

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Speaker Giglio: "House will come to order. The Chaplain for today is the Reverend Gary McCants of the Bethel African Methodist Episcopal Church in Kewanee, Illinois. All guests in the balcony may wish to rise for the invocation. Reverend."

Reverend McCants: "May we bow our hearts. O Lord, bless this House this day and all who serve in it, and we also ask that You would bless and protect those who work in and about this chamber. Grant that these, Your people, will seek Your face and guidance as they contemplate their decisions on the issues of today. We lift up our eyes unto the hills knowing it is from that direction our help comes. It is my prayer that a voice of calm and of reason would prevail and that You would receive all the glory and honor, and now, let the words of my mouth and the meditations of my heart be acceptable in Thy sight, O Lord, my strength and my Redeemer. Amen."

Speaker Giglio: "We'll be led in the pledge by Representative Phelan."

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

Speaker Giglio: "Roll Call for Attendance. Representative Kubik."

Kubik: "Thank you, Mr. Speaker. Let the record reflect that Representative Bernie Pedersen is excused today due to illness."

Speaker Giglio: "Representative Currie."

Currie: "Thank you, Speaker. On this side of the aisle, the following Legislators are excused today: Bob Bugielski, Dan Burke, Bill Laurino, Bob LeFlore, Harold Murphy, Eugene

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Moore and Ben Martinez."

Speaker Giglio: "Mr. Clerk, take the record. On the quorum call there are 110 present. The House quorum is in order, and the House is ready to do its business. On the Special Order, under the heading Local Government, Second Reading. The intent of the Chair is to follow the Special Order Calendar and go through the Second Readings at this time. So, on that order appears House Bill 168, Representative Lang. Out of the record. Representative Capparelli. Representative Lang, on 550. Representative Balanoff. Balanoff, you have two Bills on Local Government Second Reading: 610 and 611. Do you wish to have those Bills called, Sir? Okay. We'll come back. Santiago. Representative Homer. Yes. Representative Santiago. Out of the record. Representative Homer. House Bill 2240, Representative Erwin. The Lady from Cook, Representative Erwin. Out of the record. Education, House Bills, Second Reading, appears House Bill 1083, Representative Churchill. Churchill. House Bill 1165, Representative Hoffman, Jay Hoffman. Out of the record. House Bill 1192, Representative Currie. Barbara Flynn Currie. Out of the record. Representative Burke. House Bill 2198, Representative Hawkins. (House Bill) 2198. Out of the record. House Bill 2230, Representative Kubik. Representative Kubik. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2230, a Bill for an Act to amend the School Code. The Bill's been read a second time previously. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Hoeft."

Speaker Giglio: "Representative Hoeft, on Amendment #2."

Hoeft: "This is an Amendment to try and help the schools curb

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

problems with gang attendance. I would ask that it be placed in so we could discuss it on the floor, Third Reading."

Speaker Giglio: "Any discussion on the Amendment? Representative Granberg."

Granberg: "Would the Representative yield?"

Speaker Giglio: "He will."

Granberg: "Representative, could you explain Amendment #2? We didn't...we didn't catch what...exactly what it did. It replaces the entire Bill?"

Hoelt: "Yes, it does."

Granberg: "And what does it do?"

Hoelt: "Amendment #2 says that a student cannot graduate before 21 years old because of lack of credit. When they are attempting to re-enroll in school, the school shall deny them the rights to re-enroll if they have an ability to give them an alternative educational setting."

Granberg: "Was this...is this...is this language identical to House Bill 1845 which failed in committee?"

Hoelt: "No, it is not. This is the compromise that was worked out to get the IEA and the State Board involved in it."

Granberg: "Did House Bill 1845 fail in committee?"

Hoelt: "Yes, it did."

Granberg: "And has this Amendment been filed to other House Bills, 508, 532 and 760?"

Hoelt: "It has been filed to a group of Bills."

Granberg: "And you have worked...was that the agreement at the time your Bill was called in committee and failed, that you would work with the IEA on this?"

