dropped out of the apprentice program?"

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Morrow: "Yes, I think this would give it some more teeth. Yes, it would, Representative Black."

Black: "Okay. Well."

Morrow: "Basically..."

Black: "...I think..."

Morrow: "...basically, this Bill has been around before, we just kinda fine tune it. Last year it was House Bill 644, passed out of here, went well over 100 votes. We just kinda fine tuned it, that's all."

Black: "Well, maybe it's a... maybe the time has come when with the... with the hundreds of millions of dollars we spend on public projects maybe it's time to hold somebody accountable as to whether the workforce is reflective of the population of the state or the district in which that work is being done. I think maybe it's time that we... we do that."

Morrow: "Thank you."

Speaker Hartke: "Further discussion? Since nobody is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2459?' 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. House Bill 3190. Mr. Morrow are you ready for that one? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3190, a Bill for an Act concerning public contracts. Second Reading of this House Bill. No

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Committee Amendments. Floor Amendment #1, offered by Representative Morrow, has been approved for consideration."

Speaker Hartke: "Representative Morrow."

Morrow: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 to House Bill 3190 deletes everything and reinserts the Bill's original provisions with the following additions and changes: renames the Act the Public Works Responsibility Act, subjects contractors to the Act, exempts contractors who have made a good faith effort to hire female and minority workers but failed because of the unavailability of female and minority workers, exempts the contractor or subcontractor when that contractor or subcontractor only provides products as opposed to providing actual service, removes Home Rule preemption language and it does penalize contractors and contract... subcontractors who violate this Act by prohibiting them from bidding on public works projects for two years. I'd be glad to answer any questions."

Speaker Hartke: "Is there any discussion? Since no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3190?' 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. House Bill 3191. Representative Morrow. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 3191, a Bill for an Act concerning public contracts. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Morrow, has been approved for consideration."

Speaker Hartke: "Representative Morrow."

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 to House Bill 3191 deletes everything and reinserts the original Bill provisions with the following changes: provides language applying the Act to cover local... to cover units of local government and school districts that receive any state funds under the State Procurement Code and the State Finance Act, exempts change orders that are a result of an emergency as determined by the Capital Development Board and deletes the Home Rule preemption language. I'll be glad to answer any questions."

Speaker Hartke: "Is there any discussion on Floor Amendment #1 to House Bill 3191? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3191?' All those in favor signify by saying 'aye'; opposed 'no'. Opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 3309. Representative Scully on Amendment #2. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 3309, a Bill for an Act in relation to support. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Scully, has been approved for consideration."

Speaker Hartke: "Representative Scully, Floor Amendment #2."

Scully: "Thank you, Mr. Speaker. House Bill 3309 makes a variety of Amendments to the Uniform Interstate Family Support Act. These Amendments were proposed by the Uniform Law Commission. I've had some experience in attempting to enforce child support orders in my... in my private practice and I can tell all of you that the problems attendant to enforcing these orders is difficult to begin with and is greatly exasperated when it's on... done on an interstate basis. These Amendments will substantially facilitate the enforcement of child support orders on an interstate basis."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 3309?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 3626. Representative Mautino on Amendment #2. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 3626, a Bill for an Act concerning vehicle protection products. Second Reading of this House Bill."

Speaker Hartke: "Representative Mautino."

Clerk Rossi: "No Committee Amendments. Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

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

Mautino: "Thank you, Speaker, Ladies and Gentlemen of the House. Amendment 2 came directly to the floor. It shells the Bill. We're currently in negotiations on the vehl pro... protection... Vehicle Protection Act and I'd like to continue those negotiations in the Senate."

Speaker Hartke: "Is there any discussion? Is there... Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 3626?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Meyer, do you seek recognition?"

Meyer: "Yes, Mr. Speaker. I have a question on the... the Agreed Bill List that you... that had been distributed to us earlier. Normally we have a place for a signature imprinted on each page, this one only has it on the front page. Are we only supposed to sign one page here or..."

Speaker Hartke: "That is correct."

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Meyer: "...each individual sheet?"

Speaker Hartke: "That is correct. Just the top page."

Meyer: "Just the top. Okay. Thank you."

Speaker Hartke: "House Bill 3661. Representative Mautino on Amendment #2. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3661, a Bill for an Act concerning insurance. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

Speaker Hartke: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 is a shelling Amendment. Same story. We're in negotiations on continuation of... of benefits. Working with the Department of Insurance just to make sure that we come in compliance with the... with all the federal rules. Appreciate the opportunity to work on it in the Senate."

Speaker Hartke: "Representative Pankau, do you care to address the Amendment? Okay. Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 3661?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 1091. Repre... Representative Pankau."

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Pankau: "Thank you, Mr. Speaker. Since there was a question on the... on the Agreed Bill List that was passed out, if you wanted to vote 'no' on everything that's on the list do you do that on the board or do you have to put an 'X' by every single one of them?"

Speaker Hartke: "Do it on the board."

Pankau: "Pardon?"

Speaker Hartke: "Do it on the board."

Pankau: "Thank you."

Speaker Hartke: "Yes, but you should still turn in your sheet, Representative Pankau. House Bill 1091, Representative Lou Jones. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1091, a Bill for an Act in relation to minors. Second Reading of this House Bill. Floor Amendment #2 has been adopted to the Bill. No Motions have been filed. Floor Amendment #3, offered by Representative Lou Jones, has been approved for consideration."

Speaker Hartke: "Representative Jones."

Jones: "Thank you, Mr. Speaker. Amendment #3 to 1091 does nothing but explains that the Clerk of the Circuit Court would handle the notification of the expungement."

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 1091?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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Speaker Hartke: "Third Reading. House Bill 3061.
Representative Ryg. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3061, the Bill has been read a second
time, previously. No Committee Amendments. Floor
Amendment #1, offered by Representative Ryg, has been
approved for consideration."

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

Ryg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. Amendment #1 actually replaces the original Bill.
This is a compromise on context sensitive design with the
Illinois Department of Transportation and it allows that
the Department of Transportation will consider context
sensitive design and report back to the Governor and
General Assembly in April of 2004."

Speaker Hartke: "Is there 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
3061?' All those in favor signify by saying 'aye'; opposed
'no'. In the opinion of the Chair, the 'ayes' have it.
And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Representative Burke in the
chamber or Representative Hoffman? Mr. Davis. Steve
Davis. Do you wish to call your Bill now? 2313.
Amendment #2 has been approved for consideration. Mr.
Clerk, read the Bill."

Clerk Bolin: "House Bill 2313, a Bill for an Act concerning
public utilities. Second Reading of this House Bill. No

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Committee Amendments. Floor Amendment #2, offered by Representative Steve Davis, has been approved for consideration."

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

Davis, S.: "Yes, thank you, Speaker, Ladies and Gentlemen of the House. Floor Amendment 2 to House Bill 2313 deals with asbestos surcharges that would be authorized by the Illinois Commerce Commission and it would authorize the commission to adopt a rule authorizing an electric or gas utility to implement a surcharge, otherwise known as an 'asbestos rider', to be applied to a customer's bill no earlier than January 2007 to recover costs associated with asbestos, provided that for any calendar year the amount of the surcharge for an electric or gas utility shall not exceed 5 percent of its annual Illinois retail revenues for sales to ultimate customers as reported in the Commission's Form 21 of the utility for 2002. This Amendment, we have been working with the ICC, this is ICC language in the Amendment. As far as I know, it is agreed language. Be happy to answer any questions on the Amendment."

Speaker Hartke: "Is there any discussion on Amendment #2? Mr. Black."

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

Speaker Hartke: "Sponsor will yield. Ladies and Gentlemen, please, shhh. Mr. Black."

Black: "Thank you. Representative, the Motion before us to accept Amendment #2. Correct?"

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Davis, S.: "I'm sorry, Representative. Could you repeat that, please?"

Black: "Yes. The Amendment before us is to accept Floor Amendment #2. Correct?"

Davis, S.: "That's... that's correct."

Black: "All right. This is a rather substantive Amendment, Representative. Shouldn't something like this have gone to committee instead of directly to the floor?"

Davis, S.: "I would defer that to the wise decision of the Rules Committee, Representative."

Black: "Well, somebody said you can fool all the people some of the time and some of the people all the time, but whatever. Mr. Speaker, to the Amendment."

Speaker Hartke: "To the Amendment."

Black: "And again, I... it is not my desire to ask for a Roll Call on the Amendment. I would just simply say to Members on both sides of the aisle, you better take a long look at this Amendment. It is opposed by a litany of groups, including your Lieutenant Governor and I stand with Lieutenant Governor Pat Quinn in his opposition to this Amendment. This is a far-reaching Amendment that will impact almost everyone in the State of Illinois. It is an open-ended cost factor that will go on forever. There is no sunset on this increase in a cost of doing business and it's the cost that the consumer will pay. This Amendment should've gone to committee. It should've been thoroughly discussed. But that's, as the Gentleman said, that's not always our decision, it's the decision made by the Rules

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Committee, one that I did not agree with on this occasion. I just simply would... I know the hour it grows late and we've been here already four days and there are literally a thousand Bills on the Agreed Bill List that some of us are trying to work our way through, but this Amendment establishes a cost of business on all public utilities in the State of Illinois, a cost they are asking for that will be paid for by the consumer and it is open-ended. It is something they will pay for for the rest of their natural life. I think this Amendment should've had a substan... substantive hearing. I stand in opposition of the Amendment and I will reserve the right to speak in opposition to the Bill on Third Reading."

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

Hamos: "Thank you, Speaker, Ladies and Gentlemen. As one of our colleagues made an observation, it's unusual to find me and the previous speaker standing on the same Bill against it. I think I would... Will the Sponsor yield? I have a..."

Speaker Hartke: "Sponsor will yield."

Hamos: "...couple of questions about this Amendment. Representative Davis, what... how much will this rate increase be when you say no more than 5 percent of an individual utility's annual Illinois retail revenue for sales? What... how much is that as a rate increase?"

Davis, S.: "In actual dollars, Representative?"

Hamos: "Yes, in actual dollars. What are we voting on here? How much is this rate increase?"

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Davis, S.: "It would be a 5 percent increase in your utility rate. Whatever you're paying on your utility bill, it'd be a maximum of 5 percent. So, if you're utility bill's a hundred, it'd be five dollars."

Hamos: "Well, that... that really is not what it says, maybe this is a shorthand..."

Davis, S.: "I believe it does."

Hamos: "...for people who know this... that 5 percent of annual Illinois retail revenue for sales... to ultimate customers. This is based on your current Bill?"

Davis, S.: "Well, the retail revenues would be the revenues that they get from your utility bill, so 5 percent of retail revenues would be 5 percent of your utility bill."

Hamos: "Okay."

Davis, S.: "That's what the retail revenues are is revenues..."

Hamos: "Okay."

Davis, S.: "...collected from your utility bill."

Hamos: "Okay. And this rate increase would take effect in 20... 2007. Is that correct?"

Davis, S.: "That's correct."

Hamos: "And why would we need to do this in the year 2003?"

Davis, S.: "Well, I think that there's a general concern amongst the utilities with the proliferation of asbestos lawsuits in the State of Illinois, in particular in Madison County. Just the other day a jury trial awarded \$250 million judgment for an asbestos lawsuit against USS Steel... United States Steel Corporation. And what has happened is that through the proliferation of asbestos lawsuits in this

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state there have been many corporations who've gone bankrupt and I think that the utility industry and the residents of this state are concerned... or should be concerned about future bankruptcy when it comes to asbestos lawsuits. I know, for instance, it's my understanding that AmerenUE has already settled something like a hundred and twenty asbestos-related lawsuits out of court just within the past couple of years. And what has happened is some good friends of mine who are trial lawyers and who are in the business of suing asbestos... suing for asbestos cases have bankrupted and killed the goose that laid the golden egg and they're looking for another goose and unfortunately some of our older power plants in the State of Illinois have been laden through the years with asbestos products throughout the plants and now they're seeing that people are coming back and suing the utility companies for asbestos-related injuries."

Hamos: "Well, I... To the Bill. I think..."

Speaker Hartke: "To the Bill... Amendment."

Hamos: "I think that we have to be somewhat sympathetic to the fact that we have a monumental amount of asbestos litigation in the State of Illinois, but this Bill gives an open-ended... I mean it gives an automatic rate increase beginning in the year 2007 before we know what the extent of liability really is and before we know what the exposure really is about. We have four more years to see what really happens in... through litigation and I think to just automatically assume that a rate increase is in the best

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interest of our cus... consumers and customers back home and our constituents, I should say, back home makes no sense. This is an absolute rate increase that we would be taking home at the time of some of the highest gas bills that people are experiencing. This Bill, I know we'll talk about it again on Third Reading, but this is a caution to everybody to get better acquainted with this Bill. This Bill is opposed by AARP, the Citizens Utility Board, the Illinois Commerce Commission, Illinois Manufacturers' Association, the Lieutenant Governor, Chemical Industry Council, City of Chicago, Illinois Industrial Energy Consumers, and IRMA, Illinois Retail Merchants. This has a long list of people against it because they know that this is an unlimited rate increase based on facts that we do not have at hand currently. And I... I'm not going to ask for a Roll Call either, but would urge all of our colleagues to become acquainted with this Bill before it comes back on Third. Thank you."

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

Leitch: "Thank you. Will the Gentleman yield?"

Speaker Hartke: "The Gentleman will yield."

Leitch: "What happens to private corporations throughout corporate America when they're subjected to asbestos and other large awards?"

Davis, S.: "Well, their insurance companies pay and whenever their insurance... whenever their insurance liabilities are

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exceeded then they have to pay and what has happened is many of the companies and corporations have gone bankrupt."

Leitch: "Do the shareholders pay?"

Davis, S.: "I'm sorry, Sir."

Leitch: "The shareholders?"

Davis, S.: "I would say that the shareholders probably pay dearly, if they go bankrupt..."

Leitch: "Right."

Davis, S.: "...their shares..."

Leitch: "And/or they go bankrupt."

Davis, S.: "...are worth zero."

Leitch: "They go bankrupt, don't they?"

Davis, S.: "That's correct."

Leitch: "So why would a private utility not be allowed to go bankrupt rather than come to the chamber and transfer all of this liability on the ratepayers?"

Davis, S.: "First of all..."

Leitch: "What makes them different? Why?"

Davis, S.: "First of all, Representative, these are not necessarily private companies, these are public utility companies that are vital to the infrastructure in the State of Illinois. I don't think that anybody in the State of Illinois wants to see our public utility industry go bankrupt in this state. Second of all, I know that all of this opposition that Representative Hamos, I'm looking at the same blue sheet she had, the opposition was certainly based on the original Bill, but let me point out a couple of things that have been taken place in this Amendment.

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Number one is there are provisions in here for prudent oversight by the ICC before any increase in rates are going to happen. The ICC is given total authority to determine exactly how much they're gonna increase rates if they increase them at all. So, and we have worked with the ICC on this. So, there's certainly ICC oversight. There is consumer protection as far as the ICC making sure that the costs are prudent and necessary whenever the costs are being pushed onto the rates. And another thing I might add, is there is a rate freeze in effect until 2007 and that's why they're not asking for this to happen today, they're asking for this to occur in 2007 after the rate freeze."

Leitch: "Thank you. To the Bill."

Speaker Hartke: "To the Amendment."

Leitch: "The ICC does not and has not approved this language. They just called the floor to make that very clear. The ICC doesn't agree with this. And I don't see how the private companies that are utilities can have it both ways. When it's in their interest to be a regulated company they come running to us to bail 'em out or to put in some special remedy to address a business problem. When it's to their advantage they perform as if they are private companies. A couple of years ago we were stupid enough to pass a Bill that enabled the utilities to transfer all of their credit... their bonds to the full faith and credit of the ratepayers and now they're back trying to get their full fa... get transferred on the backs of the ratepayers,

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asbestos litigation. This is one of the goofiest things I've ever heard of in my life and I think that this should be soundly rejected, soundly defeated and not even considered for passage on the floor."

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

Krause: "Yes, on the Amendment. Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Krause: "In committee, and I would agree with you, it would've been helpful if we could've had this Amendment back in committee and I think you anticipated perhaps that would happen. The objection to this Bill in committee was in fact to me that there was a lot that let the utility recover cost without any oversight. And my concern has always been and I think, unfortunately it must still be in the Amendment, that although there is a freeze, that the asbestos damages that they are suffering once this Bill is effective, that they could start now having... using those monies for hearings that would be subsequent as of 2007. This Amendment did not move the damages to 2007."

Davis, S.: "That's correct. The damages, I believe as I read it, it will cover damages that have been incurred since 1996."

Krause: "All right."

Davis, S.: "Well, some... wait a minute, some of them are from 1996, others the insurance costs are from 2003 or after the enactment."

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Krause: "Okay. I am extremely sensitive to what is occurring to businesses with asbestos. It is going to, unless Congress in some way steps in, it is going to adversely affect so many businesses, because trial lawyers are filing so many lawsuits that I would have to tell you on the plus side, to see a Bill that would cap damages at 5 percent, I totally support. I totally support it. And to see it finally on this floor, I support it. I am conflicted still. Go over with me in this Amendment what occurs on the hearing before the ICC. Does the ICC, under this legislation, have the right to in effect determine based on the prudent use, the standards that are now in here, would the ICC have the right to approve on a rate hearing or disapprove it? Because the original Bill, unfortunately, had language that in effect almost had the ICC have to approve it."

Davis, S.: "Yes, they have total control over the approval of the rate increase structure under the..."

Krause: "All right."

Davis, S.: "...under the Amendment."

Krause: "Under Amendments..."

Davis, S.: "We have given them total prudent review control over the entire process for recuperation of any asbestos-related..."

Krause: "Okay."

Davis, S.: "...expenses."

Krause: "So, that the Amendment does provide that the ICC is the final determination on a rate hearing as it relates to

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asbestos and if it found that it did not meet the standards that are now laid out in the Amendment the rate could be denied."

Davis, S.: "That is correct or they can set a different rate than what was requested."

Krause: "Okay. And the cap now is the 5 percent is the maximum that could be recovered on a bill?"

Davis, S.: "Based on the retail..."

Krause: "Yes."

Davis, S.: "...total retail revenue of sales."

Krause: "Okay. Thank you. You've addressed my question."

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

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

Speaker Hartke: "To the Amendment."

Scully: "To the Amendment. Thank you. Ladies and Gentlemen, I strongly support the principles of business in a free market enterprise and I strongly believe that the greatest efficiencies in the economies in our... in our state are achieved when the people who are making the decisions are the people who are going to either make the profit or incur the loss. This Bill flies... this Amendment flies in the very face of that concept. This gives the utilities the authority to make the decisions about how this asbestos litigation will be conducted and totally pass the cost of their decisions onto the consumers who have no input on the way the litigation is going to be managed. Businesses who make good, prudent business decisions and good long-term

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plans should reap the profits and the benefits of those decisions. And those businesses that fail to make proper decisions and properly to defend themselves against this type of litigation being filed or defend themselves while the litigation in pend... is pending. Those companies should have to pay that loss, they should not just be given the right by State Legislatures to pass those costs onto consumers. If we want to maintain an efficient system for our public utilities we must force them to absorb the costs of bad business decisions. I strongly oppose this... this Amendment and the underlying Bill. Thank you."

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

Mitchell, J.: "Thank you, Mr. Speaker. In regards to Floor Amendment #2, I'd request a Roll Call vote on that Amendment."

Speaker Hartke: "Roll Call vote will be taken. Mr. Davis to close."

Davis, S.: "Thank you, Speaker, Ladies and Gentlemen of the House. Let me point something out. The utility industry in this state and in this country were probably one of the heaviest users of asbestos products long before anybody in this country ever heard about asbestosis and asbestos-related diseases. Certainly, the brick industry, the insulation industry, that is where most of your asbestosis damages, injuries occur is from being around those two products. And in a power plant for 20, 30, 40,

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50 years the way that they insulated their pipes and the way that they insulated their furnaces was with asbestos-laden products. It takes 20 years before it can take up to 20 years for one asbestos fiber to show up in a person's lungs. What is happening to the utility industry is they are paying now for their ignorance 40 or 50 years ago and their ignorance was not just by themselves, it was by many people including the health care industry in this country. They had no idea that asbestos products would create such a devastating injury to their workers. Now, like many industries, they're trying to cleanup their existing plants. Also, now they are finding out that they have injured workers who are ending up with asbestosis and they're dealing with the trial lawyers and they're dealing with those injuries, but we cannot afford to let the utility industry in this state go down because of what happened 40 or 50 years ago. This is one remedy to the problem, it's not the remedy, but it is one remedy, it makes sense. I would submit to you that the stockholders are paying for some of these damages. I would also submit that the stockholders will be paying for some of these damages. I know that there is some opposition to this Bill, but I would ask for an 'aye' vote on the Amendment and I move for the adoption of the Amendment."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #2 to House Bill 2313?' There has been a request for a vote. All those in favor vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish?"

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk... Mr. Clerk, take the record. On this question, there are 7 Members voting 'yes', 103 Members voting 'no', 6 Members voting 'present'. And the Amendment fails. Mr. Clerk, further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Mr. Davis, would you like to hold that Bill on Second for another Amendment? Leave that Bill on Second

Krause: "Thank you, Mr. Speaker. On a point of personal privilege." Reading. Representative Krause."

Speaker Hartke: "State your point."

Krause: "I would like everyone on the House Floor to join all of us in observing and celebrating the birthday today of our colleague, Renee Kosel. And in addition, we are pleased also to recognize and celebrate the birthday today of Raymond Poe, who observed his birthday last week. And there is some cake down here and please come and share."

Speaker Hartke: "Thank you. Happy birthday, Renee. You too, Ray. Chair would like to recognize Senator Hendon who joined us on the floor. Please welcome Senator Hendon. Chair will recognize Representative Scully."

Scully: "Thank you, Mr. Speaker. I'd like to announce that we have a new winner for the century trophy. Having held this trophy for 15 days, 22 hours and 3 minutes we now award the traveling century trophy to Representative Steve Davis."

Speaker Hartke: "Congratulations, Representative Davis. House Bill 2686. 2686. Mr. Davis. Excuse me. Mr. Davis."

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Davis, S: "I just want to thank the utility industry for bringing me that fine Bill."

Speaker Hartke: "House Bill 2786, Amendment #2. Are you ready Mr. Hoffman? On Amendment #2. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2786, a Bill for an Act in relation to vehicles. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Hoffman, has been approved for consideration."

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

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 simply makes two changes to the Bill and they are as a result of recommendations from the Department of Transportation. They're essentially technical in nature and... and they would change from 34 thousand pounds on one set of tandem axels to 40 thousand pounds on the other set of tandem axels for four axel vehicles to 44 thousand pounds on either set of tandems in order to receive this permit for a concrete pump. It's very technical changes that IDOT wants."

Speaker Hartke: "Is there 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 2786?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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Speaker Hartke: "Third Reading. Is Representative Burke in the chamber? House Bill 2866, Representative Reitz. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2866 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Reitz, has been approved for consideration."

Speaker Hartke: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. I hope this Bill is received better than the last Amendment. This Amendment is our initiative to try and... and help the coal industry. We passed the Bill a few years ago with some incentives, we haven't had anyone take us up on that yet. This Bill makes two changes within that. It... it makes the pos... the language that we had of \$500 million GO bonds that... that they used that has a revenue stream of the coal sales tax. It makes that a little easier for people, hopefully, from out-of-state companies to utilize. The other portion adds \$300 million in tax exempt moral obligation bonding authority to try and spur new business to have coal-fired generation in the State of Illinois. And I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Is there any discussion on Floor Amendment #2? Since no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 2866?' All those in favor signify by saying 'aye'; opposed 'no'. In

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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 Morrow in the chamber? On page 19 on the Calendar, under Second Reading appears House Bill 3486. Representative Bailey, are you ready to call that on Second Reading to move it to Third? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3486, a Bill for an Act concerning domestic violence. Second Reading of this House Bill. Amendment #1 has been adopted to the Bill. No Motions have been filed. No further Floor Amendments have been approved for consideration."

Speaker Hartke: "Third Reading. On page 2 on the Calendar, on the Order of Second Reading appears House Bill 9. Representative Capparelli. Out of the record. On page 10 on the Calendar, on the Order of Second Reading appears House Bill 2480. Representative Flowers. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2480, a Bill for an Act in relation to public aid. 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 6 on the Calendar, on the Order of Second Reading, appears House Bill 1459. Representative Hannig. Representative Hannig. Out of the record. On page 15 on the Calendar, on the Order of Second Reading, appears House Bill 2840. Representative Holbrook.

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Representative Holbrook. Out of the record. On page 3 on the Cal... on page 22 on the Calendar, on the Order of Third Reading, appears House Bill 416. Representative Collins. Representative Collins. Out of the record. Let's go back to Representative Holbrook. On page 15, on the Order of Second Reading, appears House Bill 2840. Representative Holbrook. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2840 has been read a second time, previously. No Committee Amendments. Floor Amendment #3, offered by Representative Hoffman, has been approved for consideration."

Speaker Hartke: "Representative Hoffman on Amendment #3 on House Bill 2480."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 simply clarifies the... the underlying language so that we can assure that these charter bus companies who are in-state or out-of-state are essentially treated in a reasonable fashion."

Speaker Hartke: "Is there discussion on Amendment #3? Since no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill 2840?' 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. Dunkin in the chamber? On page 4 on the Calendar, on the Order of Second Reading, appears House Bill 1102. Mr. Daniels. Out of the record.

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On page 16 on the Calendar, on the Order of Second Reading, appears House Bill 3047. Mr. Hannig. Out of the record. On page 24 on the Calendar, on the Order of Second Reading, appears House Bill 2574. Representative Giles. Representative Giles, 2574. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2574, a Bill for an Act concerning municipalities. Third Reading of this House Bill."

Speaker Hartke: "Representative Giles. Third Reading."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2574 allows municipality to enter into a long-term energy contract even if the length of those contract would extend longer than the term of the office of the authority who approved it previously. This piece of legislation passed out of Local Government Committee 17-0. There's no opposition, everyone is onboard with this piece of legislation. And I ask for a favorable vote."

Speaker Hartke: "Is there any discussion on House Bill 2574? Seeing no one is seeking recognition, the question is, 'Shall the House pass House Bill 2574?' 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 116 Members voting 'yes', 0 voting 'no', 1 Member voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 28 on the Calendar, on the Order of Third Reading,

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appears House Bill 3003. Representative Krause. Krause.
Representative Krause. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3003, a Bill for an Act in relation to
public aid. Third Reading of this House Bill."

Speaker Hartke: "Representative Krause."

Krause: "Thank you very much, Mr. Speaker and Ladies and
Gentlemen of the House. I present House Bill 3003 which
provides that subject to a specific appropriation the
Department of Human Services shall convene a working
committee of its standing Child and Development Advisory
Council to create a tiered reimbursement rate system for
childcare providers. The purpose of this system would be
to establish a set of standards to provide economic
incentives to help programs meet higher standards to
advance children. The working committee would consist of
experts from the childcare and early childcare education
field. This proposal comes out as part of the strategic
plan of the department. I'd be pleased to answer any
questions."

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

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

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

Flowers: "Representative Krause, would you please explain again
what is the purpose of this legislation, just so I can be
clear?"

Krause: "Okay. Of course. The purpose of the legislation is..."

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Flowers: "Speaker, Speaker. Excuse me, Mr. Speaker. Can you get some... quiet the House down a little bit, please?"

Speaker Hartke: "Shhh."

Flowers: "Thank you, Representative Krause."

Krause: "Yes. The purpose of the legislation, Representative, is that it just came out of the strategic plan of the department based on what other states are beginning to do. The purpose is to try to work to develop standards that would help to increase and assist in the area of providers, for childcare providers and to assist them as far as more expertise, more standards, to assist them in reaching a number of areas that perhaps they've not been able to do so as of this time. If, for example, some childcare provider may be struggling in some areas this would assist them as far as trying to pinpoint some areas, promote inclusion in certain areas. And as I read the material of what other states have done..."

Flowers: "Okay. Thank you, Representative. Just for a point of clarification, now this is the Bill that came out of the Human Services Committee and this Bill says that you will take for those childcare... for those childcare places this... in compliance... is this the Bill that will give childcares more monies?"

Krause: "It will provide a study that would provide for a tiered system."

Flowers: "So now, let me ask you this."

Krause: "I mean..."

Flowers: "This came out of what department, please?"

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Krause: "No, it didn't come out of... it was a recommendation of a study, a strategic plan that was done by Human Services."

Flowers: "Okay. Now, for those hu... those daycare, what... how would they qualify for the money?"

Krause: "Oh no, it doesn't get into that, it merely gets into convening a working committee to study it, Representative. This is not an appropriation at this point."

Flowers: "Did you change the Bill, because the Bill that I remember in committee said that it would give... for those... they would set some type of performance standards and provide support and economic incentives to help the program meet the standards that help children, so?"

Krause: "No, Representative, if you are correct, that language is in it, but it... this Bill merely creates the committee that would look into hopefully setting some standards that could assist..."

Flowers: "I'm sorry, Representative..."

Krause: "...in daycare."

Flowers: "...I didn't hear you. Because is Section A is what I just read to you. Is that in the Bill?"

Krause: "That is in the Bill."

Flowers: "Okay. So now, it says, 'subject to a specific appropriation', so money is involved, 'for the purpose of the Department of Human Services shall create a tier reimbursement rate system for childcare providers.' Am I correct?"

Krause: "That's how..."

Flowers: "Is that what the Bill..."

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Krause: "That's how it reads."

Flowers: "Okay. So, now how do... what do I do? How do I become one of those tier..."

Krause: "It would be..."

Flowers: "...childcare providers?"

Krause: "Okay. It would be..."

Flowers: "What do I have to do to get the money?"

Krause: "...an outgrowth of the working committee that would meet, as I looked at other states that set up working committees, I noticed they met for about five months and then coming out of that committee would be a recommendation back on how to, hopefully, set performance standards that would aid daycare providers in..."

Flowers: "But that's not what your... that's not what the Bill says, Representative, and that's the reason why I'm trying to get clarification."

Krause: "Okay. Let me then just read Section B, which says, 'the department shall convene a working committee of it's standing Child and Development Advisory Council to create this system'. So, the working committee is gonna get together and create this system. The working committee shall consist of experts from the childcare early childhood education fields. They would create the committee which would look into this tiered... tiered system and then as the Bill said, obviously, they would bring it back and hopefully at a future time based on their recommendations and the participation, it would be implemented."

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Flowers: "Okay. Representative, again my question to you is, simply, if I were a childcare provider the purpose of this tier reimbursement rate system is to establish a set of performance standards that provide support... that sup... support and economic incentives to help programs meet the standards that help children grow and learn. How can I qualify? What are..."

Krause: "That hasn't..."

Flowers: "...the standards?"

Krause: "Right. That hasn't been set up yet, Representative, that's why we need this to set up the working committee."

Flowers: "And how much is this going to cost, Representative?"

Krause: "I think that the working committee is... I mean there's no cost to the committee, it's again, asking for experts in the field to gather and to work on this. I think they would work on such issues as staff-to-child ratio, how to advance readiness for the child, prepare children for early childhood care."

Flowers: "But it says, 'subject to specific appropriations.'"

Krause: "Right and that isn't in this Bill, nor is it a separate Bill filed. My goal is here is to set up..."

Flowers: "I'm sorry. I'm sorry. I didn't hear you, Representative. It says 'subject to specific appropriations.'"

Krause: "Right."

Flowers: "So how much are we talking about?"

Krause: "No. I have not..."

Flowers: "And where's the money gonna come from?"

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Krause: "No. That would have to subsequent, Representative, and that is made very clear here. You have to have the working committee that I hope would incorporate a number of people, including Legislators, that then would set forth on these standards. And then coming out of that I would hope then that at a subsequent time we could have an appropriation that in fact would address the issue of the low reimbursement rates to providers. And... but I do think that they need these standards first to see the needs that are there. That is the basis for this working committee."

Flowers: "Well, Representative, my biggest concern is, as I told you earlier, of course I am always for the children and of course the best interests of the children. But it appears to me that if this Bill were to become law you will then, because of the lack of appropriation that is attached, the state in the situation that it's in, you will have to find the money from somewhere. So, because of the... the providers in my district somehow for some reason cannot be paid or reimbursed by the Department of Human Services because for some reason they happen to always lose the paperwork, they can never find... Department of Human Services, not you. The Department of Human Services happen to always lose the paperwork for the minority communities, that's number one and then for the parents who's seeking to be recertified so they can be qualified to continue to send their children to this particular daycare, they have been sent letters saying that your child can no longer come because the check was not send by the Department of Human

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Services. So, therefore, if this Bill were to become law surely my providers will not be, what you call, certified with good performances and so therefore you would take monies from my community and give it to the ones who have the highest standards of performance. Can you address that, please?"

Krause: "Yes. First of all, I fully realize your commitment to the child, that is true, Representative, in every Bill, in everything that you do. However, to me this Bill would address the issues that you are concerned about. First of all, I think it's an administrative issue on seeing that payment is made and I think that we should follow-up on that, 'cause there is no excuse for that not having come and not being done. But when I researched this... this issue and reading from USA ChildCare on Illinois, they point out that the fundamental problem, which is what you point out, is low reimbursement rates to providers and that is true in the Chicago metropolitan area that we need higher rates. This Bill is going to, in my belief, help address that..."

Flowers: "So, is it higher rates across the board? What... what hoops..."

Krause: "See that isn't..."

Flowers: "...would I have to jump through?"

Krause: "...but that isn't... we aren't at that point yet. And I think that would subsequently be back here, Mary, that the key here is the working committee to look at the issues that are there, the problems that are there, to address the standards so that some of the children... in a daycare they

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do have the child for a time during the day. And I would think that they would see issues that would be helpful for that child in early envelop... development maybe they see a delay in the child that they could pick up on. I just see that in this working committee that is the goal and the purpose of what we are striving for af..."

Flowers: "And... and... and my... my... my almost final question to you, Representative. Is it not true today that for those children in which you've just enunciated are we not given those providers extra monies already for those same children? So my point to you, for those children who are not suffering from this issue there is no extra pap..."

Krause: "But let's do it under this Bill."

Flowers: "But no, this... that's not what this Bill says."

Krause: "No, it will set a working committee that would address..."

Flowers: "Who will be..."

Krause: "...those particular issues."

Flowers: "See the problem is, usually when these committees are convened no one from Cook County from the minority community is ever a part of it, but yet it has the harshest impact on my community."

Krause: "Mary, I am..."

Flowers: "And so therefore..."

Krause: "But..."

Flowers: "...if these daycares are not open for welfare mothers who's forced off of welfare to go to work, but can't go to work because they're not qualified for daycare because DCF..."

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DHS has not done the paperwork. Do you see the vicious cycle that you're creating..."

Krause: "But let's break..."

Flowers: "...but yet you're creating..."

Krause: "No."

Flowers: "...a higher tier..."

Krause: "But..."

Flowers: "...and a higher..."

Krause: "But why would you..."

Flowers: "...standard?"

Krause: "...leave it in that situation when you've raised legitimate issues? Why not address 'em and work towards a solution, is what I say."

Flowers: "Representative, with all due respect, this Bill here would hurt a lot of poor communities that will not have the advantage of someone being able to sit on their... on this board that you have created which becomes effectively upon the time that the Governor signs this legislation. I think in light of the crucial times and the fiscal economic times that this state is in, this is just not a good time for this piece of legislation. Thank you, Representative."

Krause: "Thank you."

Speaker Hartke: "Further discussion? Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I rise in strong support of this Bill. For years we have encouraged and increased the daycare coverage, but the other goal for daycare with particularly to the Conference of Women Legislators was to increase quality. The previous speaker spoke to issues in

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her community, I tend to think that that's underrating some of the people in her community and some of the women and men who would go to work in this system and would provide higher quality care. It's also demeaning to the Department of Human Services in that that they would not lookout for underprivileged children. If she's speaking strictly to her community, the object is to go out and work towards improving that quality in daycare so that children have not babysitting, but quality daycare that enriches their lives and makes them betty... better ready for school. I think it's unfortunate to try and portray both the previous director of the Department of Human Services and the current director of the Department... secretary of the Department of Human Services who are both African-American women and who would both certainly look out for their own community. I think it's very demeaning to put this Bill on that level and say that no one in an underprivileged community is going to get adequate daycare. We have provided more daycare in the last several years and provided for more people who are... cannot afford to have daycare to have daycare in their community and open those slots. This Bill would then make the next step further in what we wanna do with is go to quality daycare that provides more than babysitting. And in order to do that it costs the provider more to hire someone that has a degree rather than a non-degreed person, to put forth a plan, to make more quality daycare it does take a little more money. This is simply a private pro... a pilot program to move

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forward on that. I think the Sponsor is very well-intentioned here, the object is to provide quality daycare to children and to see if we can't improve the quality total. I think if there is a problem in any other community with being able to do paperwork, the department should be able to go in there and assist those people so that they can provide... provide adequate care or for the Representative to intercede for those people in her community, not to deep-six the whole program. I urge an 'aye' vote on this."

Speaker Hartke: "Further discussion? Representative Franks."

Franks: "I'd like to cede my time to Representative Flowers."

Speaker Hartke: "Representative Flowers."

Flowers: "Thank you, Representative. Thank you, Representative Franks. To the Lady who just spoke. The color of one's skin doesn't have anything to do with the quality of daycare and the purpose... the color of one's skin does not have anything to do with the quality of daycare. And the fact of the matter is, I'm asking this Lady will this money be taken away from the poor community across this state, because it's oftentimes those voices are the ones that's missing at the table. Whoever run these agencies if they're not in the actual community they're not signing off on the paperwork, they're not a part of everything, they have other people to help them. I don't know who's gonna be a part of this board. I, too, am interested in quality of daycare, not for some of the children, but for all of

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the children across this state. Thank you very much and I appreciate that."

Speaker Hartke: "Representative Parke. Further discussion?"

Parke: "Thank you, Mr. Speaker. I appreciate the debate and I think the debate should continue. This is an important Bill. I yield my time to Representative Mulligan."

Speaker Hartke: "The Chair will entertain Representative Mulligan and then we're going to go to a close to Representative Krause."

Mulligan: "Thank you, Mr. Speaker."

Speaker Hartke: "You're welcome."

Mulligan: "The inference was not... was debate... was also made and has been in debate... made in debate before. I personally have no feeling except that children that are underprivileged should have the highest quality daycare, they need it more than children who have parents that can provide things in the home and also who can pay for daycare on maybe a higher scale. The inference that the Representative made previous to this seems to make a statement that in her area it would not be covered adequately or other parts of the state. I think the object of this Bill is to increase quality no matter who it's provided to. And her infer... inferences have been demeaning right along in many debates and I am tired of hearing them. Quite frankly, this is a quality Bill to improve quality daycare for children. It is simply a pilot program to try and see where we can improve that quality. Everyone here is just as likely as anyone else to lobby for that program

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to be in their area, to assist their providers and how they apply for it or in how they do paperwork. Thank you."

Speaker Hartke: "Representative Krause to close."

Krause: "Thank you, Mr. Speaker. I appreciate the comments sincerely that have been made on this Bill. The purpose, as I stated, is to create a working committee through the department to address the issues and to improve in the area of childcare and childcare providers. I believe that the comments that have been made have been sincere, but indeed that the way that we approach those concerns is through this department and through the working committee. I would invite everyone, including Legislators who have had concern, to step forward and become a part of the working committee so we can improve those issues that have been raised. I believe that it will work and it will be better for all of us. I ask for your 'yes' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 3003?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no', and 1 person voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1459. Representative Hannig. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1459, a Bill for an Act concerning finance. Second Reading of this House Bill. Amendment #1

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was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. House Bill 3047. Mr. Hannig. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3047, the Bill has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. House Bill 2257. Mr. Hannig. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2257, a Bill for an Act concerning higher education student assistance. Second Reading.. or Third Reading of this House Bill."

Speaker Hartke: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This Bill came to me from the Illinois Students Assistance Commission and as it stands now it's simply a shell Bill. We'd like to work with the new Governor after he gives us his budget address next Wednesday in an effort to put some language into the Bill, but at this time with our deadline coming up tomorrow I would ask your indulgence in passing this over to the Senate in the form of a shell Bill. So, that's what it is and I'd ask for your support."

Speaker Hartke: "Is there any discussion on House Bill 2257? Since no one is seeking recognition, the question is, 'Shall the House pass House Bill 2257?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted

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who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 64 Members voting 'yes', 49 Members voting 'no', 2 Members voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On Third Reading, on page 21 of the Calendar, appears House Bill 185. Representative Moffitt. Representative Moffitt, are you ready on 185? Mr. Clerk, read the Bill. Representative Hannig in the Chair."

Clerk Rossi: "House Bill 185, a Bill for an Act concerning loans to local governments. Third Reading of this House Bill."

Speaker Hartke: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 185 is very similar to a Bill that we passed out of the House last year with all 'yes' votes. We still have some work that we're wanting to do, but anyone that has concerns said to go ahead and pass it and we'd continue to work on it in the Senate. This would help local government, townships, municipalities, counties if they need to purchase a big item like a road grader. It would support American jobs 'cause part of the concept is it has to be an American-made road grader. It is subject to appropriation. It might end up being a guaranteed loan program as the discussions continue. The... the proponents include Caterpillar, the Municipal League and the UAW. Be happy to entertain any questions."

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Speaker Hannig: "Is there any discussion? Then the question is, 'Shall House Bill 185 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Meyer... Myers on House Bill 2105. Are you ready for that? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2105, a Bill for an Act in relation to education. Third Reading of this House Bill."

Speaker Hannig: "Representative Myers."

Myers: "Thank you, Mr. Speaker, Members of the chamber. House Bill 2105 makes two changes to the Illinois School Code. It has a provision concerning the election of the Board of Education, adds a reference to the consolidated election, in addition to the nonpartisan election and the general election. It also provides that districts from which a new district is formed by joint agreement and with the approval of the regional superintendent shall be permitted to amend outstanding levies in the same calendar year in which the creation of the new district is approved at the rate specified in the petition. I ask for favorable consideration."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 2105. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted

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who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 95 voting 'yes', 21 voting 'no', and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Boland on House Bill 1442. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1442, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Hannig: "Representative Boland."

Boland: "Thank you, Mr. Speaker. This Bill was brought to me by Rob Uhe of the Speaker's staff and it does three things. It requires local election officials to demark with cones or some other marker where the hundred foot campaign free zone begins around a polling place. It explicitly provides that a person has the right to congregate and engage in electioneering on any polling place property public or private beyond the campaign free zone. And it preempts Home Rule units from enacting restrictions on electioneering activities that are occurring beyond the campaign free zone."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 1441... 42, excuse me. And on that question, the Gentleman from Vermilion, Representative Black."

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

Speaker Hannig: "Yes. State your inquiry."

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Black: "Yes, does the section of the Home Rule Act that is being preempted require an extraordinary Majority or a simple Majority?"

Speaker Hannig: "Representative, we will get an answer for that..."

Black: "All right. I appreciate that."

Speaker Hannig: "...before we vote on the Bill."

Black: "In the mean time, will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Black: "Representative, the... the confusion on the hundred foot rule has always been... election authorities always seem to disagree or differ on where you start to measure. Now, does this Bill make it very clear, is it from the front door of the polling place or the booth itself, or the entryway, or where does the hundred feet begin?"

Boland: "Right. In fact, Representative, that's... that's a great question and that's what the Bill really deals with. It sets the distance from the entrance of the room where the polling takes place. And that this distance incidentally, part of this is the distance has to be marked out in some manner, hopefully by cones, but if they don't have cones, little American flags or some other way so people definitely know, ya know, this is where you can't have a yard sign and this is where you can hand out cards and so forth."

Black: "Would... would little statues of Raggedy Ann and Raggedy Andy that would be appropriate wouldn't it? That would mark the hundred feet."

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Boland: "I... I would... maybe so. Maybe in... in... what was the town where, Arcola, maybe there it would."

Black: "Well, that could be the pilot project. The only question I have, Representative, and it's come up before, we had a complaint and I think the... the Board of Elections did take some legal action against someone handing out campaign paraphernalia and this is exactly what the argument... the defense was, but in my precinct we vote at the community room of a church and you have an entryway door, you go in about 50 feet, turn left and go in about 10 feet and that's where you vote. Now, would the hundred feet be marked by... to the door where you actually enter the community room instead of the door of the actual polling, where the polling booths are?"

Boland: "It's the actual door of the polling booths, where they're at."

Black: "Okay, because that would open up... I'm just... I'm very familiar with my home precinct, that would let people go much closer than tradition has ever allowed them to go, but as long as you say that there is a clear definition, which has always been the problem..."

Boland: "Right."

Black: "...in this Bill then that... I think that's... will eventually solve all the problems we have. I appreciate your work on this."