Hoelt: "We did not have agreement at that time."

Granberg: "So, when your Bill failed, you went to the IEA to try to work out an agreement?"

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Hoeft: "They came to me and we worked it out together."

Granberg: "So, who worked with you on your Amendment? On Amendment #2? The IEA and who else?"

Hoeft: "State Board of Education."

Granberg: "The State Board of Education. And has anyone else been contacted on this?"

Hoeft: "These are the two groups we contacted."

Granberg: "How 'bout the Illinois Association of School Boards?"

Hoeft: "They have not been contacted."

Granberg: "Who opposed this legislation in committee?"

Hoeft: "The State Board and the...the State Board, basically."

Granberg: "Basically, did anybody else?"

Hoeft: "No one else."

Granberg: "Were there any other witness slips put in on your Bill?"

Hoeft: "There were no other witness slips."

Granberg: "The Illinois Association of School Boards did not put in a witness slip on your Bill?"

Hoeft: "They did not."

Granberg: "But you have not contacted the Illinois Association of School Boards or the Ed-Red or anyone else on this language?"

Hoeft: "Yes, they have been contacted. They have not come out with a position."

Granberg: "Did they tell you they would come out with a position?"

Hoeft: "No, they did not. Many of the schools within it have contacted me and said they support it. This comes out of East Aurora public schools at their request."

Granberg: "How many school districts does this impact?"

Hoeft: "In Ed-Red?"

Granberg: "In all...does it impact all school districts?"

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Hoeft: "All school districts."

Granberg: "So, you contacted...you spoke with Ed Red?"

Hoeft: "I have talked with them about the Bill."

Granberg: "And what is their opinion?"

Hoeft: "There is no formal position."

Granberg: "And the Illinois Association of School Boards, which represents all school boards throughout the state, they have no opinion?"

Hoeft: "They have no opinion."

Granberg: "They told you they have no opinion?"

Hoeft: "They told me they have taken no position on this."

Granberg: "Did they indicate why or why not?"

Hoeft: "They just have not passed it through."

Granberg: "Representative, did you realize that this Amendment is on the Elementary and Secondary Committee Bill that they have?"

Hoeft: "Yes, I did. We put it on a variety of Bills and then decided to go with this Bill."

Granberg: "Okay. Why don't...why don't you stay with the Committee Bill? If it's already on the Committee Bill, why don't we stay with that."

Hoeft: "I believe it had been withdrawn from that."

Granberg: "You want the Amendment withdrawn from the Committee Bill?"

Hoeft: "It was my opinion that it had been withdrawn from that. This was the Bill that I was given to run with it. It's certainly not amended on to that."

Granberg: "Representative, thank you."

Speaker Giglio: "Further discussion? The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. In response to the prior

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

questioner, Representative Hoeft came to me and asked me which Bill would be suitable to have this amended onto and, frankly, I got my signals crossed with a couple of those things and gave him some bad advice. The Amendment itself, which will become House Bill 2230, is an initiative. It's an anti-gang crime initiative from the East Aurora School District, and it really is a very worthwhile concept. Thank you."

Speaker Giglio: "Further discussion? All those in favor of the Amendment say 'aye'; opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 2198, Representative Hawkins. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2198, a Bill for an Act concerning the formation of corporations by public universities. Second Reading of the Bill. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hawkins."

Speaker Giglio: "Representative Hawkins."

Hawkins: "Ladies and Gentlemen of the House, this is a technical Amendment that changes this section from a 'for-profit corporation' to a 'non-profit corporation'."

Speaker Giglio: "Any discussion? The Gentleman from Vermilion, Representative Black"

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

Speaker Giglio: "He indicates he will."

Black: "Representative, we've had a lot of concerns over the years about universities going into businesses that compete with a for-profit ma-and-pa type businesses in their

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

communities. For example: Not long ago I think the University of Illinois was selling computers through its bookstore, considerably under the price that anybody could sell it for in Champaign-Urbana. What's the genesis of this Amendment? Why do we want universities to get into... Well, I see you're changing from 'for-profit' to 'not-for-profit', right?"