Boland: "Thank you."

Speaker Hannig: "Representative Giles."

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

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Speaker Hannig: "Yes, he indicates he'll yield."

Giles: "Representative Boland, I think we've had a little conversation, but I'm looking at your legislation and I'm trying to, honestly trying to make a determination of what is the differences that we have on the books now. In the county of Cook, I don't think it's an unwritten rule, I believe there's a city ordinance or according to the Election Code or State Board of Election Codes that an individual cannot electioneer a hundred feet from the polling place. Is that correct? Is that... is this something new that we're doing or... or..."

Boland: "No, what we're doing is trying to clarify and make sure that everybody knows now right where that hundred foot line is. As the previous Representative had mentioned, ya know, at different times some people have said, well, does the hundred foot, is that from the entrance to the building and so on and so forth. This definitely clarifies it."

Giles: "It clarifies a hundred feet from the building or from the door of the entrance?"

Boland: "From the door of the... from the entrance..."

Giles: "From the entrance."

Boland: "...of the room where the polling is actually taking place."

Giles: "Okay. And... and so that is the difference of this piece of legislation compared to what's on the books right now?"

Boland: "No, that's current law, this just sets it down and makes sure that it's marked out and that people have... there's been disputes before about, ya know, maybe the

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polling place was in a private area, private building rather than a public one and therefore maybe the owner says, well, I don't want any electioneering on my property and this would say... no, this definitely sets down that outside of that hundred foot area, ya know, people can express their right to electioneer."

Giles: "Okay. Representative, I think I know what you're trying to do. I think you're just trying to clarify once again, ya know, from my personal experience and belief once again the only individual that will understand this is we the political operatives that work every election and the ward committeemens and the individuals that decide to participate. So, I appreciate what you're trying to do. Just one last question, is... who will... will determine or administer exactly how many feet? I know you responded to Representative... the previous speaker, but who will make that determination that it is exactly a hundred feet from the actual..."

Boland: "The..."

Giles: "...polling place itself?"

Boland: "The election judges will do that."

Giles: "The election judges and not the police officers that man..."

Boland: "No, no."

Giles: "...the election place..."

Boland: "No."

Giles: "...but the..."

Boland: "The election judges."

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Giles: "Okay. Thank you, Representative. Representative, I support your piece of legislation. I sort of keep tabs on these things as we talked about we do wanna make it fair and we want to make it clear as possible. And I urge everyone to give an 'aye' vote on this piece of legislation."

Speaker Hannig: "Representative Black. Representative Black, the parliamentarian is prepared to give you his ruling."

Parliamentarian Uhe: "Representative Black, on behalf the Speaker and in response to your inquiry, House Bill 1442 does preempt Home Rule, but does so in a manner that requires 60 votes pursuant to Section 6 (h) of Article VII of the Constitution."

Speaker Hartke: "Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker. Representative, in committee we discussed the... where the actual beginning started and we now know that it is the door. We also discussed that the underlying Bill, not your Bill, which I'm supporting your Bill, I think it's a very good Bill, but the underlying Bill is the problem that has all the discussion tonight that maybe we should move this... the underlying Bill from the door to the entrance to the building. Is that something you thought about taking over to the Senate and discussing?"

Boland: "I think you're talking about the underlying law..."

Sullivan: "Yes. Yes, I am."

Boland: "...the current law. Actually, I think this clarifies it once and for all and I think that there's been disputed

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cases before, there's usually in every election some controversies over this. I think when we say right here that, ya know, it's the distance from the room that the polling is taking place. I think that's much clearer than if we were to say the entrance of the building because there may be several entrances to the building."

Sullivan: "Thank you. Mr. Speaker, to the Bill."

Speaker Hannig: "Yes, to the Bill."

Sullivan: "I think this is good legislation, I'm gonna vote for it. The problem is the underlying Bill and that's one that I would hope maybe we could work with or possibly next year work to change, but it's a good Bill. Thank you very much."

Speaker Hannig: "Representative Froehlich."

Froehlich: "Will the Speaker yield?"

Speaker Hannig: "The Sponsor will yield."

Froehlich: "Yeah, Representative, is your Bill designed to curb illegal electioneering? Are you trying to..."

Boland: "Well, we're trying... yeah, obviously we are. We're trying to curb illegal electioneering and to make it more clear so that there are fewer of these disputes, ya know, where somebody decides they're gonna put a yard sign and they say it's a hundred feet from the entrance of the building and they think they're okay and the other side says no it's really a hundred feet from wherever it is and so forth. So, this clarifies it. Hopefully, make everybody understand. There will be some kind of marker out there that you know you can't cross that line and be

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putting up a sign or handing out literature or that type of thing."

Froehlich: "So, visible markers should make it easier for everybody to comply with the law or for the law to be enforced then. Is that correct?"

Boland: "Very definitely. Very definitely, on both those points."

Froehlich: "Thank you."

Speaker Hannig: "Is there any further discussion? There being none, then the question is, 'Shall House Bill 1442 pass?' All those in favor vote 'aye'; opposed 'nay'. 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 96 voting 'yes' 20 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative McGuire, are you ready on 3452? 3452. You want us to read that Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3452, a Bill for an Act in relation to State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative McGuire."

McGuire: "Thank you for your patience, Mr. Speaker. House Bill 3452 is a Bill that we've had up here in the House before, it's called a Human Voice Contact Act. For those who are new here in town and don't know what it's all about, this is to try and help people when they call Springfield to get someone to talk to on the phone rather than a machine or a

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menu or a computer or what have you. We've had several Amendments to the Bill, the last being subject to appropriation. And I think those who have voted on this Bill before realize what it's all about. If there are any questions from the new Members as to what human voice contact is all about, it's very succinctly, people calling State Government, the taxpayers who pay the Bill, would certainly appreciate talking to a live person in many instances and particularly seniors. We've talked to people over the past few years about this Bill and they claim they have a hang-up rate of like 70 percent. Well, you know why that is, people get tired of hanging on the phone, not being able to talk to someone, you and I suffer this no matter where we call. But when you call your State Government you're paying the taxes, you're footing the Bill, I think you deserve someone to talk to. And with that, I'd like to ask if there are any questions, if not I'd certainly appreciate your 'aye' vote."

Speaker Hannig: "The Gentleman from Vermilion, Representative Black, is recognized."

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

Speaker Hannig: "He indicated he'll yield."

Black: "Representative, under the definitional Section of the Bill, Legislative... the legislative branch is certainly covered under a state agency. Now, let me ask you a question, would this apply to a Legislator's district office?"

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McGuire: "I don't believe so. I don't believe so."

Black: "Well, Representative, I think it's very important that we get this straightened out."

McGuire: "Yeah."

Black: "Let me... let me... and let me explain it to you."

McGuire: "It sa... it does state state agency."

Black: "I don't think it does either, but I'm not sure. If I read your Bill correctly, my district office may very well be covered under the legislative branch of a state agency. And I have one legislative aide, when I'm in Springfield she often covers for me at meetings or other events in the district and there is an answering machine. There is no way, without considerable expense and you know as well as I the allowance that we get to run an office will number one, not let us hire two and three people. Number two, certainly not avail us of technology to transfer calls to track down my legislative aid on a cell phone. So, if... if we are covered under this, then I think this is gonna come back and create some problems that... I agree with you, it is not your intent, but is there any language that specifically states that would put my mind at rest if I knew, should this become law, that my district office would not have to comply with this? Because there are at times and I'm sure in yours as well, it's just not possible for that office to be... to arrange a... to have an individual talk to them when they call my legislative office."

McGuire: "Yes, Sir. The Bill reads 'state agencies' and I think maybe what your point is, is the definition of 'state

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agencies' whether the legislative district office is a part of state agency. I think that's the crux of the matter that you're speaking of, Representative Black, and I would say, no, it's not."

Black: "Representative, I've just and I always appreciate what staff does. On page 1 of the Bill, Section 10, definition, in this Act state agency means the same as in Section 1-7 of the Illinois State Auditing Act. According to the Illinois State Auditing Act, Section 1-7, state agencies means all officers, boards, commissions and agencies created by the Constitution whether in the executive, Legislature... legislative, or judicial branch and goes on. I believe that definition means an officer created by the Constitution, that's you and me, and I therefore believe it would impact our district office. And while I have no objection to what you're trying to do, there's nothing more... well, I can tell you the agency that drives me nuts, call the Department of Professional Regulation. I think they give ya 2,985 menu choices, ya know, and I think the last choice and in the meantime you've had two birthdays, the last choice is stay on the line and we'll get back to you sometime before the millennium. I know it drives people nuts, but there is a cost involved. My only fear is, if there isn't specificity to make sure that our district offices are not covered, most of us do not have the funds nor the technology to transfer that call to the legislative aide who may be at a meeting, in fact, I know she is at this very hour in my district, she's at a meeting

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with the economic development folks. There's no way to reach her and there's no way to bounce the call back here and... well there is technologically speaking, but ya still can't get a hold of me. So, I... I don't raise it as a red herring. I intend to vote for your Bill, but I think it's something we need to get cleared up because it could very well be the law of unintended consequences then you and I are gonna have to hire somebody to fill in when our legislative aide is sick or on vacation or to monitor the lunch hour or something. And I know that's not your intent, but ya know some people would come after us before they might go after some of the other agencies."

McGuire: "I appreciate your comments, Representative, and that is not my intent and I appreciate the fact that you acknowledge that. If there is anyone who is worried about that and it's probably a legitimate worry, let me suggest this, pass this Bill over to the Senate and we'll clear that up because we're short on time. If not, maybe someone would like a... an opinion either by the parliamentarian or the attorney general or whoever as to whether it includes your district office. But I think the intent is not for the district office."

Black: "I... I would... I would think that would be the ruling, but I... at some point in this process, Jack, I think we need to know for sure. And then I just have one more question, have you filed an appropriation Bill for this or is it just simply subject to appropriation?"

McGuire: "We made it subject to appropriation."

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Black: "All right. But have you filed a..."

McGuire: "As requested."

Black: "...have you filed a companion appropriation Bill?"

McGuire: "No."

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

McGuire: "Okay. Thank you, Representative."

Speaker Hannig: "Representative Franks."

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

Speaker Hannig: "To the Bill."

Franks: "Representative McGuire, I applaud you on this Bill and I appreciate you bringing it forward. I remember when we were in committee last year when we... and we had the genesis of this Bill and it grew in... and it ended in the fruition of what we see today. I've had so many people call me on this Bill. Many of my seniors call and they complain, they call our office and they say, ya know, I call a state agency and I can't actually speak to anybody. And it's very frustrating to be in phone purgatory 'cause you don't know who you're talk... you don't know who you're... whether you're ever gonna hear from anybody or who you've spoken to. And the ability to actually speak to a real person is so important. And I... if people feel comfortable with voice mail and many people do, that's fine, but we should provide an option for folks who really need to speak to someone and who don't feel comfortable leaving a message and sometimes get confused by all the different menu options. So, I believe this is a good Bill. This is a Bill that helps for

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responsible government, it makes people more accountable.
And I'd urge an 'aye' vote."

Speaker Hannig: "Representative Hamos."

Hamos: "Thank you, Mr. Speaker, Ladies and Gentlemen. I have so much respect for the Sponsor that it pains me to stand up in opposition, but really I'm reading the definition of state agency and the crux of this Bill is really about state agency. Now, one of the previous speakers asked about our legislative office, that's the least of it, Ladies and Gentlemen. This says, 'all officers, boards, commissions and agencies created by the Constitution whether in the executive, legislative, or judicial branch.. branch', then it goes on to say, 'all officers, departments, boards, commission, agencies, institutions, authorities, universities, bodies political and corporate of state', which I think could also be local, maybe not, 'and administrative units or corporate outgrowth of the State Government and their officers'. So, this is a very broad definition that this would apply to. The fiscal note says that we would be paying \$100 to \$400 thousand per system to do this. That's just to provide for I think some of the messaging, then we have to provide for staffing in all these agencies. Now, I read yesterday that the Governor is looking at the possibility of combining small agencies. That seems... not... combining the administrative function... administrative function of small agencies. If that happened it would be good to implement this. In addition, if we could only apply this to certain large

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agencies this would be also a good idea. If the... if the committee had spent a little time trying to figure out which agencies have the more... the most people contact that would've been a good idea, but what we have in front of us is a very big, very expensive Bill that in this fiscal time at some point I fear that we do have to say 'no'. So, regretfully I am standing in opposition to this Bill."

Speaker Hannig: "Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I rise in support of this legislation, based upon the fact that in this age of modern technology when we have all of these tools of communication and yet it appears we're becoming less able to communicate with each other because we're using machines where machines may not be necessary. No one should have to call a number many time and continue to get a voice message. A person should answer that phone and take a message and someone should get back to you if no one is available. I'm a cosponsor on this Bill because I suffer the same fate when calling schools in the State of Illinois. When you're calling a school during a school hour you can rarely get a person on the phone. This Bill I wish even extended to schools so that the... someone in that building would have to answer that telephone. It may be a very important message that's being given and there's no individual there to take the message. Modern technology should not mean we no longer communicate with each other. It should mean we're giving you ample opportunity to have more communication

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instead of less. I urge an 'aye' vote and I commend the Sponsor of this Bill. Thank you. Vote 'aye'."

Speaker Hannig: "Representative Kurtz."

Kurtz: "Thank you, Mr. Chairman. Will the Speaker or the..."

Speaker Hannig: "The Sponsor will yield."

Kurtz: "...the Sponsor yield? I believe that the job description of a Representative is to be an ombudsmen for the constituents and this is exactly what we do in my district. I get hundreds of calls from constituents, I have a good couple of people working in the office and then they go directly to the departments and the liaison and they get the human voice, but not only the human voice, they get somebody who knows where to go to next and then they call you back. And it's a tremendous effort-saving process for those constituents, especially people that are... feel very lost in the system. So, I urge a 'no' vote on this."

Speaker Hannig: "Representative McGuire to close."

McGuire: "Thank you, Mr. Speaker. I'd like to just clarify a few things. In the legislation it does state that a state agency that uses automated telephone answering equipment to answer incoming telephone calls must, during normal business hours of the agency, provide the caller with the option among the first set of menus of speaking to a live operator. If you don't want to speak to someone alive you have the option. I think we tried to cover all bases and as I said, if not, we'll try to amend it in the Senate, but I would appreciate your 'aye' vote and get this Bill moving. Thank you."

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Speaker Hannig: "The Gentleman has moved for passage of House Bill 3452. And on that question, all in favor vote 'aye'; opposed 'nay'. 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 77 voting 'yes', 29 voting 'no', and 10 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. A point of personal privilege if I might."

Speaker Hannig: "State your point."

Black: "I would like to welcome back to the House of Representatives, someone who wishes he had never left, now serving in the Senate where he had to work late last night and he's very, very upset about that. Would you welcome back Senator Dan Rutherford who just got up, just got up and came to the House Floor."

Speaker Hannig: "Representative Collins. Representative Collins, would you like us to call House Bill 416? Okay. Out of the record. Representative Rita, you want us to call House Bill 3636? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3636..."

Speaker Hannig: "Out of the record, Mr. Clerk. Representative Scully, would you like us... would you like to adopt the Amendment on House Bill 3309? Okay. Mr. Clerk, read the Bill. Okay. Excuse me, Representative, I'm advised that that was already adopted earlier in the day. Okay."

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Representative Ryg on House Bill 2374. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2374, a Bill for an Act in relation to public aid. Third Reading of this House Bill."

Speaker Hannig: "Representative Ryg."

Ryg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2374 requires the Department of Public Aid to use federal LUPA, Low Utilization Payment Adjustment rates, for Medicaid home health services. Home health care services are different from those provided by personal assistants to the disabled or those provided by the community care program of the Department of Aging. Home health care visits are prescribed by doctors as medically necessary services to homebound individuals. And the goal is to prevent unnecessary institutionalization as a cost saving alternative to hospital or nursing home care. Currently, Medicaid pays providers a flat rate of \$61.33, which was reduced last year as part of the cost cutting measures, regardless of whether the visit is made by a nurse, physical therapist, occupational therapist, speech therapist or home health aide. The rate covers only 60 percent of providers cost leaving 7.74 million in unpaid bills for Illinois home health care providers. In the last six years, approximately 28 percent of the home health agencies have closed or merged their services resulting in a reduction from 492 agencies to now 355. What House Bill 2374 does is to provide a fair and more consistent rate structure by

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using the LUPA rate which is also used by medicare to reimburse home health care. I'm open to any questions. Thank you."

Speaker Hannig: "The Lady has moved for passage of House Bill 2374. And on that question, Representative Lang."

Lang: "Thank you... Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in support of the Lady's Bill. Home health care is becoming an increasingly important area in our health care dilemma. People that go to... these workers that go to people's homes, particularly to take care of our frail seniors need these people come into their homes. There's a very slight change that's going to cost only \$3 million. The other money is a federal match. This slight change is going to mean a lot to providing sufficient home health care workers so that we have people available to take care of people in their homes at a time where it's far more costly to send 'em to nursing homes, to send 'em to hospitals, to provide other kinds of care for them. So, this very small change in and this very slight expenditure is going to bring us back many fold in money we're going to save by not spending it on the other end. So, I strongly recommend your 'aye' votes on what I think is... appears to be small, but is actually very significant legislation."

Speaker Hannig: "The Gentleman from Will, Representative Meyer."

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

Speaker Hannig: "The Lady will yield."

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Meyer: "Representative, what is the cost that is estimated this would entail?"

Ryg: "The revised fiscal note indicates that the cost to the state would be \$6.3 million, however we benefit from the 50 percent federal match, so the true cost comes to \$3.15 million."

Meyer: "You're indicating that the 6.3 would be halved because of the match?"

Ryg: "Yes."

Meyer: "What was this revised fiscal note based on? Originally, I understand a... indicated... DPA had indicated 13 million to 20 million..."

Ryg: "Yes."

Meyer: "...dollar annually."

Ryg: "The difference is that when the fiscal note was first prepared they did not take into account what the state is already paying. So, when they looked at the... what the new rate would cost the state, minus what we've already been paying, then the difference was the \$6 million."

Meyer: "Well, what is the rate currently for the LUPA?"

Ryg: "The LUPA rate is based on the type of service provider, so it ranges from \$42.68 for a home health aide to \$103 for occupational, physical and speech therapist."

Meyer: "How is this going to work? Is this individually billed then by the provider? You said there's a range depending on the service, how does this work?"

Ryg: "Depend..."

Meyer: "You're providing services in the home, correct?"

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Ryg: "Dependent on the type of therapy that's provided in the home, the LUPA rate will apply, the same rate that's applied under medicare. So, it's actually simplifying the system by being consistent between Medicaid and medicare."

Meyer: "How often is this LUPA rate adjusted?"

Ryg: "The LUPA rate is used when the home health care looks like it will only be required for four visits or less, so the projected visit assumption has been 192 thousand visits."

Meyer: "I'm somewhat confused by you're an... you're an... response to the question. I asked how the LUPA rate was calculated or who sets the LUPA... how is that set? But let's go back to your response. You said LUPA rates only apply if it's four visits of less?"

Ryg: "That's under the medicare program. If there are ongoing rates under medicare then the type of payment changes, but to be consistent with the home health visits and the low utilization rates that's what's... that's what we're suggesting be applied by public aid."

Meyer: "Do you know what the current... with the LUPA rates, how much are those adjusted? How often and how much are those adjusted?"

Ryg: "There is an annual adjustment under the medicare plan and this would propose that the rates stay consistent."

Meyer: "Is this a wide open adjustment or is there... is there a cap on how much you can increase each year or how is that accomplished?"

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Ryg: "I'm not sure exactly under the... under the medicare. I don't believe there's a cap, I believe it's a cost of inflation rate. I can check... we can check on that."

Meyer: "Well, I'd like to go back if I could to..."

Ryg: "Oh, excuse me, I found it."

Meyer: "Okay."

Ryg: "Generally, the LUPA rates increase minimally each year, but last year they actually decreased."

Meyer: "Minimally is kind of nebulous word. What does 'minimally' mean? You just said they in... generally they..."

Ryg: "Last year they actually decreased."

Meyer: "...increase minimally, but last year they decreased. I understand the decrease, but what's a minimal increase? Is that 1 percent, 2 percent, 5 percent?"

Ryg: "I'm sorry, I don't know that."

Meyer: "You indicated that normally or generally the rates increase minimally on an annual basis, last year they decreased, but when they do increase what is a minimal increase? It was your terminology. What is a minimal increase?"

Ryg: "I'm sorry, I'm not hearing. I'm sorry, I didn't hear the question."

Meyer: "In your response, Representative, you indicated that the rates could increase minimally on an annual basis, even though last year for that one year only they decreased. My question is, what's the definition of 'minimal'? Is that a set rate? You used the term, I'm trying to understand what you meant by it."

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Ryg: "It's based on the medicare increase. The LUPA rates are actually set under the medicare program and this would just tie the public aid reimbursement to that rate. And so, I'm sorry, I don't... I'm not familiar with how medicare does their adjustments."

Meyer: "Okay. If I could go back to the fiscal impact. I understand what you're saying that originally when they were talking... when DPA gave you the original estimates they were including what was now being paid, but they gave a 13 million to 20 million dollar range, that's a considerable... that's almost double from the minimum amount to the maximum amount that they're estimate. Which is it do you think and why is that such a range?"

Ryg: "Well, public aid revised the fiscal impact because when they originally looked at the cost they did not reflect that they are currently already paying a flat rate. So, instead of looking at the difference in cost between the current flat rate and the new LUPA rate they just took the total new LUPA rate based on the visits that they projected."

Meyer: "Well, Representative, I wish that we wouldn't have had that misunderstanding or public aid wouldn't have had that misunderstanding, because it certainly does cloud the issue, I believe now with the revised amounts it almost looks like they're adjusting it to make... make it fit to your Bill. That's a concern. Thank you for your responses."

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Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall House Bill 2374 pass?' All in favor vote 'aye'; opposed 'nay'. 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 96 voting 'yes', and 0 voting 'no', 20 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Miller, for what reason do you rise?"

Miller: "Point of personal privilege."

Speaker Hannig: "State your point."

Miller: "Ladies and Gentlemen of the General Assembly, I'd like for you and all of us to welcome students from the St. Paul Lutheran School in Dolton. We have seventh and eighth graders here up in the gallery."

Speaker Hannig: "Welcome to Springfield. And Representative Molaro, for what reason do you rise?"

Molaro: "A point of order, Mr. Speaker."

Speaker Hannig: "A point of order, state you point."