Hawkins: "Yes."

Black: "And what would the genesis of this be? What kind of businesses..."

Hawkins: "The genesis of this legislation is...currently, if a university or a faculty member has an invention, they have to go to a private company and get that company...to sell that invention for them. This would simply just allow the university to set up a non-for-profit corporation and that way it would be more money for the school and for the faculty member."

Black: "Okay. I...it's my understanding that this was the Amendment you had agreed to in committee?"

Hawkins: "Yes, and I'm gonna to hold it on Second Reading because the University of Illinois and SIU, I'm still in negotiations with them."

Black: "You're a Gentleman. I rise to support your Amendment. Thank you."

Hawkins: "I'd like to keep it on Second."

Speaker Giglio: "Any further discussion on the Amendment? All those in favor of the Amendment say 'aye'; opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "He wants to hold it on Second. Leave the Bill on Second Reading, Mr. Clerk. On the Order of Elections

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

and State Government. Representative Curran, for what purpose do you rise, Sir?"

Curran: "Mr. Speaker, Ladies and Gentlemen of the House, I have with me at my desk on the House floor a very special young lady who is walking across the nation to create an awareness for AIDS. As she has reached Springfield this week, coincidentally, our Mayor and city council have made this AIDS awareness week in Springfield. She has walked 2200 of a 3000 mile journey. She walks about ten miles a day. She told me on the way over here that she's homesick for her children, or I guess, her son, and that she's met a lot of wonderful people, and it's hard to leave all those people after she's made friends. Her name is Judith Hyde. She's walking across the nation. She's putting her shoe leather where her mouth has been. She is a great American, she is doing a wonderful thing, and I think that Judith Hyde deserves a round of applause."

Speaker Giglio: "Thank you, Representative Curran. On the Order of Education, Second Reading, appears House Bill 1083, Representative Churchill. On the Order of Elections and State Government, Second Reading, appears House Bill 103, Representative Novak. Out of the record. House Bill 109, Representative McAfee. McAfee. Out of the record. Representative Schoenberg, 140. Out of the record. House Bill 147, Giolitto. Out of the record. House Bill 660, Representative Schoenberg. (House Bill) 660. House Bill 832, Representative Curran. (House Bill) 832, Sir? Read House Bill 832, Mr. Clerk."

Clerk McLennand: "House Bill 832, a Bill for an Act to amend the Election Code. Second Reading of this Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Biggins."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Speaker Giglio: "Representative Biggins, on House Bill (sic-Amendment) 1 to 832. Representative Biggins. You have an Amendment, Sir. You want to take it out? Withdraw?"

Biggins: "No. Thank you, Mr. Speaker. Mr. Speaker, I put an Amendment on House Bill... I put this Amendment on several Bills. As the Members of this Body may recall, there was an incident in the City of Chicago which caused an elected official to be...enter into an agreement whereby he would relinquish his office but continue to remain on the payroll. I decided... I thought that was improper and that, if a person enters into an agreement on a felony, that it should be required they relinquish their office immediately so that the taxpayers don't continue to pay this person's salary while they are an admitted felon. So, I tacked on this Amendment to this House Bill because I thought it was germane and should be discussed and voted on by the House. In essence, it would require public officials to resign if they are involved in an infamous crime and admit guilty or are convicted prior to the sentencing they would have to resign immediately. This affects not just the resigned City Clerk of Chicago but all of the government officials in this chamber, potentially...potentially hopefully, none of us, but also it will be affecting all of those elected tomorrow in townships and in municipal elections throughout our state. This is a very important Amendment, very germane toward the business of this House and in response to the clamor that the public has given over the situation involving the City Clerk of Chicago. I move for its adoption."

Speaker Giglio: "Representative Curran."