Molaro: "Do you have any instructions yet when we might be taking our 45 minute break? Have you been told by the Speaker's Office? I see Senator Rutherford is here, I don't know if they have a break, but... You haven't heard yet, is that it? You'll let us know when... when and... when you hear?"

Speaker Hannig: "That's absolutely right, Representative."

Molaro: "Thank you."

Speaker Hannig: "Mr. Clerk, would you read House Bill 3468."

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Clerk Bolin: "House Bill 3468, a Bill for an Act concerning antitrust. Third Reading of this House Bill."

Speaker Hannig: "Representative Scully."

Scully: "Thank you, Mr. Speaker. House Bill 3468 is an initiative of the Attorney General's Office to make a series of Amendments for the prosecution, primarily on the civil side of antitrust litigation. The original Bill had some very controversial substantive changes to the Antitrust Act with the... as amended the... most of the substantive changes have been removed, the opposition to the Bill has been removed. And I'd ask for your support and be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 3468. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. 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 117 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Slone, are you ready on House Bill 220? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 220, a Bill for an Act concerning affordable housing. Third Reading of this House Bill."

Speaker Hannig: "Representative Slone."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 220 is the product of lengthy negotiations with the Municipal League and other local

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government organizations. It's designed to address the need for more workforce and other affordable housing, especially in the Chicago region. In many communities teachers, nurses, firefighters and police officers can't afford to live in or near the communities they serve. The Bill's modeled on a longstanding and successful Massachusetts program to encourage the construction and rehabilitation of affordable housing by offering a level playing field for affordable housing developers. Many municipalities, in fact most municipalities throughout the state, are exempt from the legislation because at least 10 percent of their housing stock is already affordable to modern income families. There are... the Bill is actually fairly complex. I'd be happy to take any questions on it, but as it's amended it has... the Amendments have removed the original objections of the Northwest Municipal Conference, the South Suburban Mayors and Managers and the Metro Counties. The Illinois Municipal League, the Illinois Home Builders Association and the City of Chicago are all proponents. And I'd be happy to take any questions."

Speaker Hannig: "The Lady has moved of passage of House Bill 220. And on that question Representative Leitch."

Leitch: "Will the Lady yield."

Speaker Hannig: "The Lady will yield."

Leitch: "Does this Bill preempt Home Rule?"

Slone: "We don't believe so, Representative Leitch, because it doesn't have the so-called magic words that are required to preempt Home Rule."

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Leitch: "I'm sorry, I couldn't hear you, even though I'm standing close. It doesn't have what in it?"

Slone: "With... what the attorneys call the magic words. Apparently there's a phrase that has to be in the legislation for it to preempt Home Rule and it does not have that language, so it is not something that preempts Home Rule."

Leitch: "I know we covered this in committee, but by the straight reading of the Bill it does seem to overrule Home Rule."

Slone: "No, that's not our understanding."

Leitch: "You don't agree with that? Do you think that communities want to be subjected to the oversight of a state board on their housing? Why should this not be a local issue?"

Slone: "Well, I think it... we hope that as the Bill has been amended it will be a local issue and that the communities will move toward their own self-determined targets and the other portion of the Bill wouldn't have to be put into effect at all."

Leitch: "In committee you also indicated you would be working for... toward a number of Amendments as it related to the makeup of the state board and other issues."

Slone: "Yes, there were a number of excellent suggestions in committee on that subject. I've already very briefly discussed them with the person I hope will be the Senate Sponsor and we'll certainly work further on the Bill in the

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Senate. We had a really good discussion in committee and I think there were a lot of very good suggestions offered."

Leitch: "To the Bill. I respect what the Lady's trying to do, I just am very concerned about adding another layer of government to oversee local communities as it relates to housing and I also have a hard time understanding why most communities would wanna be subjected to this kind of legislation. So with that, I'd like to thank the Lady for responding to my questions."

Speaker Hannig: "Is there any further discussion? Then Representative Slone to close."

Slone: "...votes."

Speaker Hannig: "The question is, 'Shall House Bill 220 pass?' All in favor vote 'aye'; opposed 'nay'. 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 80 voting 'yes', 34 voting 'no', and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Osterman, would you like us to call House Bill 2526? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2526, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Osterman."

Osterman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2526 amends the Illinois Criminal Code of Procedure to broaden the definition of 'unavailable witness' on the exemption of the hearsay rule. This

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legislation is modeled after the federal rules of evidence. The measure would allow for admissibility of statements previously made by an unavailable witness in the additional circumstances the judge rules such evidence is prohibitive, reliable and in the interest of justice. And I ask for an 'aye' vote."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 2526. And on that question, Representative Rose."

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

Speaker Hannig: "To the Bill."

Rose: "This is a good Bill. I'd urge adoption by the Members of the Legislature. As a former prosecutor, the State of Illinois has one of the most draconious(sic-draconian), unavailable witness statute in the state. Not only is the federal statute... the federal rule much broader and much more encompassing but... but just about every state of the union has a much broader definition. And I would very much urge this Body to adopt this Bill. Thank you very much, Mr. Speaker."

Speaker Hannig: "Is there any further discussion? There being none, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. 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 voting 'yes', and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 3636."

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Clerk Rossi: "House Bill 3636, a Bill for an Act regarding wages. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Rita."

Rita: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3636 amends the Minimum Wage Law to give the Department of Labor subpoena authority. And I'm requesting an 'aye' vote."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 3636. Is there any discussion? The Gentleman from Cook, Representative Parke."

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

Speaker Hannig: "He indicates he'll yield."

Parke: "Representative, when this Bill was presented was there anybody rising in opposition to this Bill?"

Rita: "At this point, I don't think anybody's in opposition at it."

Parke: "Have you worked out any disagreements on it?"

Rita: "As far as I know, everything has been worked out."

Parke: "And just give me an example of what the subpoena powers that you wish to have by virtue of this legislation?"

Rita: "What was that?"

Parke: "Let me know how you were... I mean, what are you trying to solve with this? What is the problem?"

Rita: "It would... it'll help the Department of Labor run more efficiently when... if they needed to subpoena records, at this point they can't subpoena the records they can just take written testimony that a case would come before a hearing and/or witnesses to come for."

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Parke: "Okay. Did you have to..."

Rita: "They could... they could go in and inspect the documents..."

Parke: "Okay."

Rita: "...currently, this would actually give them the subpoena power to bring that back and further their..."

Parke: "All right."

Rita: "...investigations."

Parke: "And the business community has not gotten to you saying they have a concern with this or anything?"

Rita: "Far as we know, no one's in opposition to this."

Parke: "Okay. Thank you."

Speaker Hannig: "Is there any further discussion? There being none, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. 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 voting 'yes', 1 voting 'no', and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Nekritz on House Bill 2873. Mr. Clerk, would you read the Bill?"

Clerk Rossi: "House Bill 2873, a Bill for an Act concerning townships. Third Reading of this House Bill."

Speaker Hannig: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. House Bill 2873 is a shell Bill. We have been working to attempt to change the Township Code to allow townships of a certain size to do garbage pickup. It's a basic government service but there

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have been some technical problems with the Bill and we ran out of time, so I'm hoping to move it as a shell Bill. And I would ask for your support for this so I can continue to work on it."

Speaker Hannig: "The Lady has moved for passage of House Bill 2873. And on that question, Representative Parke, the Gentleman from Cook."

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

Speaker Hannig: "She indicates she'll yield."

Parke: "Representative, my only question is, is this the straight... intent of this legislation, you're not gonna let the Senate put anything on here that changes the intent of this underlying Bill?"

Nekritz: "That's the straight skinny on it, Representative Parke. I... the area that I've been working on this with an unincorporated Maine Township desperately needs garbage pickup. And so I... that is the intent of the Bill and I will... and I will hold it to that."

Parke: "Then you're a Lady of your word, that's what I needed to hear."

Nekritz: "Thank you."

Parke: "Thank you."

Speaker Hannig: "The Gentleman from Effingham, Representative Hartke."

Hartke: "Sponsor yield?"

Speaker Hannig: "She indicates she'll yield."

Hartke: "Did I understand that you've shelled the Bill?"

Nekritz: "That's correct, Representative."

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Hartke: "And your hopes are to do what?"

Nekritz: "To continue to work on it. After the committee hearing where House Amendment 1 was turned down, we developed House Amendment 2 and we were... we were very close on it, but the waste haulers had a few more concerns and I didn't have time to turn it around again and get it through. But I think that those concerns can be addressed and if not, then I'm not gonna move the Bill."

Hartke: "Okay. I still have some concerns too and I'll be keeping an eye on this one."

Nekritz: "Okay. Representative, we are gonna... we are gonna do one of the things that you requested, which is limit it to certain size townships."

Hartke: "Right."

Nekritz: "So."

Hartke: "Okay. Thank you."

Speaker Hannig: "There any further discussion? Representative Nekritz to close."

Nekritz: "I would ask for your support."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. 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 67 voting 'yes', 42 voting 'no', and 6 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Rose, for what reason do you rise? Okay. The Gentleman does not wish to speak. Representative

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Wyvetter Younge, would you like us to call House Bill 2608?
Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2608, a Bill for an Act in relation to
homeless persons. Third Reading of this House Bill."

Speaker Hannig: "The Lady from St. Clair, Representative
Younge."

Younge: "Thank you, Mr. Speaker. House Bill 2608 creates the
Bill of Rights for the Homeless Act. It sets forth certain
rights of homeless people, including the right to live in
any community in the state, the right to choose living
arrangements and the right to be employed and the right to
vote. One Amend... Amendment #1 to House Bill 2608 on page
2, line 10, replaces Section (ii) with the following: the
right to manage his or her personal finances
notwithstanding his or her living arrangements unless the
person residing in a shelter for the homeless persons and
has enrolled in a savings program designed to provide rent
money when the person leaves the shelter, also the
Amendment takes away the right not to be forced out of the
shelter. And I... I move for the passage of Bill."

Speaker Hannig: "Okay. The Lady has moved for the passage of
House Bill 2608. And on that question, the Gentleman from
Cook, Representative Parke."

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

Speaker Hannig: "She indicates she'll yield."

Parke: "Representative, when we discussed this Bill, I believe
it was yesterday, you told me it was for the homeless
people that were... had mental illness. In reviewing this

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Bill it actually says that it is for all homeless people without regard to mental capacity. Is that still your understanding?"

Younge: "This is a Bill for the homeless mentally ill and developmentally disabled persons and therefore the..."

Parke: "Where does it say... make the exclusions..."

Younge: "the... the intent..."

Parke: "...it says..."

Younge: "...the intent is to protect those two classes of persons."

Parke: "But that's not what the Bill says, is it? The Bill says that it is per person in a shelter for homeless person as enrollment in a savings program to set aside for rent... rent money upon the person's depart... departure from the shelter. Now, it doesn't say anything about mentally ill people, it says anybody that's homeless. And we have tens of thousands of people, well, well over 10 thousand people are estimated to be homeless. How much money do you think we're gonna provide for this program?"

Younge: "The intent of the Bill is to protect the homeless mentally ill and developmentally disabled people, that is the intent and..."

Parke: "I understand that, but I don't believe that's what the Bill says."

Younge: "And the costs will have to be calculated. The intent is to help persons who are homeless who are mentally ill and give them a Bill of Rights as to the standards that have to be met in reference to their care. This is a..."

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basically a Bill in reference to a Bill of Rights for these people, the right of people to have public services, which can't be denied them just because they can't protect themselves and are mentally ill. We have a situation in about one-third of the population which is homeless, which is out on the streets, are mentally ill, are disabled and we oughta have a..."

Parke: "Mr. Speaker, to the Bill, if I may."

Speaker Hannig: "To the Bill."

Parke: "Ladies and Gentlemen, I understand the intent of the Lady and what she is trying to achieve, but in fact the Bill is written in such a way that says it applies to all homeless, mentally ill homeless is included, but all. The Bill further states that they... once they leave a homeless shelter that they can live any place in the State of Illinois they want to and that somebody is gonna have to come up with the money for them to do so. I don't understand how we can afford to do this. I don't understand the ramifications of it. I understand that the... the Sponsor's trying to help people that have needs and, I mean, we all wanna do that. But this is gonna, I believe, this is gonna cost money. We're trying to get a fiscal note on this for the Senate. And, ya know, I presume that the Body will probably pass this for her, but I would like you to think hard and long about whether or not we can afford this. Is this something we should be doing when the state doesn't have any money and to raise expectations for homeless people. I don't know. Each of you are gonna have

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to decide to yourself, but I just don't think that this is the kind of legislation that we can afford to do in a time when we are absolutely stone-broke."

Speaker Hannig: "Representative Meyer."

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

Speaker Hannig: "She indicates she'll yield."

Meyer: "Representative, I'm looking at the... my analysis which lists the Bill of Rights for the people that we're discussing here and the eighth point on the Bill of Rights, it says, the right to vote, which may not be denied solely because the person does not have a permanent address. Is this still part of this legislation?"

Younge: "Yes, this is a part of the legislation and a person should be able through some type affidavit or voting at the Board of Election Commissioners should have the right to vote and not have their franchise taken away from them merely because they don't have a permanent address."

Meyer: "Well, Representative, I have a permanent address and one of the requirements to vote is that I register from that permanent address and I have to verify under oath that I live in that... I will have lived at that permanent address for 30 days prior to the election. Now, why is this homeless person going to be given the right to vote without having... and why are you infringing on my right to vote?"

Younge: "Well, it is not an infringement upon your right to vote, you still would have a right to vote. The point is that just because the person doesn't have a permanent address they should not be denied the right to vote when

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they can by affidavit show that they had been in the particular district and they are who they are."

Meyer: "Well, how do they show that they're in the district, because when I registered to vote I had to show two proo... pieces of identification that certified or showed that I lived at that address, one, of course, could be my driver's license, it could be a Social Security card, it could be a bill that had that address. If you're living in a homeless shelter or you're living out of a car or you're living... wherever you're living in any way that you wish to live, according to your Bill, that identification would not be available. Now, I believe that I have... that if you're going to vote you need to be able to show that you meet the qualifications of a voter in our state and those are the qualifications, that you must register to vote."

Younge: "And one possible approach would be that a person would give the address of the social service agencies from which they are... are receiving services or the shelter which they are temporarily located in. The point is, that some arrangement can be worked out to verify that the person is in the district and... and to not take just automatically the right of a person to vote just because they don't have a home."

Meyer: "Ya know, Representative, your Bill does not speak to working out any arrangements, it just says that these are the arrangements and where do I... where am I going to vote if I register... excuse me, if I want to vote where am I going to regist... to vote, you say... you're indicating that

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perhaps I can register with the social agencies you mentioned. Does that mean that maybe I have to drive into Chicago to vote or do I go to Springfield to vote, because that's where the state agency is, or maybe I just pick any one of the precincts along the route to vote in. Where... where... what is a requirement here that stipulates where I'm going to vote?"

Younge: "Well, usually people receive social services in a... at a particular location close to them and these are questions that can be worked out by the election officials. What we're doing here is merely saying that a person merely because they're homeless and mentally ill or developmentally disabled should not be denied certain public services, should not... which includes, which includes the right to vote. That... just because a person is homeless, they shouldn't be acted against and we should begin to set some standard of care and of treatment that recognize them as human beings and... and take up some of the pressure off of men... the mentally ill people. We have a situation where agencies are now with their community plans, their community service plan, letting mentally ill homeless people out into the community and I think that it is appropriate for this Body to say that we want you to have some standards which protect the interests of people who are vulnerable and who can't protect themselves. And that is what this is about. It isn't about programs. It's about the right to the health, safety and welfare of the people, which is what our State Constitution says should be

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available for all people and I'm merely trying to make sure that we have a Bill of Rights for the homeless who are mentally ill and we see 'em out there on the streets every day and they oughta have a right to be protected, too. And this is... this is a work in progress, a work in progress, to have some standards, so far as they're concerned."

Meyer: "Well, Representative, I would suggest that you've taken this one step too far by giving to people who are homeless the right to vote over and above what the rest of us citizens who happen to live at a certain address, over and above what we have, because the rest of the... the rest of the state that does not... does not choose to be homeless still has to register to vote in order to exercise that right and that privilege. And certainly, I don't believe that just because you're homeless that you have additional rights. I believe that certainly you should be protected, but this goes beyond protection, this gives you a right to vote wherever you wish at anytime that you wish, basically, without having to prove that you're a resident of this state. How many people from another state can drive in that day and just because they want to vote, walk into a precinct under this Bill? That is what you're doing in this... by your legislation here, as it concerns voting. And I believe that you've taken it a step way beyond what our Constitution would indicate and way beyond what our State Laws indicate, certainly. Let me ask you this, where does the Secretary of State, where does he weigh in on this? Is this part of his motor voter legislation or what?"

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Younge: "No, I have not discussed it with the Secretary of State."

Meyer: "Well, to the Bill. I believe that certainly as long as the issue of voting is in question here and this is still a part of the Bill, it's a very bad Bill, it's a very bad precedent. It gives people that do not live in one address a right that... and a privilege that the rest of the state does not enjoy. And is certainly, I believe, because of that, an infringement on the rest of our rights. And I would urge you to vote 'no' just based on this one... one indication."

Speaker Hannig: "Representative Morrow."

Morrow: "Yes, yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Ya know, I'm tired of hearing... Mr. Speaker. Mr. Speaker, can we have some order? Can we have some order?"

Speaker Hannig: "Give the Gentleman some order, please. Representative Morrow."

Morrow: "Thank you, Mr. Speaker. Ya know, I'm tired of hearing some of the arguments from my colleagues on the other side of the aisle who I have a lot of respect for. And the thing that I'm tired the most, is that when it comes to taking care of the have-nots, we don't have any money. Every time we have a Bill that deals with the have-nots, we have no money. So I guess 'Sue the Dinosaur' must be a have 'cause three years ago we gave 'Sue the Dinosaur' \$20 million. And 'Sue the Dinosaur' is not homeless. So, if 'Sue the Dinosaur' was homeless, I guess they would've said

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there was no money for 'Sue the Dinosaur'. You say that you give homeless people a different set of standards, well, I think there's Members of this General Assembly who have fought to protect undocumented immigrants to give them certain rights to vote, certain rights to education, certain rights to economic opportunities. So, we can protect undocumented immigrants no matter what country they come from, why can't we protect American citizens who happen to be homeless? I urge 'green' votes on this Bill. I commend Representative Wyvetter Younge for presenting this Bill because the real issue is, and for those... for you new Members, there's only real color of racism down here, that's the color of green. Those who have it and those who don't. And you think homeless people wanna be homeless? You think they become homeless because they wanna live on the street? You think they're homeless because they say, I don't want a house over my head? You think they become homeless 'cause they say I don't want food on my table? Do you think they become homeless 'cause they say I don't want an education? Do you think they become homeless 'cause they wanna become homeless? They become homeless 'cause nobody gives a damn about 'em. We've been blessed. We've been blessed to provide for our families. We've been blessed that we can sit here in these seats and vote on legislation that affects 11 million people. We've been blessed. But one thing I'm tired of in this General Assembly, is that we don't give a damn about the people who

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we should give a damn about. Give 'green' votes on House Bill 2608."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker. I rise in support of the Lady's Bill. As usual... as usual Representative Younge has hit the nail on the head of a real problem in our state and a real problem in her district. I find some of the rhetoric that I just heard from the other side of the aisle kind of unfortunate. I heard a Gentleman talk about people choosing to be homeless. I doubt whether too many people, Representative, that choose to be homeless. There may be some that don't have enough education to get a job because we failed the education system of our state. There may be some that due to poor economic conditions can't get a job because we failed to create enough jobs to go around. But I doubt seriously whether there are very many people who choose to be homeless, Representative. Representative Younge is trying to make a statement here about a very serious problem in our state and it's a problem which for a long time got a bit better, but now because of the economics of Illinois is on the increase, homelessness in Illinois is on the increase. Are we gonna turn our backs on these people? And the idea that we should bring the issue of voting into this is just outrageous. First of all, homeless people already have the right to vote, Representative, I know, I passed the Bill to give them the right to vote. So, they already have the right to vote, I don't know why we're debating that issue on the House

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Floor. And who among us would say that a citizen of Illinois should not have the right to vote, no matter who they are, no matter where they live, no matter what their station in life? Representative, would you choose to decide for us which citizens of Illinois can vote and which citizens of Illinois cannot vote? I think that was a very unfortunate comment, along with your comment that people choose to be homeless. And so, I stand strongly with Representative Younge, all of you should as well. Don't turn your back on people that need us. This is not a Bill that provides money to homeless people. Ya know, if you wanted to argue that this was a Bill that provided big wads of money to homeless people in a time that the state was in a fiscal crisis I would say, well, the conservative among you, the targets among you go ahead and vote 'no', we can't afford it. This isn't about money, this is about dignity. This is about the right of citizens of our state to have some semblance of dignity to enjoy their lives. And we have a responsibility in this Body to give them all we can give them. This Bill affords them not too much, but it does make a statement that we have some consideration for their lives. Stand with Representative Younge, vote 'aye'."

Speaker Hannig: "Representative Graham."

Graham: "Thank you, Mr. Chairman and Ladies and Gentlemen of the House. I come from a social services background and my background was serving homeless women with children. And those women came to me without a place to stay. And

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because I provided the services for them, we provided mailing slots for them to receive the benefits that they were seeking to support their families. Whatever it is that they needed, we... it was my job to remove the barriers out of their lives. If it was meant getting public aid money, if they needed a mailing address for their mail to come to, to maybe... 'til they were able to get on their feet, if it was a place that they needed school information to come to, they had mailing slots at that... at that particular location. Any facility in the State of Illinois that services homeless people give them the right to use their mailing address and mailing slots for them to receive their mail at and that includes to use that information for the right to vote. I stand in very strong support of this Bill. I think this is an excellent piece of legislation and I think we should continue to build on legislation like this to improve the quality of life for the people of the State of Illinois. I urge an 'aye' vote."

Speaker Hannig: "Representative Younge to close."

Younge: "I ask for a favorable vote."

Speaker Hannig: "The question is, 'Shall House Bill 2608 pass?' All in favor vote 'aye'; opposed 'nay'. 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 78 voting 'yes', 31 voting 'no', and 8 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 2330."

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Clerk Bolin: "House Bill 2330, a Bill for an Act concerning civil rights. Third Reading of this House Bill."

Speaker Hannig: "Representative Fritchey."

Fritchey: "Thank you, Speaker. House Bill 2330 is in response to a Supreme Court decision which has limited the ability of individuals to bring disparate impact claims via Title VI of the Federal Code. What this would do is create a state action for individuals to bring a cause of action if a policy has the effect of subjecting individuals to discrimination because of their race, color, or national origin. We have filed an Amendment which was adopted to the Bill which further refined the Bill. And we'd be happy to answer any questions. There are no known opponents to the Bill."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 2330. And on that question, Representative Flowers. Representative Flowers."

Flowers: "Excuse me, Representative, I'm sorry. What is the nature of this Bill? It was so noisy in here I couldn't hear you."

Fritchey: "The Bill provides a venue for individuals to bring a cause of action alleging disparate impact of a government policy via the State Courts which they presently do not have."

Flowers: "Okay. So, now let me try to figure this one out. This Bill also authorize a person to bring a lawsuit for a violation of a Act in the State Circuit Court. So, if I am a parent and an agency like DCFS took my child and the

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issue was unfounded, would I be able to bring a cause of action as a result of the deprivation and all the aggravation and all the monies that I lost? Because you know now DCFS have me to pay when they incarcerate my child. So, will I be able to bring a cause of action? Is this a Civil Rights Act? Will these parents be... will this be applicable to them?"

Fritchey: "If you could show that there was a disparate impact that subjected them to discrimination because of race, color, or national origin."

Flowers: "Well, yeah, because most of the children that's in the system are minority children, so it is racist. So, therefore, with this legislation would I be able to sue the State of Illinois? Will I be able to sue the Department of Children and Family Services for the harm and the... and what they've done to the children throughout this state?"

Fritchey: "If you could establish that there was a disparate impact resulting from race, color, or national origin then you would have the ability to bring an action."

Flowers: "Thank you, Representative. I think this is a fantastic Bill and I would urge everyone to support it."

Speaker Hannig: "Representative Froehlich."

Froehlich: "Will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Froehlich: "Just a quick question for the Sponsor. As soon as I can get his attention back."

Speaker Hannig: "Representative Fritchey will yield."

Fritchey: "I... I... I apologize."

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Froehlich: "Yeah, quick question. It covers... I see your Bill covers race, color, or national origin, but the 1964 Civil Rights Act also covered sex. Why does your Bill not include sex as far as disparate impact?"

Fritchey: "Disparate... we believe that this Bill will create a parallel state remedy to these... to the federal cases that were brought under Section 601 of the Civil Rights Act. So, I don't think this is more limiting than the federal rights are."

Froehlich: "I'm just wondering if it's an oversight or was it deliberate omission?"

Fritchey: "Again, I believe that this provides parallel rights at the state level to those rights that an individual would have at the federal level."

Froehlich: "Well, it doesn't... but it doesn't mention gender, disparate impact on, ya know, individuals because of their gender, just because of race or color or national origin. I'm just wondering why not."

Fritchey: "Again, it's just by way of history, there was a Supreme Court case which limited the ability of individuals to bring actions pursuant to Title VI under the Federal Act and we are simply trying to reinstate the ability of individuals to sue under the State Act. It's not intended to expand or limit whatever rights somebody would've had."

Speaker Hannig: "Representative Monique Davis."

Davis, M.: "Representative, I'm looking at our analysis here and it seems to state that a person would not be able to go to the State or Federal Court, only to the Circuit Court?"

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Fritchey: "Well, obviously, we can't by our actions create a venue to go to Federal Court for a federal civil rights claim, that would either exist or not exist at the federal level. The Supreme Court has limited the abilities of individuals to bring these at the federal level. So, we are trying to, as I say, is we wanna give some avenue of redress, Representative. And I know, based on your comments on this floor and your voting record that you wanna have that avenue of redress for individuals that feel that they have been aggrieved.."

Davis, M.: "I want you to slow down and speak English. Come on, slow down a little bit."

Fritchey: "Where do you want me to start, Representative?"

Davis, M.: "Just start from which court.."

Fritchey: "This Bill provides a state avenue for state jurisdiction for an individual who believes that they have been aggrieved as a result of their race, color, or national origin and that there is a government policy which has resulted in a disparate impact to them. This gives then an avenue that presently does not exist."

Davis, M.: "Why would we limit them and not allow them to go into Federal Court?"

Fritchey: "That is controlled by Federal Law. Right now, Representative, as the Supreme Court had limited their abilities to bring certain actions under Federal Law, they have neither the federal nor state avenues available to them. And if they are not going to have these state avenues available to them.. or the.."

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Davis, M.: "It says that..."

Fritchey: "...federal avenues available to them we wanna provide these state avenues."

Davis, M.: "And it says, 'punitive damages would not be available?' A person could not seek punitive damages?"

Fritchey: "There would be punitive damages. Again, this is going to try to restore the rights that we had. This will provide punitive damages if there was an intentional showing... a showing of intentional discrimination. For disparate impact... disparate impact by its nature is an unintended but provable disparate impact by virtue of a state policy or law. This provides a state ave... a state avenue of jurisdiction for actual damages if there's disparate impact and for punitive damages if there was intentional discrimination."

Davis, M.: "But the disparate... you're saying that the person would have to prove that the discrimination was intentional?"

Fritchey: "As... as in any lawsuit, you have to show... if you're going to allege intentional discrimination, you have to show facts supporting intentional discrimination. What this does is actually broader than that. If you can show that there was not intentional discrimination but there was in fact a disparate impact of the policy, you would be allowed to recover actual damages as well as your attorney's fees and court costs in bringing that action."

Davis, M.: "Well, let me just give you an example and you give me an example of what could happen. Let's just say I'm an

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employed and I feel that I have been discriminated against and I wanna file a suit. What rights do I have and what courts can I go to?"

Fritchey: "Well, whatever individual rights you have are unaffected by this. This is really aimed at showing if there was a greater disparate impact of the policy or law that you are alleging, that this gives you an avenue that you don't have today. Right now, you would be very limited in what you could do at the federal level and you have no redress at the state level. We are trying to give you an avenue at the state level to say there is a government policy in place, it has an impact albeit unintentional of disparately impacting minorities."

Davis, M.: "Well, according to this analysis, it says the Illinois Civil Rights Act of 203 (sic-2003), which prohibits any unit of state, county, local or... state, county, or local government from excluding a person from participation in, denying a person the benefits of, or subjecting a person to discrimination under any program to... blah, blah, blah. But anyway, authorizes a person to bring a lawsuit. My concern Representative, is part of this analysis said that you could not bring this into Federal Court."

Fritchey: "The Supreme Court by virtue of its ruling closed up our ability to go to Federal Court. The Bill doesn't preclude your ability to go to Federal Court. The United States Supreme Court has foreclosed that avenue and rather than us have no avenue at the federal or state level, we

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are going to provide... all we can provide in this Body, which is a state avenue of redress."

Davis, M.: "What will it prevent people from doing that they can do today?"

Fritchey: "Absolutely nothing. It allows you to do things that you cannot do today."

Davis, M.: "And those two things are?"

Fritchey: "It allows you to bring an action in State Court for a showing of disparate impact. Today, Representative, you have nowhere to go by virtue of the Supreme Court decision."

Davis, M.: "Do you have to go to State Court before you can go to Federal Court?"

Fritchey: "Under... all we can do at the state level is provide a state avenue. Congress would need to reestablish the federal avenue. We have lost those avenues today. At our level we are trying to say we believe... if you can show discrimination you should have an avenue, you should have a court that is open to hear your claim of discrimination and to..."

Davis, M.: "Tell me, what kind of..."

Fritchey: "...award damages that are appropriate."

Davis, M.: "...what kind of proof is required to show discrimination?"

Fritchey: "You would need to show... to show unintentional, you would need to show that there was a disparate impact, that there was a law or policy in place that has an adverse affect in its application upon an individual because of

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their race or color or national origin. With all due respect, Representative, I believe that you are reading this Bill as limiting the rights that we have today which is completely incorrect. We are giving us rights that we don't have today."

Davis, M.: "All right. Thank you, Representative."

Fritchey: "Thank you."

Speaker Hannig: "The Gentleman from Vermilion, Representative Black."

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

Speaker Hannig: "He indicates he'll yield."

Black: "Representative, when you brought this Bill to committee, the original Bill did allow direct access to the Federal Court, did it not?"

Fritchey: "The... the orig..."

Black: "That's right, the Bill that..."

Fritchey: "The original Bill would've provided for supplemental jurisdiction in Federal Court."

Black: "That's right. And then you took out... you took out the access to the Federal Court in Floor Amendment #1. Correct?"

Fritchey: "One, Representative... Amendment 1 shelled the Bill and we were going to do that in case we just wanted to try to keep this alive and viable. Floor Amendment 2, which became the Bill, was actually narrowed and refined and we believe it's actually a cleaner and more effective Bill in its present form..."

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Black: "No, no, no, no..."

Fritchey: "...than the original Bill."

Black: "...now stay on task with me."

Fritchey: "I'm trying, Bill."

Black: "Floor Amendment #2 removed an Illinois resident's immediate access to the Federal Court system. Right?"

Fritchey: "Floor Amendment #2 became the Bill."

Black: "That's right. And Floor Amendment #2, the substantive change in Floor Amendment #2 from the underlying Bill was that you removed the avenue to seek immediate redress in the Federal Court."

Fritchey: "What Floor Amendment #2 did, as I previously stated, was remove the supplemental jurisdiction which is extremely hard to establish in any event. The thrust of this Bill, what its intention was and what the Bill does, is to provide a state venue for these claims."

Black: "Okay."

Fritchey: "That's what I'm trying to do, I'm not trying to do more than that or less than that."

Black: "So, we have access to the State Court, but in the original Bill we had access to the Federal Court. What... who made the suggestion that we eliminate the direct access to the Federal Court?"

Fritchey: "Again, Representative, it was a supplemental jurisdiction provision that we had put in, it is not as if there was a dec... an affirmative decision made. I had reviewed this Bill, I had worked with staff, I had worked with counsel, I had worked with other individuals who are

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interested in this propo... in this proposition and we believe that this is a cleaner piece of legislation that accomplishes the underlying objective, which was to provide this state avenue."

Black: "Well, in fact, was it not a suggestion of the Democrat Members of the committee that your underlying Bill went too far?"

Fritchey: "I... I apologize, Representative, I didn't hear you."

Black: "In fact, when you presented this Bill in committee, it was the Democrat Members of the committee that suggested you had gone too far in trying to overturn a Supreme Court decision. And if my notes are accurate, it was the Democrat Members of the committee who suggested you tone down your language by removing the direct access to the Federal Court and making the plaintiff seek redress in the State Court. Correct?"

Fritchey: "Actually, there was one Member who was sitting close by who was actually disagreeing with your interpretation of his questions of the piece of legislation and it really did..."

Black: "Well, I don't find that surprising. I mean, that's a... I have great confidence in my notes. It was a suggestion of the Democrat Member of the committee that you had gone too far in trying to address a decision of the Illinois Supreme Court. Floor Amendment #2 considerably waters down the original Bill. It removes direct access to the Federal Court and allows me access to the State Court. Correct?"

Fritchey: "No, Sir. It was actually not..."

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Black: "Oh, I can still go direct to the Federal Court?"

Fritchey: "What I'm saying, is first of all it was not an Illinois Supreme Court decision at issue it was the United States Supreme Court decision..."

Black: "Oh, I didn't say that it was an Illinois Supreme Court decision."

Fritchey: "Yes you did."

Black: "I want you to answer the question."

Fritchey: "You said Illinois Supreme Court, Representative."

Black: "I did not."

Fritchey: "You... Sir."

Black: "I can read..."

Speaker Hannig: "Representative..."

Black: "...don't play games with me, answer the question."

Fritchey: "You know me better than to make an accusation like that."

Speaker Hannig: "Gentlemen."

Black: "Well, you've made the accusation too..."

Fritchey: "You sai... whether you intended to or not, you said Illinois Supreme Court."

Black: "...and I don't have to put up with that."

Fritchey: "Bill, don't do this."

Speaker Hannig: "Okay, could we have order in the chamber, please. Representative Black, will you restate the question and then we'll ask Representative Fritchey to answer it. Okay?"

Black: "In response to a Democrat inquiry on the committee who suggested that the original Bill went too far in trying to

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overturn a decision of the Supreme Court that it was suggested that he limit direct access to the Federal Court and make it access to the State Court. Yes or no?"

Fritchey: "No, the Amendment was in no way in response to the comment made by the one Democratic Member."

Black: "I'll talk to staff and see why our notes don't reflect your remembrance of the proceedings. In the case of dozens and dozens of people who were fired by the incoming Governor, under existing law they have redress in an administrative review panel. Should this Bill become law, it's my understanding that they would then not have to go to any administrative review panel, they can take their complaint directly to the State Court. Correct?"

Fritchey: "I'm not trying to make this... I didn't... and it's my fault, Bill, I apologize. I was actually consulting with staff and I didn't hear the last part of it. I believe you were asking if this would allow them to have redressed directly... it's actually circumventing the administrative review. And I believe that the claims that were raised by the terminated employees are not one of disparate impact based on race, color, or national origin. Therefore, they aren't affected by this legislation."

Black: "But... but if one of those dismissed employees raises the question that the dismissal was on the basis of race then they can bypass the administrative review process and go directly to the State Court, correct?"

Fritchey: "If they were... if they were to set forth a claim that it was a policy or program or activity of the state that

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had a disparate impact based on race, correct, because that's a separate claim than the claims that they had made."

Black: "But it would have no bearing if two hundred of the dismissed employees were Caucasian and two employees that were dismissed were African-American. The two African-Americans would have a cause of action if they choose to make it that their dismissal was based on race and they could go directly to the State Court."

Fritchey: "Actually, the concept of disparate impact would actually be quite to the contrary that their dismissal had a disparate impact affecting them because of their race. And in the situation where you had two discharged employees that were minority and two hundred that were Caucasian, it would be tough if not impossible to make a claim that there was a dis... there was an impact that disparately affected minorities. It does quite the opposite, Representative."

Black: "So, if I follow your logic and I'm one of the two hundred Caucasians, then it would seem to me I could have cause of action to say I was dismissed because I was a Caucasian."

Fritchey: "It..."

Black: "Since I was of the majority group that was dismissed, then would I have access to the State Courts?"

Fritchey: "Well, the underlying tenet of disparate impact is that you have a policy that is facially neutral but had a disparate impact."

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Black: "If it was two hundred to two, would that not be a disparate impact?"

Fritchey: "Potentially."

Black: "So, any of those members of the group that were dismissed, whether they were Caucasian or African American, should this Bill become law could at least file with an attorney a cause of action saying they were dismissed on the basis of race and would be entitled to a court hearing."

Fritchey: "You know as well as I do for better or worse, an individual can bring a claim based on just about anything these days, sustaining that claim is a very different situation. We can't or we don't close the courtroom doors at the beginning of a proceeding. If somebody wants to allege that there was a neutral policy that had a disparate impact, they can allege that. Showing that is quite a different situation."

Black: "But the bottom line is if this becomes law, you really don't need an administrative review process, you just take it to the courts."

Fritchey: "For this type of claim you would be correct, but solely for this type of claim."

Black: "All right. All right. That's... that's what I was trying to get at. And I do apologize, Representative, if I did say the Illinois... I don't think I said Illinois, I think I just said Supreme Court, but regardless..."

Fritchey: "It woke me up a little bit after lunch, it's okay."

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Black: "...I am... I'm trying very hard, I've been meditating on a regular basis and I'm... I'm filing a cause of action against you for causing me to raise my voice and I'm appealing directly to the State Court in my home county, where the judge is related to me..."

Fritchey: "I may suggest Madison County, but..."

Black: "...but you will get a fair hearing, you will get a fair hearing. But I do appreciate, regardless of our outbursts, but I think we both feel better now and we've awakened most everybody in their offices, that the Bill, I think originally, people were saying that the Bill was slanted toward a member of a minority group but in actuality any group who thinks they have been abused on the basis of the underlying Human Rights Act can seek this redress."

Fritchey: "Absolutely and I appreciate your strong support of the Bill."

Black: "Representative, you are a man of great persuasive ability and when we vote on this Bill I know you and I can go in the back of the room and light up a cigarette and relax. Right?"

Fritchey: "Bring the kids."

Speaker Hannig: "Representative Fritchey to close."

Fritchey: "I appreciate an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. 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 voting 'yes', 11 voting 'no', and 1

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voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Our next order of business is that we're going to vote on the Agreed #3, Supplemental #1 list, that's the yellow list. So, Mr. Clerk, the question is, 'Shall these Bills pass?' All in favor vote 'aye'; all opposed vote 'nay'. This is on the Agreed #3, Supplemental #1 list. Have all voted who wish? Have all voted who wish? Mr. Clerk, have all voted? Representative Burke. Okay. Mr. Clerk, would you take the record. So, now I would... I would ask... So, now I would ask the Members to take a few minutes, you've had a few minutes to review the list. If you wanna make changes in your vote to... to make those changes, sign the... the vote... sign the list and turn it in. Even if you don't want to make any changes to your vote, you still need to sign it and turn it in. We need to have a record at the well that everyone had had an opportunity to change their vote. Okay. So, we'd urge you to sign it and turn it in to the well right here as quickly as you can. And now, the... Representative Bellock on House Bill 2449. We can adopt the Amendment. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2449, a Bill for an Act in relation to health. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Bellock, has been approved for consideration."

Speaker Hannig: "The Lady from DuPage, Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. Amendment #1 becomes the Bill. And this Amendment states that dosages

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may not exceed those established by the FDA as maximum and that prior authorization may be required in those cases where prescribed dosages exceed the FDA maximum. Also, we do... in this Amendment we are addressing the concerns of the committee that the ability of the department is still there to establish restrictions on quantity of limitations. The department may still establish prescribing protocols and guidelines are supported by the evidence-based medicine. This Bill is addressing the restriction of the IDPA from requiring prior approval on all drugs prescribed for mentally ill Medicaid patients. But we tried to address the issues of the committee that we do not control... take away the control from the department. I'd be glad to answer any questions on the Amendment."

Speaker Hannig: "The Lady has moved for the adoption of House Amendment #1. And on that question, Representative Franks."

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

Speaker Hannig: "The Lady will yield."

Franks: "Representative, I... I'm just reading the analysis now and it's my understanding that you're trying to prohibit the state from using a preapproval for drugs used to treat mental illness. Is that correct?"

Bellock: "Right, for Medicaid patients."

Franks: "Now, right now the state is trying to save money with prescription drugs and we spend approximately \$1.8 billion a year in prescription drugs for nine state agencies. Are you aware of that? Yes. And you're also aware that the

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number of prescriptions has increased from approximately 10 per year to 12 per year for our seniors and for our disabled? Are you familiar with these figures? Yes. Are you also familiar with the figure that the price of prescriptions have gone up double digit inflation every year for the last four years? And it's the rocket... the quickest portion of rising health costs in the State of Illinois and in the nation?"

Bellock: "Yes."

Franks: "Okay. Right now, the state and the Governor has agreed to sign an Executive Order to have the nine state agencies to purchase prescription drugs under one roof in an effort to save approximately \$200 million a year. Are familiar with that?"

Bellock: "Yes."

Franks: "Okay. Now, how would this Bill effect our state in the sense that wouldn't it tie our hands that we would not be able to negotiate for lower prices?"

Bellock: "No."

Franks: "Well, I think it does. If you're prohibiting the state from using a preapproval list. I mean, what we do now in the state is we use... we're putting together a formulary list. Correc... Are you familiar with how this works?"

Bellock: "I am familiar, but I haven't seen it yet."

Franks: "Okay. But like the Department of Public Aid, for instance, is putting together a formulary list in order to keep down the cost of prescription drugs. Correct?"

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Bellock: "I'll wait 'til you finish, Representative Franks, because I don't agree with a lot of what you're saying."

Franks: "Well, that's why I'm asking you, that's why I'm trying to break it down, point by point. Well, let me ask you this, do you see that the Illinois Pharmacists Association are an opponent. Can you tell us why?"

Bellock: "There was some opposition that we tried to address in the Amendment on the Bill. What I'm trying to do here, Representative Franks, is address the needs of the Medi... Medicaid patients who are mentally ill. I can see your point upfront, but I'm trying to look at the cost-effective saving of these people that can be given the drugs that they need by the doctor who has prescribed it to them rather than a Department of Public Aid telling these people what drugs they can have."

Franks: "Well..."

Bellock: "Wait, excuse me."

Franks: "Okay. I'm sorry."

Bellock: "Let me finish. I do believe that the Department of Public Aid, who I tried to work with after we had this discussion, I called them and you can ask them, I called them at least six different times. Initially they told us this would cost a hundred million dollars, next time they told us fifty million dollars, next time they told me four million dollars. I couldn't get it straight. I asked them for... to send me a list of what exactly drugs needed to be on prior approval list, I couldn't get that. I have many testimonies here from all the different mental health

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groups saying the cost savings of this by number one, keeping people out of institutions because they have a good drug prescribed for them, number two, keeping people out of emergency rooms..."

Franks: "I agree with all those goals."

Bellock: "I'm not gonna do this on the backs of Medicaid..."

Franks: "I... I..."

Bellock: "...mentally ill people."

Franks: "We all agree with all those goals, but I think that this Bill will have the opposite effect and I wanna argue... I wanna tell you why. The reason, one of the reasons Department of Public Aid isn't on board is because there's no fraud control here. If you don't have preapproval, how are you gonna control the fraud?"

Bellock: "So, you don't agree with a prescription by a medically professional doctor?"

Franks: "No, I'm not saying that at all."

Bellock: "That's what you said, there's no..."

Franks: "No, what..."

Bellock: "...regulatory on the fraud."

Franks: "What this Bill..."

Bellock: "Well, the doctor prescribes the medication, Representative Franks."

Franks: "There are many different drugs on the market and they have different parameters and they fit into different areas and there might be one drug that does the same as another drug, okay, but it might cost 20 times more because that might be the one that the pharm... that the pharmaceutical

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manufacturer is pushing to that doctor because they spend billions of dollars a year on marketing to doctors. Now, don't you think that we should be able to evaluate the different modalities of each of those prescription drugs and then determine which can fit into those different parameters? And if one that the doctor happens to provide to choose happens to be the best one and the most cost-efficient that's not a problem. But there is an alternate drug that will do the exact same but happens to be generic, that could be 80 percent less, you're gonna tell me that we're gonna have to spend full price because Abbott Labs' lobbyist or someone is pushing this and saying you're gonna pay \$200 for a pill when one that does the same thing costs six bucks, but we're gonna spend \$200."

Bellock: "Representative Franks, what I'm asking is that a Medicaid mentally ill patient who is under the care of a professional doctor, that he be allowed to receive the prescription that that doctor has prescribed. And I just wanna comment that attended the National Conference on the Health Care Committee of NCSL and they backed up that specific drugs in many cases, especially dealing with medically ill people are much... far more effective than generic drugs..."

Franks: "Oh, come on."

Bellock: "...and can be much more cost-effective in keeping people out of hospitals and institutions."

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Franks: "You're telling me that a generic drug, that's been approved by the FDA, that everyone's using is not sufficient?"

Bellock: "I'm saying, I agree with what a doctor has prescribed. And are you aware that when a drug has become FDA approved that for one year after that a Medicaid patient cannot receive that drug on this list? How could you go to people who suffer from cancer in private insurance and say you cannot..."

Franks: "That's..."

Bellock: "...receive that drug?"

Franks: "That's not what I'm saying. In that event, if there's no other drug that's comparable then they should be able to get it, but what you're saying... I'm... To the Bill. What we're..."

Speaker Hannig: "To the... to the Amendment."

Franks: "I'm sorry, to the Amendment. What we're saying here is that there should be absolutely no oversight. If our goal is to provide more prescription drugs and we do that by being affordable. If our goal is to provide more prescription drugs for more people, this Amendment will not do it because we will be spending hundreds of millions of dollars more because we have no oversight, we're not gonna be dealing with modalities. If there are equal drugs and one is much cheaper, we should use the cheaper drug, but now what you're saying is, hey, whatever the doctor says give it to 'em. We want those persons to get the best drug possible, but if there's an alternative, that's equal, we

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should use that and this Bill will take that away. I understand what you're trying to do, it's good intention, but this Bill will cost us hundreds of millions of dollars and less people, not more people, will be able to get their prescription drugs as a result. Reluctantly, I have to ask that people vote 'no' and I'd also ask for a Roll Call."

Speaker Hannig: "Okay. There's been a request of a Roll Call on the Amendment. Further debate on the Amendment? Representative Washington."

Washington: "Thank you, Mr. Speaker. Mr... Does the Sponsor relinquish?"

Speaker Hannig: "Yes, the Sponsor will yield."

Washington: "Mr. Speaker, I remember this Bill very well and I rise to speak in opposition to it. I remember when it first came up in committee that I requested of my colleague to show me the numbers, the actual numbers, of individuals who have been denied access to drugs that they have found by medical personnel that was needed for their physical condition. I have yet to hear back from Representative on that and that's been months ago, weeks ago. I never received any word back. But I do wanna concur with my colleague, Representative Franks, that this Bill, we talk about cost, we talk about Bills that are put out here with no money to back them, this is a Bill that would drive up the costs between 15 and 20 million dollars if this piece of legislation goes through. On one end, being a new freshman, I'm trying to rationale the logic of what I hear most of my veteran colleagues say that they want department

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heads to be mindful of costs and to bring down the costs being that not being mindful of costs has got in the state of budgetary condition that we're in today. The Illinois Department of Public Aid is against this Bill. I'm against this Bill. It is ludicrous to think that on one end we empower agencies and we ask those department agencies to have people who are professional. This is a professional decision made when authorization is given by professional people. It's not like they went in the back room and got some volunteers of the street to give a secondary authorization for drug. And we talking about mostly psychotropic drugs and anybody that is beyond the help of what is authorized really needs to be hospitalized and then subject to injection. So, I rise in total opposition that this is a Bill that would strip away the ability of the state to police itself and for us to have the ability as Legislators to make those who make those decisions accountable. Without they having them with an ability to give secondary authorization is just a runaway train with somebody else driving the cost up and somebody else property and it won't be the people of Illinois. Thank you."

Speaker Hannig: "On the Lady's Amendment, Representative Mulligan."

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

Speaker Hannig: "She indicates she'll yield."

Mulligan: "Representative Bellock, isn't it true that it wasn't you that did not get back to the former Representative but

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the Department of Public Aid who seems to have lost any number of employees, both through people that have retired and people that were fired?"

Bellock: "Yes. I'd like to apologize to Representative Washington on that issue, but I have called public aid repeatedly since that meeting asking for just what you said and I still, to this day, have not received the information that you asked or any information regarding the specific drugs that were on the prior approved list."

Mulligan: "If there's a formulary sometimes a new drug or sometimes a generic drug that can cause an allergic reaction, it's different if you're taking a drug for a medical condition that's an allergy or a thyroid condition or something, so if you have a reaction, it may be a rash, it may be something, but if you have a different reaction to a drug that's generic that has to do with mental health, it's a totally different aspect. And isn't that one of the reasons why this should be a specific category that we make changes in?"

Bellock: "Right, definitely."

Mulligan: "Also, one of the Representatives alluded to hundreds of millions of dollars which, basically, is not even close to the truth."

Bellock: "No, that's absolutely wrong. It's not hundreds of millions of dollars. I told you, public aid has reduced this from a hundred million, to fifty million, last time it was 13 or 12 million of which that would be cut in half because it's Medicaid reimbursement, so you're talking

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seven million and that may come down as we speak. There was an also note from the Economical (sic-Economic) and Fiscal Commission saying that it would be nothing."

Mulligan: "Isn't it also true that the Department of Public Aid currently negotiates for discounts on all kinds of drugs, rather than what the Representative who was talking about who was negotiating on another Bill that has nothing to do with public aid recipients? Aren't... don't they already negotiate those kinds of discounts?"

Bellock: "Yes, to my knowledge."

Mulligan: "So, this should have no impact on any other Bill that's being negotiated except maybe vanity as to who is the author of a Bill?"

Bellock: "Right."

Mulligan: "All right. So, right now, the Department of Public Aid does currently negotiate for prices, but they tend to go with the generic or the lowest one and they do keep people from the most current drug."

Bellock: "Right."

Mulligan: "All right. So then, if the Department of Public Aid, if there is an episode on a weekend, a mental health episode, where a doctor prescribes a certain drug because maybe the mental health patient has had a reaction to another drug or this is something new, if the department... if it's not on the list, there's no place for them to go in order to fill that prescription before the beginning of the week. Is that correct?"

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Bellock: "That's absolutely correct. And I wanna make that clear, that over the weekend there is nobody... if somebody needs a drug, a Medicaid patient that needs a mental health drug, the people that they call are in public aid and that office is closed on the weekend. So, there is no access, whatsoever, to those drugs on the weekend."

Mulligan: "Isn't it also true that one of the biggest issues in loss of employment, not having... and exceeding your own medical benefits, homelessness has to do with mental health?"

Bellock: "Absolutely."

Mulligan: "I don't know why anyone would not vote for this Bill. Because of a certain amount of negotiation going on in other areas, particularly seniors and other prescription drugs has nothing to do with an impact of the Medicaid budget or the budget that should go towards mental health drugs. And also the fact that the department is slightly in disarray, cannot give accurate figures and it's not gonna drive up that much in that we do not play doctor in this area here. I think that we should certainly support your Bill, as I will."

Speaker Hannig: "Okay. The Rules of debate on Amendment provide for two to be in favor, the Sponsor and one proponent, and two to speak against. We've had two speak against, two speak in favor. At this time the Chair would like to have Representative Bellock close and then we'll go to a Roll Call."

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Bellock: "Thank you very much, Mr. Speaker. And I know this is an important Bill and I respect Representative Washington and Representative Franks' comments, I certainly am for lowering the cost of drugs, also. And I thank Representative Mulligan for her generous comments, also. But to the Bill. This is an important Bill because we are dealing with people who are seriously mentally ill. I am in favor of this Bill because this Bill allows a medically professional doctor to see what his treatment is and to be able to give the prescription to the mentally ill person that he thinks they deserve, not to be given by somebody in a public aid office as to what they think is the cheapest way to treat this person. I think that this Bill, in the long run, is cost-effective. It's the same as going to prevention for going for your physical. In this case we will be allowed to give a mentally ill person the prescription that they need to keep them out of the hospital, out of the institution, out of the suicide dilemma and into a quality of life that they can go in and be a productive person, live their life with their family, get a job and live the life that they wanna live. Thank you."

Speaker Hannig: "Okay. Representative Franks, you spoke in debate, for what reason do you rise?"

Franks: "I rise, my name was used in debate and I wanted to follow-up briefly."

Speaker Hannig: "Representative, this is on the Amendment. I'd... the Chair would ask that... I know there's a lot of

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feelings on both sides, but this will be debated on Third Reading if the Amendment's adopted."

Franks: "Ask for a Roll Call."

Speaker Hannig: "Yes, you will be granted a Roll Call. So, the question on the Amendment is, 'Shall House Amendment #1 be adopted?' All in favor vote 'aye'; opposed vote 'nay'. And 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, 75 have voted 'yes', 29 voting 'no'. And the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. Representative Black, for what reason do you rise?"

Black: "Mr. Speaker, I... you're in your absolute rights to do what you did. I will reserve the ability to speak to what I think the issue was that the Lady pointed out when we go to Third Reading."

Speaker Hannig: "Thank you, Representative Black. The Chair was only trying to move things along. Mr. Clerk, what is the status of House Bill 1180?"

Clerk Bolin: "House Bill 1180 is on the Order of House Bills-Second Reading."

Speaker Hannig: "Mr. Clerk, would you read the Bill?"

Clerk Bolin: "House Bill 1180, a Bill for an Act to amend the School Code. Second Reading of this House Bill. Amendment #1 was adopted in committee."

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Speaker Hannig: "Okay. We'll take this out of the record 'til we straighten out the exact status of that Bill. Representative... Representative Mol... let's see, Molaro, the Gentleman... Would you like us to move House Bill 3673, Representative, from Second to Third? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3673, a Bill for an Act concerning the Department of Revenue. Third Reading of this House Bill."

Speaker Hannig: "Representative Molaro."

Molaro: "Thank you, Mr. Speaker. This... this is on Third by the way, I thought it was Second to Third, but now I realize it's on Third Reading. Basically, what it is, the Department of Revenue now collects a reasonable fee for geographic information products. So what they do is they charge fifty cents or a dollar. Now, what they have to do is put that in a General Revenue Fund then get it back out. This Bill allows that when they collect this money just use that money to reprint those forms and those forms only. There was no opposition and this is the initiative of the Department of Revenue."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 3673. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Kelly, do you wish to vote? Mr. Clerk, take the record. On this question, there are 42 voting 'yes', and 72 voting 'no'."

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And this Bill... Bill fails. Representative Miller, would you like us to call House Bill 3341? Okay. Out of the record at the request of the Sponsor. Representative... Representative Boland, would you like us to call House Bill 2207? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2207, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Hannig: "Representative Boland."

Boland: "Thank you very much, Mr. Speaker. We should have Representative Froehlich also up there as a hyphenated cosponsor. What House Bill 2207 does is it allows people in the rest of the state, outside of Chicago, to have the same right that residents inside the city do as far as placing advisory referendums on the ballot on the precinct level. That's basically what it does."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 2207. Is there any discussion? The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I support... I rise in support of the Bill. Ya know, generally I don't support binding referenda, I think binding referenda, while they sure sound like a populist way to go, tell us what to do. It seems to me that binding referenda are inappropriate because that's what we're elected to do, we're elected to make those decisions. And some could say, well, then maybe they wouldn't need us and some would argue that was... would be a good thing. But this is not binding, this is an advisory referenda. I think it's a good bit of

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public policy to let people in local communities make public statements on major policy issues, whether they be statewide or communitywide. And so, I think the Gentleman's on the right track here. It'll give local communities a chance when they have something they want to say to us or to their local community leaders, it'll give them a forum to say that and so elected officials would have a chance to hear their community views on important issues that face them. So, I think it's an important piece of legislation, would not be for it if it was a binding referenda, but I think these advisory referenda are very positive and a very good idea for public policy."

Speaker Hannig: "Is there any further discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Have all voted who wish? Representative Mitchell and Yarbrough, would you like to vote? Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Flowers, would you like us to call House Bill 486? Representative Mary Flowers, 486. Okay. Out of the record. Representative Lou Jones, would you like us to call 216? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 216, a Bill for an Act in relation to public health. Third Reading of this House Bill."

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Speaker Hannig: "The Lady from Cook, Representative Jones."

Jones: "Thank you, Mr. Speaker, Members of the House. House Bill 216 amends the Department of Public Health Powers and Duties Law of the Civil Administration Code of Illinois. It provides that the department must develop public education and outreach program to raise awareness about and the... and promotion of the prevention of hepatitis C."

Speaker Hannig: "The Lady has moved for..."

Jones: "Ba..."

Speaker Hannig: "Go ahead. Excuse me, Representative."

Jones: "Hepatitis C is considered a silent killer where no recognizable signs of symptoms occur until severe liver damage has occurred. It is truly on the rise, especially when young men are released from being incarcerated. It is characterized by the World Health Organization as a disease of primary concern to humanity. Studies indicate that 1.8 percent of the population, nearly 4 million Americans, carry the virus, HCV, that causes disease and they are not... most the time they are not aware that they have it and when it... when they do discover that they have hepatitis C a lot... most of the time, 80 percent of the time, it's too late for a transplant. And this Bill actually asks the State of Illinois to do an awareness program to... so people can be able to know that they have the disease and be able to do something about it before it's too late. And I ask an 'aye' vote."

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Speaker Hannig: "The Lady has moved for passage of House Bill 216. Is there any discussion? Representative Miller, the Gentleman from Cook."

Miller: "Just to the Bill. I would like to commend the Sponsor on this. One point also with hepatitis C is that it has a long incubation period. Someone could be exposed to the hepatitis C virus today and will not know between 20 to 25 years from now. And so, it would be proactive for us to be... to have some type of outreach program to make sure that individuals understand that they could be at risk for it and that there are tests that can be done so they can identify this disease now. I'd like to commend the Sponsor and urge 'aye' votes."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr... Representative McKeon. Okay. Mr. Clerk, take the record. On this question, there are 104 voting 'yes', 0 voting 'no', and 13 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Miller, would you like us to call House Bill 2566? You want us to read that Bill? Representative Miller, did you want... No. Okay. Out of the record. Representative Molaro. Representative Molaro, would you like us to read 3677? Mr. Clerk, would you read the Bill, please."

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Clerk Bolin: "House Bill 3677, a Bill for an Act in relation to taxation. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, the Chairman of the Revenue Committee, Representative Molaro."

Molaro: "Thank you, Mr. Speaker. This is also a Department of Revenue initiative. This is not a fee increase, I'm learning I have to say that, it's a not a fee increase. Provides that the underpayment penalty for taxes due after December 31 shall be deemed assessed upon the assessment of the tax of which the penalty relates. Now... and imposed only after the expiration date. There are... The Department of Revenue states it is already operating as if this... this change were already made. So, in practical, this is what the department's been doing over the last 10 or 15 years and this is just making the change in the language. Came out of committee unanimously."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 3677. And on that question, Representative Black."

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

Speaker Hannig: "He indicates he'll yield."

Black: "Representative, did you say this was another of your fee increase Bills?"

Molaro: "No, I don't think I did, but I'll check the record. No, it's not a fee increase."

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Black: "All right. I thought, seriously, I thought the department did this. Are you telling me they don't or can't because of existing law?"

Molaro: "No, th..."

Black: "I thought if you filed your taxes incorrectly they would send you a notice indicating that you had not sent the check or that your taxes where not correct and give you an opportunity to respond, evidently that's not the case."

Molaro: "No, well they... no, they do do this, that's just the point. Exactly what you're saying and exactly what I explained is what the apartment does... the department does. Apparently, there is either a lawyer in the department or somebody pointed out to them that yes, you have done this, yes, we think whatever the law is you can do this, but if you read the statutory language to make it clear that you can do this..."

Black: All right."

Molaro: "...you should make these three or four words..."

Black: "All right."

Molaro: "...change in your statute."

Black: "So, in other words as is so often the case after we've done something for years a lawyer says, I don't think you really have the right to do that, so we need to pass a law to codify what's been the practice for years."

Molaro: "That's exactly right."

Black: "That's the way government works, I don't think we'll ever change it in our lifetime."

Molaro: "Thank you."

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Speaker Hannig: "The Gentleman from Knox, Representative Moffitt."

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

Speaker Hannig: "He indicates he'll yield."

Moffitt: "Representative, just be sure that the intent of what you're doing here. This really makes the activity of the department more consumer friendly, wouldn't you say?"

Molaro: "Yes, I... That's a fair characterization."

Moffitt: "And at a time when... when the state is the one that's late on payments, I think for us to now say we're gonna give an advanced warning to someone that's late or underpaid is a very reasonable thing to do. Would you... I'm sure you agree."

Molaro: "Okay."

Moffitt: "So, if... if... I mean, we're trying to be... make government accommodate the taxpayers, be more helpful and I think this would create much... a lot of really even goodwill. And would you agree with that?"

Molaro: "Yes."

Moffitt: "Okay. Thank you."

Speaker Hannig: "Any further discussion? Then Representative Molaro to close."

Molaro: "Yes, thank you. Would just ask for 'aye' votes. Again, this is not a fee increase. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record.

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On this question, there are 117 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hamos on 2202. Mr. Clerk, would you read the Bill?"

Clerk Bolin: "House Bill 2202, a Bill for an Act in relation to health care. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Cook, Representative Hamos."

Hamos: "Thank you, Speaker, Ladies and Gentlemen. This is the Bill that we... that I discussed on Second Reading because the Amendment did exactly what we said we were going to do in committee which is to create a consumer guide to health care which will be a website administered by the State of Illinois Department of Public Health to give quality data and charge data to consumers about specific hospitals so that they can become better consumers and help make individual choices about their health care. As I indicated the other day, this is a partnership and has really the support at this point of the Chamber of Commerce, Humana, SEIU, and many others. I think it doesn't solve the health care problem, but this is the national trend now is to give better information to consumers so that they can take charge of their own health care needs. This Bill will not require any hospital to provide more information than they already provide, but it will now require the packaging of that information to make it very consumer friendly. And I seek your support."

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Speaker Hannig: "The Lady has moved for House... the passage of House Bill 2202. And on that question, the Gentleman from Cook, Representative Parke."

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

Speaker Hannig: "She indicates she'll yield."

Parke: "Representative, you said there were a lot of groups supporting this, are there any groups in opposition to this?"

Hamos: "I do not believe there are."

Parke: "How is a consumer gonna know that this website's available?"

Hamos: "We gave it an outdate of a few years. We don't expect to be do... to be done overnight. I think the website as we finally put it in... in Amendment #3 will not really be up and operational for a few years, 2007, and part of that... maybe it's before then, hold on."

Parke: "Do you have any idea what it's gonna cost?"

Hamos: "I think I just misspoke, Representative Parke, and I'm trying to quickly find... January 1, 2006 will be the website. We don't know how much a website will cost. I'm assuming it's not going to be all that much, but we are giving it a few years and part of the reason that we're giving it a few years is because there is a national policy that is taking hold in the next few years which will require electronic billing under a rule called HIPAA and under HIPAA as the electronic Bills come into the state we think it'll be easier to package that better than ever before."

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Parke: "Okay, well, I think using the Internet is a good idea, but we'll see if it works. Thank you."

Speaker Hannig: "Representative Lang... Representative Lang, for what reason do you rise?"

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

Speaker Hannig: "State your point."

Lang: "I would like to announce that on the Democratic side in the gallery behind me is the new Mayor-elect of the City of Springfield, Tim Davlin."

Speaker Hannig: "Welcome to the Illinois House of Representatives. Representative Kurtz."

Kurtz: "Will the Sponsor yield?"

Speaker Hannig: "She indicates she'll yield."

Kurtz: "In Health Care and Accessibility Committee like Representative Hamos gave us a very pictorial, convincing argument on why this is very important. Not only is it important to us... all of us who are insured and have health care insurance, but also to the 1.7 million people in Illinois that are uninsured and they really pay through the nose when they go to a hospital and this is so important for them to check records of hospital performance. I stand in strong support of this Bill."

Speaker Hannig: "Representative Leitch."

Leitch: "Well, Mr. Speaker, I just noticed you were able to interrupt the consideration on this Bill to introduce the new Democratic Mayor in Springfield and yesterday you refused the courtesy to the Peoria Central Lions

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championship basketball team to have those young men honored on the House Floor and I just am very concerned about the application of these Rules which were so dear to you yesterday which suddenly were abandoned here. I think it was gross."

Speaker Hannig: "Representative Hamos to close."

Hamos: "Thank you, Ladies and Gentlemen, I just seek your favorable support."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Verschoore, Representative Verschoore, like to vote? Okay. Mr. Clerk, take the record. On this question, there are 117 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Joyce, would you like us to read House Bill 2971? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2971, a Bill for an Act concerning state contracts. Third Reading of this House Bill."

Speaker Hannig: "Representative Joyce."

Joyce: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2971 deals with state contracts and the set-aside program. We cleaned this up after committee. It was no longer a mandate as a goal of 3 percent when the state is concern... is dealing with contracts and vendors that they give consideration to companies that are owned by

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veterans. I'd urge an 'aye' vote and would appreciate... or would answer any questions."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 2971. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. 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 117 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 1180. Excuse me, Representative Yarbrough, for what reason do you rise?"

Yarbrough: "Point of personal privilege."

Speaker Hannig: "State your point, please."

Yarbrough: "I'd like the folks to look above my head and welcome the Family, Career and Community Leaders of America from Proviso East High School and welcome them to Springfield."

Speaker Hannig: "And Representative Sacia, for what reason do you rise?"

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

Speaker Hannig: "Yes. State your point."

Sacia: "Behind me in the gallery from the Loves Park... Machesney Park area in the Rockford, Illinois area are the good folks from FCCLA with their instructor Pat Dowdakin. And I would also like to bring that to the attention of Representative Winters and Representative Jefferson. I know they'd love

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to see 'em as well. But if all of you would help me acknowledge them, they're some very fine folks and they came a long way to see a little action today."

Speaker Hannig: "Representative Black, for what reason do you rise?"

Black: "Mr. Speaker, an inquiry of the Chair."

Speaker Hannig: "Yes. State your inquiry, Representative."

Black: "Mr. Speaker, according to the House Rules all such introductions are against the House Rules, I believe it's Rule 51, subsection (e). Now, that's fine, I don't have a problem with that. I've never understood why we don't take it out of the Rules anyway, but it's in the Rules. But I rise to support the Members on both sides of the aisle from the Peoria area who were denied an opportunity yesterday to pay homage to the State AA Basketball Champions because we were busy on a trial lawyers' Bill. I would simply admonish the Chair and I think that every Member in this chamber should join with me. It is inherently unfair that some groups can be introduced and even when a Democrat and a Republican want to introduce a state basketball championship team that was here yesterday from the City of Peoria they were denied that right. That is not right and it's not fair."

Speaker Hannig: "Representative Slone, for what reason do you rise?"

Slone: "Point of personal privilege."

Speaker Hannig: "State your point."

Slone: "Thank you, Mr. Black."

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Speaker Hannig: "Mr. Clerk, would you read House Bill 1180."

Clerk Rossi: "House Bill 1180, a Bill for an Act to amend the School Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. A Motion has been approved to table Committee Amendment #2, offered by Representative Jerry Mitchell."

Speaker Hannig: "Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. I rise to simply table Amendment #2 from House Bill 1180. Thank you."

Speaker Hannig: "Gentleman has moved that we table Amendment #2. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is tabled. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. Representative Novak, would you like to read House Bill 1489? Would you like us to call that? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1489, a Bill for an Act in relation to taxes. Third Reading of this House Bill."

Speaker Hannig: "Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The underlying Bill before it was amended was an initiative of the Illinois County Treasurers Association. It raises the fee that the county collector collects on each tax sale from \$10 to \$12. This fee is used to defray the cost of notifying the delinquent taxpayer that their taxes are about to be sold. As you know, this notice by law, must be in the... must be two forms: in the form of a

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registered or a certified letter and also published in a newspaper at least 15 days prior to a tax sale. The treasurers association across the state, many treasurers, are finding that the increased cost of certified postage and the increased cost of publishing in newspapers are now greater than the \$10 fee can cover. As a result, they are forced to make up the costs by using general funds, paid by the non delinquent taxpayers, to provide those notifications to those who are not paying their taxes. This two dollar increase will cover those additional costs and remove the burden from the majority of the taxpayers who simply pay their tax bills on time. County treasurers feel that it is not fair to ask those who pay their taxes on time to absorb the cost of notifying those who are delinquent. The other... the Amendment that was adopted yesterday was an initiative from the Cook County Treasurer's Office, Maria Pappas, and if there's any questions on that I will yield to Representative Molaro for his explanation."

Speaker Hannig: "The Gentle..."

Novak: "But I think that was pretty much of a technical change that she wanted to have done."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 1489. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. 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

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are 59 voting 'yes', and 55 voting 'no'. Would you like this on Postponed Consideration, Representative Novak?"

Novak: "Please put this Bill on Postponed Consideration."

Speaker Hannig: "Postponed Consideration. Representative Reitz is recognized. Mr. Clerk, would you read House Bill 2481."

Clerk Bolin: "House Bill 2481, a Bill for an Act concerning state employees. Third Reading of this House Bill."

Speaker Hannig: "Representative Reitz. Excuse me. Excuse me. Representative Collins, for what reason do you rise? I guess for no reason. Representative Reitz."

Reitz: "Thank you, Mr. Speaker. House Bill 2481 is a Bill that adds... gives the discretion to a number of directors to add shields... to give shields, badges to various people that are non-law enforcement if they so see fit, includes the Department of Natural Resources, Secretary of State, Department of Ag, a number of different agencies. And I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 2481. Is there any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Represen... I'm sorry. Mr. Speaker, will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Black: "Representative, what is the purpose of issuing badges to people?"

Reitz: "The... the department and the directors have asked for this permission. There are certain people that have jobs that require some sort of authority figure and it just

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doesn't seem like it works to give them a little picture and say here I am. Case in point, is maybe even the security guards that we have down here at the Capitol and we come and check in everyday. The badge just, they say and I believe, adds a little bit of authority to the position that they hold."

Black: "Thank you, Representative. Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Black: "My memory fails me, but there was a Democrat who used to make some very eloquent speeches on this particular topic, I can't remember who he or she was, unfortunately. I'm sure that that Democrat is no longer in the House, if you are, forgive me, I just can't remember. But I took to heart what that Democrat Member said some years ago and every year that that Member was in the House. The State of Illinois has more people... agencies that have police powers than any state in the country. I think we have 26 agencies that are authorized to carry badges, firearms and have the full authority of arrest. And that... that goes... there are some attorney general's people who have it, there are obviously the Secretary of State's Police, but there were people in obscure agencies that under the old statutes for whatever the reason were authorized to carry a badge, a firearm and were given powers of arrest. And ya know, I listened to that individual say that many times and it never sank... it never... never got into my head. One night while on my way home I get pulled over by someone driving an International Harvester Bronco covered with mud, but had

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the wig-wag headlights and a red and blue light in the grill. Now, I... I drove to a lighted area, this was on Route 1, south of Danville. I drove to an all-night filling station. I drove in the filling station because I could see in the rearview mirror that this was an old four-wheel drive van. So, when we get to the gas station, the gentleman, and I use the word advisedly, got out of this van and said he was Conservation Police Officer and I was going to get a ticket for fleeing and eluding. And I said, fleeing and eluding who? And he said, me, I am a Conservation Police Officer. I have full police powers in the State of Illinois. I said, I thought your job was to enforce the hunting regulations and the conservation regulations of the state. I didn't know you were a traffic patrol officer. Oh, he said, I am. When I got back to Springfield after that very pleasant confrontation, I checked. He's right, he was absolutely right. He has full police power. And do you know why he pulled me over, he had never seen a legislative license plate, he thought it was, this is true, he thought it was a special license plate that had expired. Now, needless to say, I didn't get a ticket. But I'll tell you, that experience and the Democrat Member whose name I wish I could remember has made me very reluctant to authorize anybody in the State of Illinois to carry a badge or an ID card or anything else that smacks of being a police officer. We have too many people in this state right now who have full police authority. And if I'm the only 'no' vote it's fine with

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me. Somebody that works for the Department of Agriculture needs a badge about like I need a pig to ride home with me Friday night. It's a bad idea. It's time to tighten up. There are too many people with too many badges and too many Barney Fife's running around this state. Vote 'no'."

Speaker Hannig: "The Gentleman from Menard, Representative Brauer."

Brauer: "Thank you, Mr. Chairman. Will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Brauer: "Representative Black, if you need a pig to ride home with ya on Friday night, I'll be glad to supply you one, no charge and... but I have to have a picture of that. I rise in support of this Bill. I think as we expect our security people in this complex and other complexes to face the security issues that they're facing that I think it's important for them to have that badge to have that authority and I think that badge will give that to 'em. Thank you."

Speaker Hannig: "Representative Leitch."

Leitch: "Thank you. I think Representative Black made a very, very good point, so in the spirit of eliminating all these boards and commissions that are so expensive it might be an opportune time as well to suggest to the Governor that he eliminate or consolidate these gazillion police agencies that we have throughout every single department in this state. Thank you."

Speaker Hannig: "Representative Lyons."

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Lyons, J.: "Thank you, Speaker, Ladies and Gentlemen of the chamber. I rise in support of this... this initiative. There are a lot of people in the... not official arrest power police departments but who represent different agencies within State Government that take a lot of pride in the job that they have and are worthy of having a badge that so reflects that. For anybody that does take advantage of that situation and abuses their power should certainly be dealt with and dealt with severely. But I think we should not throw the baby out with the bathwater here and I think it does serve a good purpose to a lot of worthy agencies, peace officers who take a lot of pride in their work and a badge should reflect that. So, I... I encourage everybody to vote 'aye' for this initiative."

Speaker Hannig: "The Gentleman from Knox, Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. I, too, rise in support of this legislation. If we have a problem with too many police officers, too many police officers, that's a separate issue, let's deal with it, let's eliminate some of those. But those who are charged with security, security of the general public coming into this building in the Capitol Complex, charged with the security of protecting us as Legislators, as well as the public, let's give them the authority they need. It is a source of pride. I come back to the Stratton most nights to work, we have security officers there at the door at the north end just like we do at the Capitol, you walk in there they have a uniform,

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maybe it's just a uniform of a custodian, but if they have a badge there's no question, they have... they're part of the security, they're helping protect the top property and people. But if... it's a separate issue if we have too many people with police powers, let's cut it back, eliminate it, that's fine. But those that are gonna protect us, that are gonna be here day after day, let's make sure that it's no... there's no question. They have the right to check on security to protect us. So, this is a source of pride. It's gonna add to the safety of the whole Capitol Complex. It's a good Bill. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. 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 89 voting 'yes', and 26 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hoffman, would you like us to call 1338? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1338, a Bill for an Act in relation to airports. Third Reading of this House Bill."

Speaker Hannig: "Representative Hoffman."

Hoffman: "Yes, House Bill 1338 as amended addresses issues around Scott Air Force Base, which is located in St. Clair County, Illinois. This is a bipartisan... a bipartisan Bill. Representative Stephens and I are sponsoring it. What essentially what it do... what it would do is it would

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provide for the ability to have safe areas and compatible use zones around Scott Air Force Base. Scott Air Force Base, as you know, is a military facility and ensuring that we can regulate what goes in around it for safety concerns and other concerns, that is why we'd like to pass this Bill."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 1338. And on that question, the Gentleman from Vermilion, Representative Black."

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

Speaker Hannig: "Indicates he'll yield."

Black: "Representative, what military... what Air Force capability is currently at Scott? What unit? Is it an air refueling wing?"

Hoffman: "I don't think it's an air refueling wing. It's called... I know Headquarters Mac is there and what they do is they mostly do supplies..."

Black: "I... I thought..."

Hoffman: "And... and... and I think also, Representative, I believe they also help with all the various airplane movement with regard to supplies throughout the nation."

Black: "I thought they moved the air refueling wing from O'Hare to Scott?"

Hoffman: "And also the National Guard you're talking about?"

Black: "Right."

Hoffman: "Yes. Yes. They now are..."

Black: "Okay."

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Hoffman: "...at Scott Air Force Base."

Black: "Now, a... an air... an air tanker is the equivalent of a DC-10 or a Boeing 707, very big airplane. Right?"

Hoffman: "Yes."

Black: "All right. How long would it take that airplane to take off from Scott Air Force Base and get to Chicago?"

Hoffman: "I would estimate an hour."

Black: "That's what I thought. Ya know, and that thing is loaded with about 20 thousand gallons of jet fuel. I think it would be... Representative, would you let me amend this Bill on the face? Because of Homeland Security, if that tanker was taken over by somebody, it could be in Chicago in an hour and devastate the loop. I think we should close Scott Air Force Base and chew up the runways because of Homeland Security. Would... we... wouldn't that be a safe thing to do?"

Hoffman: "Well..."

Black: "I mean, ya know, we started in the City of Chicago, now we just work our way out."

Hoffman: "I guess you would drive one of the bulldozers."

Black: "Oh, absolutely. I... I, ya know, today Meigs, tomorrow Scott, next week O'Hare, two weeks from now if the Speaker goes on vacation we can get Midway. I mean, there's... there's no end to what we can do. That way I'd feel a lot safer. Ya know, I... an airplane woke me up this morning about 1 o'clock, it was 3 o'clock before I got out from under the bed. I knew he was looking for my apartment, I knew it. And I don't know where he came from, but that

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airport's on my list, too. So, I... I think we just oughta tear 'em all up under... under the guise of Homeland Security, of course. Of course, come to think of it, they could get to St. Louis a lot faster than they could get to Chicago. Couldn't they?"

Hoffman: "That's right, so."

Black: "Well, then that's okay."

Hoffman: "for the safety of the Arch we should..."

Speaker Hannig: "Representative Hoffman to close."

Hoffman: "I would ask for a favorable Roll Call."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Osterman, would you like us to move House Bill 2630? Mr. Clerk, would you read the Bill?"

Clerk Rossi: "House Bill 2630, a Bill for an Act in relation to taxes. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Osterman, has been approved for consideration."

Speaker Hartke: "Representative Hartke in the Chair. Representative Osterman."

Osterman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 shells the Bill. House Bill 2630 deals with municipalities in agreements dealing with sales

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taxes. And we would like to adopt this Amendment, pass it out of the House, send it over to the Senate, so that the parties can continue to work on this and come up with an agreed Bill. So, I'd ask for the adoption of Amendment #2."

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

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

Speaker Hartke: "To the Amendment."

Munson: "To the Amendment. This is a issue that's very important to my constituency and many other municipalities and we just wanna keep this Bill moving. So, I'd appreciate your support and an 'aye' vote."

Speaker Hartke: "Representative Black, further discussion."

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

Speaker Hartke: "State your inquiry."

Black: "Floor Amendment #1 been adopted to the Bill?"

Speaker Hartke: "Mr. Clerk."

Clerk Rossi: "No."

Black: "Floor Amendment #2 is pending, correct?"

Speaker Hartke: "Correct."

Black: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Black: "Representative, forgive me if you said this in your introduction. Floor Amendment #2 makes this a shell Bill. Correct?"

Osterman: "Correct."

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Black: "And it's your intent that negotiations will be under way in the Senate?"

Osterman: "Yes."

Black: "Well, I hope they negotiate a little more successfully than they did yesterday after 10 or 12 hours. But I just.. just so that you know, it's nothing personal, I have an aversion to voting to shell Bills and then I always wait with such anticipation to see what it comes back looking like from the Senate. So, would I have your permission to vote 'present'? Thank you."

Osterman: "Absolutely."

Speaker Hartke: "Further discussion on Floor Amendment #2? Since no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 2630?' All in favor signify by saying 'aye'; opposed 'no'. Opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Representative Saviano in the chamber? On page 28 on the Calendar, on Third Reading, appears House Bill 2981. Representative Saviano. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2981, a Bill for an Act concerning the regulation of professions. Third Reading of this House Bill."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 2981 as amended simply changes the name of the

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accrediting agencies for acupuncturists. It's a technical change. And I would ask for your favorable vote."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass House Bill 2981?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116... 115 Members voting 'yes', 2 Members voting 'no', 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 14 on the Calendar, on the Order of Second Reading appears House Bill 2778. Mr. Saviano, on Amendment #1. Mr. Clerk, read the Bill."

Clerk Rossi: "Floor Amendment... House Bill 2778, a Bill for an Act concerning pharmacies. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker. Floor Amendment #1 is an initiative of the Illinois Pharmacists Association. It simply provides some cleanup in the def... change of definition of patient profiles or patient drug therapy record. It's technical in nature, but it's a cleanup... an effort to clean up the Act. There's no opposition to this and I would ask for your... ask for the adoption of Floor Amendment #1."

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Speaker Hartke: "Is there any discussion on Floor Amendment #1? Since no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2778?' 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 22 on the Calendar, on the Order of Third Reading appears House Bill 1248. Representative Nekritz. Out of the record. House Bill 2607, Representative Younge, on the Order of Third Reading. Are you ready to call that Bill? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2607, a Bill for an Act in relation to human services. Third Reading of this House Bill."

Speaker Hartke: "Representative Younge."

Younge: "Thank you, Mr. Speaker. House Bill 2607 would establish in the Department of Human Services a advocacy position for the homeless mentally ill and developmentally disabled population. The advocate will set up a program to protect the interest and the services need by... needed by the homeless mentally ill. And also, the Bill calls for the Illinois Housing Development Authority to have tenant selection plans that include how many homeless mentally ill units would be in a particular low-income development. I move for the passage of the Bill."

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

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

Speaker Hartke: "To the Bill."

Parke: "Ladies and Gentlemen, again the Sponsor has a Bill that she is trying to solve an obvious problem. I respectfully remind the Body that there is an indeterminate considerable... considerable fiscal impact and would ask the Body to either vote 'present' or 'no'."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 2607?' 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 81 Members voting 'yes', 11 Members voting 'no', and 23 Members voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Is Mr. Dunkin in the chamber? Would you like to call House Bill 3429? Out of the record. On page 2 on the Calendar, on Second Reading, appears House Bill 223. Representative Davis. Monique Davis. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 223, a Bill for an Act in relation to interrogations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Monique Davis, has been approved for consideration."

Speaker Hartke: "Representative Davis, on Amendment #2."

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Davis, M.: "Thank you, Mr. Speaker. Amendment #2 becomes the Bill. And, it leaves... it provides information for a videotaped confessions and interrogations by police officials. It allows for the recording of audio or video, and it also allows that if a person is... if it is not feasible to get this data collection they will not do it."

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

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

Speaker Hartke: "Sponsor will yield."

Fritchey: "Representative, does this Amendment match up with Senator Obama's Bill that he's sending over?"

Davis, M.: "Yeah. This is exactly like his Bill. His Bill just passed out of the Senate 58 to 0, right."

Fritchey: "Good Bill. Thank you."

Speaker Hartke: "Further discussion? Representative Black."

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, you said Floor Amendment #2 'becomes' the Bill, our staff said it 'adds' to the Bill."

Davis, M.: "Your staff says it adds to the Bill?"

Black: "Well, hang on just a second. We... just give me about 10 seconds. Representative..."

Davis, M.: "Yes, Sir."

Black: "...it gives me great pause but I must tell you I misread the statement. It's my mistake, the Amendment does become the Bill. I apologize. Thank you."

Davis, M.: "It's perfectly all right."

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Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 223?' 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: "I'm sorry, Mr. Fritchey."

Clerk Rossi: "Third Reading."

Speaker Hartke: "Third Reading. Okay. On page 18 on the Calendar, on the Order of Second Reading, appears House Bill 3398. Mr. McGuire. Out of the record. Representative Fritchey, for what reason do you seek recognition?"

Fritchey: "Inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Fritchey: "I think there's something wrong here. If I'm not mistaken, as I was doing work and only half paying attention. Did Mr. Black say that he was wrong about something?"

Speaker Hartke: "That's correct."

Fritchey: "So, I did hear that correctly?"

Speaker Hartke: "You did hear that correctly."

Fritchey: "Well, I'm just double checking. Thank you, Sir."

Speaker Hartke: "He thought he might, he just misread. Mr. Black."

Black: "Thank you very much, Mr. Speaker. I have great respect for the Gentleman that just spoke, but those of you who

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have been here as many years as I have and in all due respect and I don't take myself very seriously, I take the process seriously, but let me just reiterate. And I know Representative Fritchey met it... meant it in good humor and I take it that way, but I want the record to reflect and all of you who know me, when I'm wrong I'll say I'm wrong and when I need to apologize, I've apologized. I'm not wrong very often though, am I?"

Speaker Hartke: "Do you really wanna know?"

Black: "No, no, keep me... keep me in suspense. God, it's... ya know, Brauer just brought me the pig I gotta go home with tomorrow night, so I don't know what I'm gonna do with that."

Speaker Hartke: "We admire your honesty. On page 18 on the Calendar, on the Order of Second Reading, appears House Bill 3343. Mr. Miller. It's on Second Reading. Out of the record. On page 8 of the Calendar, on Second Reading appears House Bill 2187. Representative Nekritz. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2187, a Bill for an Act in relation to criminal law. Second Reading of this House Bill."

Speaker Hartke: "Represen..."

Clerk Rossi: "Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. On page 6 on the Calendar, on the Order of Second Reading, appears House Bill 1475. Mr. Smith. Mr. Clerk, read the Bill. Mr. Smith, do you wanna

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call that Bill on Second Reading? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1475 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 28 on the Calendar, on the Order of Third Reading, appears House Bill 2839. Mr. Mathias. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2839, a Bill for an Act concerning utilities. Third Reading of this House Bill."

Speaker Hartke: "Representative Mathias."

Mathias: "Thank you, Mr. Speaker. House Bill 2839 even though it says on the screen that it excludes sewers there is... has been a Floor Amendment passed which does not exclude sewers. Basically what it does, is it addresses municipal sewer owner/operators concerns in relation to their responsibilities under the JULIE Act. Opening the law to amendatory language has really provided the stakeholders a way to change some things that will make the Act better and is basically... the language was... it came from JULIE, who support the Bill. Section 4 now clarifies the advance notice requirement of no earlier than two working days, but no more than fourteen calendar days prior to the start of excavation. There are also other basically technical Amendments to the Bill that reinforces the practice that utility owners and excavators work together to restore service when a damage occurs. It also adds new language that excuses sewer owners and operators from marking when

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their facilities are deeper than seven feet and the indicated excavation is shallower. It also adds black during winter when... during the winter when snow is on the ground to the allowed colors. I ask for your 'aye' vote on House Bill 2839."

Speaker Hartke: "Is there any discussion on House Bill 2839? Representative Black."

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, could you tell me how many engineers it took to figure out that we should use black paint when there's snow on the ground instead of white paint?"

Mathias: "Probably too many."

Black: "I think you're probably right. That... that just makes so much sense and to take... JULIE's been around for how many years now, 25, 35 years?"

Mathias: "I believe so."

Black: "And we finally found an engineer, an architect and probably a room full of lawyers who thought it'd be a good idea to mark underground utilities with black paint on snow rather than white paint on snow. Ya know, that... who said government doesn't work, it's proof positive right here."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House pass House Bill 2839?' 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,

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there are 116 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 28 on the Calendar, on Third Reading appears House Bill 3162. Mr. Hoffman. Mr. Hoffman. House Bill 3162. Out of the record. On page 23 on the Calendar, on the Order of Third Reading, appears House Bill 2200. Mr. Turner. Mr. Art Turner. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2200, a Bill for an Act in relation to public utilities. Third Reading of this House Bill."

Speaker Hartke: "Representative Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I bring to you House Bill 2200 and on my side is Sasha, who's helping me with this Bill today. But this is actually a shell Bill, the interested parties being the utility companies and the Illinois Public... Illinois Environmental Council and others are still meeting. And so, I propose to move this shell Bill to the other chamber and... until an agreement is reached."

Speaker Hartke: "Is there any discussion on House Bill 2200? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 2200?' 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. Stephens. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 70 Members voting 'yes', 39 Members voting 'no', 8 Members voting 'present'.

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And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 23 on the Calendar, on the Order of Third Reading, appears House Bill 1608. Representative Phelps. Out of the record. On page 24 on the Calendar, on the Order of Third Reading, appears House Bill 2591. Representative Younge. Representative Young on House Bill 2591. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2591, a Bill for an Act concerning higher education. Third Reading of this House Bill."

Speaker Hartke: "Representative Younge."

Younge: "Thank you, Mr. Speaker. House Bill 2591 would amend the Southern Illinois University Management Act to request that SIU or Southern Illinois University establish a hospitality industry training program in the... its East St. Louis facility. In the St. Louis metropolitan area there are thousands of jobs in hotels that young people and the general population could be fulfilling rather than being on public aid or public assistance. The hospitality training industry... hospitality industry training program will provide a complete education in how to run a hotel, front office, convention services, purchasing, housekeeping, catering and all the functions of hotel management. I move for the passage of this Bill."

Speaker Hartke: "Is there any discussion on House Bill 2591? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 2591?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted

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who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 84 Members voting 'yes', 30 Members voting 'no', 2 Members voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Nekritz. For what reason do you seek recognition?"

Nekritz: "Thank you, Mr. Speaker. I neglected to vote on House Bill 2839 and I would just like the record to reflect that I would've voted 'aye'."

Speaker Hartke: "The Journal will reflect your wishes. On page 22 on the Calendar, on the Order of Third Reading, appears House Bill 710. Mr. Rita, 710. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 710, a Bill for an Act in relation to railroads. Third Reading of this House Bill."

Speaker Hartke: "Representative Rita."

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is a shell Bill that we wanna send over to the Senate that we're still in negotiations with the railroad. And let me get the favorable vote to keep the discussions going."

Speaker Hartke: "Is there any discussion on House Bill 710? Seeing no one is seeking recognition, the question is, 'Shall the House pass House Bill 710?' All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes'... 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

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voted who wish? Mr. Clerk, take the record. On this question, there are 71 Members voting 'yes', 55 Members voting 'no', 1 Member voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 46?"

Clerk Rossi: "House Bill 46 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 the Sponsor. Mr. Clerk, what is the status of House Bill 3486?"

Clerk Rossi: "House Bill 3486 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 the Sponsor. What's the status of House Bill 235?"

Clerk Rossi: "House Bill 235, the Bill has been read a second time, previously. Amendments 1 and 2 have been adopted to the Bill. The notes that were requested on the Bill have been filed."

Speaker Hartke: "Third Reading. House Bill 2206. Mr. Clerk, what is the status?"

Clerk Rossi: "House Bill 2206, the Bill has been read a second time, previously. Amendments 1 and 4 have been adopted to the Bill. No Motions have been filed. No further Floor Amendments approved for consideration. The notes that were requested on the Bill have been withdrawn."

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Speaker Hartke: "Third Reading. On page 28 on the Calendar, on the Order of Third Reading, appears House Bill 3057. Mr. Brady. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3057, a Bill for an Act concerning professional regulation. Third Reading of this House Bill."

Speaker Hartke: "Representative Brady."

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3057 is an initiative from the Illinois Funeral Directors Association, as well as from the Department of Professional Regulation. An agreed to Bill by those individuals dealing with updating the titles of training courses and continuing education areas, preparation room, inspection and allowing for those particular firms that have more than one particular location to have a centralized preparation room. Also, changing the wording of 'trainee' to 'intern' under the Act. And I'd be happy to answer any questions regarding the legislation."

Speaker Hartke: "Is there any discussion on House Bill 3057? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3057?' 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. Beaubien. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And

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this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Brady, for what reason do you seek recognition?"

Brady: "Just a point of personal privilege there, if I could, Mr. Speaker."

Speaker Hartke: "State your point, Sir."

Brady: "I apologize if my last Funeral Directors Bill killed everything here in the way of action in the House. I didn't mean to bring everything to a complete stop like that."

Speaker Hartke: "It certainly did."

Brady: "Thank you."

Speaker Hartke: "Chair recognizes Representative Stephens."

Stephens: "Mr. Speaker, a point of personal privilege."

Speaker Hartke: "State your point."

Stephens: "My a... my seatmate had pheasant for lunch and he was kinda messy. I was wondering if you thought growing a goatee would help?"

Speaker Hartke: "Personally, I don't think so. House Bill 2943. Mr. Clerk, what's the status of the Bill?"

Clerk Bolin: "House Bill 2943 is on the Order of House Bills-Second Reading."

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

Clerk Bolin: "House Bill 2943, a Bill for an Act concerning exotic weeds. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Pankau, has been approved for consideration."

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

Pankau: "Thank you, Mr. Speaker. Floor Amendment #1 adds buckthorn to the list of exotic weeds. In fact, we have common buckthorn, glossy buckthorn, saw-tooth buckthorn, dahurian buckthorn, Japanese buckthorn and Chinese buckthorn all added with kudzu in this Bill. And I ask for the approval of Amendment #1..."

Speaker Hartke: "Is there any discussion..."

Pankau: "...the buckthorn Amendment."

Speaker Hartke: "Is there any discussion to Floor Amendment #1 to House Bill 2943? Representative May."

May: "Representative, I think this is an excellent Amendment. I hang around with a lot of environmentalists and this is a very bad species. I didn't know there were that many type of buckthorns, but this is excellent. It's something we need to address in this state, so I stand in support of this surprise Amendment of yours. Thank you."

Speaker Hartke: "Chair recognizes Representative Giles."

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

Speaker Hartke: "Sponsor will yield."

Giles: "Representative, I'm sorry I didn't get the gist of your explanation here. Are you trying to somehow ban this particular weed?"

Pankau: "By adding it in this category of exotic weed, it means that a nursery cannot sell it."

Giles: "Okay. And what is the reasoning for this particular weed not being sold by nurseries?"

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Pankau: "Because it spreads very quickly, it is not a native Illinois weed and what it does is it clogs the undergrowth underneath the...the bigger trees. So, it blocks out all the other plants that need to grow there and need the sun getting in and it blocks it all out."

Giles: "Representative, are you aware that quite a few landscapers and other individuals that's in the field actually buy ground covering to grow in areas that is hard to grow various flowers or shrubs because of lack of sun or that particular... the soil in that particular area is not conducive to your... to your regular plants and flowers? Are you aware that people pay big money for ground covering?"

Pankau: "They do, but hopefully not for this ground cover."

Giles: "Okay. And I guess what I'm trying to get at is that this particular ground covering... have... do we have cases... do you have case law or examples in which this ground covering has choked out a number of weeds or animals or plants or maybe a human?"

Pankau: "Actually, this Bill was brought to me... this suggestion was brought to me by the DuPage County Forest Preserve and the underlying Bill was the initiative of the Department of Natural Resources. So, yes, they are concerned about it."

Giles: "Okay, Representative. Is there any opposition to this piece of legislation?"

Pankau: "No."

Giles: "Okay. I... I... the only thing I... the reason... I wasn't trying to be facetious. I think the only reason I'm just trying to make sure we're not... we are not banning something

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that someone out there would want to use or have the right to be able to buy to... for usage, whether it's personal or business. Thank you, Representative."

Pankau: "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 2943?' All those in favor signify by saying 'yes'; those 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. House Bill 465. Representative Jakobsson. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 465, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, what is the status of House Bill 1256? Mr. Giles."

Clerk Bolin: "House Bill 1256, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, what is the status of House Bill 2485?"

Clerk Bolin: "House Bill 2485 is on the Order of House Bills-Third Reading."

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

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Clerk Bolin: "House Bill 2485, a Bill for an Act concerning farmland. Third Reading of this House Bill."

Speaker Hartke: "Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Ladies and Gentlemen, this is a shell Bill. This is another Bill that's a work in progress. We'd like to see this Bill continue over to the Senate so that negotiations continue. Essentially, it's an initiative of the Illinois Soil and Water Conservation Districts. There is some opposition with the home builders and the realtors and some segments of organized labor, but we wanna get it across the street in light of the time constraints. And I'd ask for your support. There are no tax..."

Speaker Hartke: "Is there any discussion?"

Novak: "Excuse me. There are no indications of any taxes or fees, it's just... it's about good public policy. Thank you."

Speaker Hartke: "Is there any discussion on House Bill 2485? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 2485?' 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? Representative Hamos and Sommer. Mr. Clerk, take the record. On this question, there are 56 Members voting 'yes', 59 Members voting 'no', and 2 Members voting 'present'. And Mr. Novak. And this Bill, having failed to receive the Constitutional Majority,

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is hereby declared lost. Mr. Clerk, House Bill 2963. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2963, a Bill for an Act concerning certain lending practices. Second Reading of this House Bill."

Speaker Hartke: "Hold that Bill. Ladies and Gentlemen, we're just calling a bunch of Bills so that they could be in the position to be called on Third tomorrow. House Bill 107. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 107, a Bill for an Act related to managed care. Second Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 525. Mr... 425. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 425, a Bill for an Act in relation to criminal law. Second Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 1281. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1281, a Bill for an Act in relation to criminal law. Second... Second Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 1809. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1809, a Bill for an Act in relation to health. Second Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 2201. Mr. Clerk, read the Bill. 2201."

Clerk Rossi: "House Bill 2201, a Bill for an Act in relation to alcoholic liquor. Second Reading of this House Bill."

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Speaker Hartke: "Hold that Bill. House Bill 2265. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2265, a Bill for an Act concerning telecommunications. Second Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 3520. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3520, a Bill for an Act concerning public building commissions. Second Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 2618. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2618, a Bill for an Act in relation to park districts. Second Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 566. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 566, a Bill for an Act in relation to criminal law. Second Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 3321. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3321, a Bill for an Act concerning public utilities. Second Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 2280. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2280, a Bill for an Act concerning the licensure of nurses. Second Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 2157. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 2157, a Bill for an Act concerning employment. Second Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 1521. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1521, a Bill for an Act concerning financial institutions. Second Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 3676. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3676, a Bill for an Act concerning taxes. Second Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 3112. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3112, a Bill for an Act concerning elections. Second Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 842. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 842, a Bill for an Act in relation to county government. Second Reading of this House Bill."

Speaker Hartke: "Hold that Bill. Mr. Clerk, what is the status of House Bill 2458?"

Clerk Rossi: "House Bill 2458 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Morrow, has been approved for consideration."

Speaker Hartke: "Representative Morrow on 2458."

Morrow: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill... Amendment #1... Floor Amendment #1 to

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House Bill 2458 basically guts the Bill and makes it a shell Bill. Be glad to answer any questions."

Speaker Hartke: "Is there any discussion on Floor Amendment #1 to House Bill 2458? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2458?' All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Representative McCarthy, for what reason do you seek recognition?"

McCarthy: "Just like to check in."

Speaker Hartke: "House Resolution or House Bill 375. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 375, a Bill for an Act concerning well water. Second Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Second Reading. House Bill 1673. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1673, a Bill for an Act concerning citizen benefits. Second Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Second Reading. House Bill 1950. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1950, a Bill for an Act in relation to taxes. Second Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Second Reading. House Bill 2049. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 2049 has been read a second time, previously."

Speaker Hartke: "Hold that Bill on Second Reading. House Bill 2280. House Bill 2369. Mr. Clerk."

Clerk Rossi: "House Bill 2369, a Bill for an Act concerning professional regulation. Second Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Second Reading. House Bill 3679. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3679, a Bill for an Act concerning park districts. Second Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Second Reading. Mr. Clerk, House Resolution 93, sponsored by Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker."

Speaker Hartke: "Good afternoon, Mr. McCarthy. Shhh."

McCarthy: "House Resolution 93 is a Resolution saluting a young man from my area that is kinda leading the Silver Ribbon Campaign in the State of Illinois. Many of you were very nice enough to sign the Silver Ribbon Campaign pledge. It basically tries to heighten the awareness of the traumatic brain injuries. This is a young man who unfortunately had a terrible car accident December 26, a year and about a half ago. He's made remarkable progress back, but through his injuries we've learned about the lack of programs, even in our special recreation districts, for people with traumatic brain injuries. So, I'd like to ask the House to adopt House Resolution 93."

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Speaker Hartke: "Is there any discussion? Seeing none, the question is, 'Shall the House adopt House Resolution 93?' All those in favor signify by saying 'yes'; those opposed 'no'. Opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Mr. Clerk, what is the status of House Bill 565?"

Clerk Rossi: "House Bill 565 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

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

Clerk Rossi: "House Bill 565, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Representative Brosnahan."

Brosnahan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 565 is a shell Bill. We'd like to move this Bill across the hallway to work on some language. This is from the Illinois State Police. They wanna work on language that would make sure that they're in compliance with certain FBI guidelines that would allow them to continue to have access to FBI criminal records and for the dissemination of those criminal records. I would appreciate a 'yes' vote."

Speaker Hartke: "Is there any discussion on House Bill 6... 565? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 565?' 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?"

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wish? Mr. Clerk, take the record. On this question, there are 67 Members voting 'yes', 43 Members voting 'no', 3 Members voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Black, for what reason do you seek recognition?"

Black: "An inquiry of the Chair, Mr. Speaker."

Speaker Hartke: "State your inquiry."

Black: "When we have long periods where we're not doing anything and then a Bill comes on the floor as quickly as that one did, my inquiry of the Chair was whether or not Floor Amendment 1 had been adopted to the Bill?"

Clerk Rossi: "No."

Black: "All right. So, it in fact was a shell Bill. Thank you."

Speaker Hartke: "Representative Brauer, for what reason do you seek recognition?"

Brauer: "Thank you, Mr. Chairman. I think my switch needs grease on it. I want the record to show I voted 'no'."

Speaker Hartke: "We'll get you a grease gun. The Journal will reflect your wishes."

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

Speaker Hartke: "May I have your attention, please. With regards to Agreed List #3, Supplemental 1, the Clerk has certified that all Bills have received a sufficient number of votes. And therefore the Bills contained in the Agreed List #3, Supplemental 1 have received the required

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Constitutional Majority and are hereby declared passed.
Committee Reports."

Clerk Rossi: "Representative Currie, Chairperson from the
Committee on Rules, to which the following measure/s
was/were referred, action taken on April 03, 2003, reported
the same back with the following recommendation/s: 'to the
floor for consideration' Floor Amendment #1 to House Bill
375; Floor Amendment #1 to House Bill 2280, and Floor
Amendment #1 to House Bill 2369."

Speaker Hartke: "Representative Wirsing, for what reason do you
seek recognition?"

Wirsing: "Thank you, Mr. Speaker. I just wanted to alert the
Body here that it is the time for the ten year an... ten-year
review of the orange slices. And I just wanted to let
everybody know that my accountant is in the process of
coming up with a report on consumption costs of the orange
slices that have been at my desk for over the ten-year
period. And in the book that I'm writing about how people
steal my orange slices, I just wanted to alert you,
hopefully we'll have this report tomorrow and can give you
all the details about, ya know, tonnage and that sort of
thing. Just... just an alert."

Speaker Hartke: "Will this be in a color brochure put out of
your office?"

Wirsing: "Well, based upon how much money people have been
paying me for orange slices, no."

Speaker Hartke: "Could... not even gonna print it in orange?"

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Wirsing: "Well, orange would be good, yes. Well, it's really been an experience and when I started this ten years ago I said, we will do, ya know, once every ten years we'll do a... an accounting of the orange slice story."

Speaker Hartke: "And I'm sure every Member of the General Assembly will read that report like they do with all reports when they get on their desk."

Wirsing: "We will try to get it put together sometime over the next ten years so that every Member can have a written report."

Speaker Hartke: "Oh, this is not gonna be a written report?"

Wirsing: "Well..."

Speaker Hartke: "It should be."

Wirsing: "...if I have to write it, forget about ever getting a report. Mr. Speaker, thank you for allowing me to convey this little piece of absolutely useless trivia to the Body."

Speaker Hartke: "It's not the first time that's happened here. Representative Schmitz."

Schmitz: "Thank you, Mr. Speaker. Inquiry of the Chair, please."

Speaker Hartke: "State your inquiry."

Schmitz: "Earlier today we had a Bill that received, I believe, 103 'negative' votes, Representative Davis and the question I have is usually when we pass the trophy around for the century club it's generally on a Bill, this was on an Amendment. Should he have actually received that trophy or should we wait until the Bill comes up for a vote?"

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Speaker Hartke: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I was just wondering if Representative Wirsing was pushing for the orange slice to be the official candy of Illinois? And that perhaps that was why he was mentioning it. Although, I thought at one time perhaps that we had passed the Tootsie Roll, but I'm not sure on that."

Speaker Hartke: "Representative Steve Davis, for what reason do you seek recognition?"

Davis, S.: "Yes, thank you, Speaker. Inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Davis, S.: "Since I voted on the prevailing side of that Amendment, I was wondering if it would be in order for me to file a written Motion to Reconsider that vote. And then possibly some of my colleagues who voted 'no' could vote 'present' and get that back under 100, so I could give this trophy back to Representative Scully. Would that be in order?"

Speaker Hartke: "No. Representative Miller."

Miller: "In a... in response to the Representative who asked about the Amendment versus the Bill in the century club, as you know last year it was an Amendment that put me on that club, so I would be in support of just having a Bill only for the century club members. And also, in regards to orange slices and the official candy, I would just like to make a recommendation that it would be sugarless candy because we still have to be concerned with the amount of

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sugar and tooth decay, not only across the State of Illinois, but in the entire General Assembly. Thank you."

Speaker Hartke: "Thank you, Dr. Miller. Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker. And my comment to the previous speaker, thanks to me the dentistry industry in Illinois has a lot more business. And so this is a job creating, revenue source for, ya know, dentists pay taxes. So, ya know, the previous speaker's not quite on base here, because it has been helping his industry, maybe not him individually. But ya see in my district office there's also a dentist office in the same building and he and I have a... we've cut a deal. Thank you."

Speaker Hartke: "Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker. I just wanted this Body to know that hypocrisy is just so prevalent in this place. I mean Representative Miller has been the one stealing your orange slices, Representative Wirsing, and he has the gall to stand up here and to say, no sugar, sugar free, I'm a dentist, I care about nice teeth. He's been feeding me these orange slices everyday. Well, he told me it was because they had vitamin C and I've had a bit of a cold, but now I know the truth and I'm sickened by it. Thank you, Sir."

Speaker Hartke: "Representative Kosel."

Kosel: "I would like to take this opportunity to thank Representative Wirsing for his thoughtful economic policy. Thank you very much."

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Speaker Hartke: "Representative Miller."

Miller: "My name was used in debate. Ya know, it's important to know, first off, Representative Mendoza, that I am a doctor of a different type of oral cavity above the... the, as opposed to below. So, when you make references to that, let's be careful of what we're looking at here. And so second... second... secondly, other Representative has referred to a conflict of interest that I may have. Well, it is true that the more consumption that is sugar intake that the of the Members of the General Assembly there may be additional business, so I would to thank Representative Wirsing and Representative Reitz back there and Representative Giles for their contributing towards my income. And so... however, when we talk about sugar we also have to look at our waistlines and other things like that, diabetes and sugar. So, that's what the true intent of if you continue to eat orange slices, that it has other effects on the body. Thank you."

Speaker Hartke: "Last comment, Mr. Moffitt."

Moffitt: "Thank you, Mr. Speaker. Just a... Representative Miller, when on the one hand you are promoting these orange slices trying to get Members to consume more of them and yet on the other hand saying they're unhealthy and we shouldn't be, is there any chance you're speaking with a split tongue?"

Speaker Hartke: "Representative Franks for a Motion. Chair recognizes Representative Franks for a Motion."

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Franks: "Thank you, Mr. Speaker. I would like to make a Motion to have the posting requirements suspended to have a subject matter hearing on House Bill 235 in Room 118, 30 minutes after Session."

Speaker Hartke: "You've heard the Gentleman's Motion. Is there leave? Leave is granted. Agreed Resolutions."

Clerk Rossi: "House Resolution 183, offered by Representative Daniels. House Resolution 184, offered by Representative Connie Howard. House Resolution 185, offered by Connie Howard. House Resolution 187, offered by Representative Mathias. House Resolution 188, offered by Representative Osmond. House Resolution 189, offered by Representative Lindner. House Resolution 190, offered by Representative Howard. House Resolution 191, offered by Representative Chapa LaVia. House Resolution 193, offered by Representative Howard. And House Resolution 194, offered by Representative Brady."

Speaker Hartke: "You've heard the Agreed Resolutions, all those in favor signify... all those agreed signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Mr. Clerk, would you like to read the Committee Schedule."

Clerk Rossi: "There is a Committee Schedule for tonight being passed out. The following committees will meet immediately upon adjournment: the Executive Committee in Room 118, the Higher Education Committee in Room 122-B, the Human Services Committee in Room 115, the Judiciary II-Criminal Law Committee in Room D-1, the Public Utilities Committee

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in Room C-1. The following committees will meet 30 minutes after adjournment: the Commerce & Business Development Committee in Room 118 and the Transportation & Motor Vehicles Committee in Room 114. The Aging Committee will not meet immediately upon adjournment. The following committees will meet at 9 a.m. tomorrow morning: the Local Government Committee in Room 114, the Registration & Regulation Committee in Room 118 and the Revenue Committee in Room 122-B. Introduction of Resolutions. House Resolution 192 and House Joint Resolution 30, offered by Representative Hoffman, are assigned to the Rules Committee."

Speaker Hartke: "Representative Currie now moves that the House stand adjourned until the hour of 9:30 a.m. April 4 allowing perfunctory time for the Clerk. All those in favor signify by saying 'aye'; opposed 'no'. Those Members that are still within earshot, the chairman of the REG. and Reg. Committee, Mr. Saviano, reminds me that the... there's an error and that the Reg. and Reg. Committee will be canceled. Reg. and Reg. will be canceled for tomorrow morning. Opinion of the Chair, the 'ayes' have it. And the House stands adjourned until 9:30 a.m."

Clerk Bolin: "The House Perfunctory Session will come to order. First Reading of Senate Bills. Senate Bill 1382, offered by Representative Mathias, a Bill for an Act in relation to municipalities. Senate Bill 2, offered by Representative Currie, a Bill for an Act in relation to equal pay. Senate Bill 8, offered by Representative O'Brien, a Bill for an

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Act in relation to criminal law. Senate Bill 10, offered by Representative Joyce, a Bill for an Act in relation to higher education. Senate Bill 13, offered by Representative Hannig, a Bill for an Act concerning the Office of the Secretary of State. Senate Bill 15, offered by Representative Monique Davis, a Bill for an Act in relation to interrogations. Senate Bill 24, offered by Representative Soto, a Bill for an Act concerning transmitters of money. Senate Bill 25, offered by Representative Holbrook, a Bill for an Act concerning utilities. Senate Bill 50, offered by Representative Beaubien, a Bill for an Act concerning vehicles. Senate Bill 85, offered by Representative Giles, a Bill for an Act with respect to education. Senate Bill 86, offered by Representative Giles, a Bill for an Act concerning schools. Senate Bill 87, offered by Representative Giles, a Bill for an Act concerning schools. Senate Bill 88, offered by Representative Giles, a Bill for an Act concerning education. Senate Bill 172, offered by Representative Sacia, a Bill for an Act concerning taxes. Senate Bill 215, offered by Representative Holbrook, a Bill for an Act in relation to redevelopment corporations. Senate Bill 222, offered by Representative Holbrook, a Bill for an Act concerning environmental protection. Senate Bill 227, offered by Representative Granberg, a Bill for an Act concerning taxes. First Reading of these Senate Bills. There being no further business, the House Perfunctory Session will stand adjourned."