Curran: "Because other Amendments which have been filed have not

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

yet been distributed, I'd like to take this Bill out of the record."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. House Bill 973, Representative McGuire. Out of the record. House Bill 1201, Representative Currie. Out of the record. House Bill 1228, Representative Curran. Out of the record. House Bill 1460, Representative Edley. Edley. Out of the record. House Bill 1745, Representative Rotello. Rotello. Out of the record. House Bill 1912, Representative Moseley. Representative Moseley in the chamber? Out of the record. House Bill 2296, the Lady from Champaign, Representative Prussing. (House Bill) 2296. Out of the record. On the Order of Environment and Energy, Second Reading. Representative Novak, you have three Bills. 298, 299 and 300. Out of the record. House Bill 497, Representative Hoffman. Representative Jay Hoffman, on 497. Is the Gentleman in the chamber? Out of the record. Representative Deuchler, 1341. Do you wish to call this Bill? House Bill 1341. Yes? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1341, a Bill for an Act to amend the Illinois Purchasing Act. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 1450, Representative Dart. (House Bill) 1450. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1450, a Bill for an Act to amend the Solid Waste Planning and Recycling Act. The Bill has been read a second time previously. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Dart."

Speaker McPike: "Gentleman from Cook, Representative Dart."

Dart: "Thank you, Mr. Speaker. This merely adds an immediate effective date, and I move for its adoption."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Speaker Giglio: "Any discussion? Representative Black."

Black: "I'm sorry. Did he move to accept Amendment #2?"

Speaker Giglio: "Yes."

Black: "And that's the immediate effective date?"

Speaker Giglio: "That's correct."

Black: "It's hard to argue against an immediate effective date. You realize that, Mr. Speaker. But I...if that's all the Amendment does...and I can only speak to the Amendment, is that right, Mr. Speaker?"

Speaker Giglio: "That's correct, Representative."

Black: "It's awfully hard to speak against an immediate effective date, but, may I...may I be assured that I can revise and extend my remarks at the appropriate time?"

Speaker Giglio: "Yes."

Black: "Thank you."

Speaker Giglio: "Further discussion? All those in favor of the Amendment say 'aye'; opposed, 'no'. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Deering, 1965 and 1967. Out of the record. House Bill 2183, Representative Moffitt. Out of the record. On the Order of Health Care and Human Services, Second Reading, appears House Bill 257, Representative Phelps. Out of the record. House Bill 453, Representative McGuire. The Gentleman from Joliet, Representative McGuire. Out of the record. House Bill 971, Representative Curran. Representative Curran, on 971. Out of the record. Representative Ryder, 1390. Out of the record. Representative Currie, 1814. Out of the record. (House Bill) 1995, Representative. (House Bill) 1995? Do you wish to call the Bill? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 199..."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Speaker Giglio: "Out of the record. Out of the record. House Bill 2242, Representative Schoenberg. Read the Bill."

Clerk McLennand: "House Bill 2242, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of this Bill. No Committee Amendments. No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 2332, Representative Ryder. (House Bill) 2332. Out of the record. Representative Ryder, you had another Bill, 1390? Out of the record. On the Order of Housing and Economic Development, Second Reading, appears House Bill 539, Representative Pedersen. Out of the record. Representative Pugh, on 648. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 648, a Bill for an Act to amend the Illinois Housing Development Act. Second Reading of the Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Pugh."

Speaker Giglio: "Representative Pugh."

Pugh: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 648 has a technical Amendment, and the Amendment merely changes the...is changed from the Department of Housing to the Chicago Housing Authority, and I honorably request a favorable vote."

Speaker Giglio: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. We're only adopting Floor Amendment #2 at this time, correct? And that's a technical Amendment to clean up some... Okay, thank you."

Speaker Giglio: "All those in favor of the Amendment say 'aye', opposed, 'no'. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Turner, you have

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

two Bills: 1060 and 1156. Out of the record. House Bill 2142, Representative Moseley. Is the Lady in the chamber? Out of the record. On Second Reading, Professional Regulations, appears House Bill 208, Representative Hicks. (House Bill) 208? Do you wish to call that Bill, Sir? Read the Bill."

Clerk McLennand: "House Bill 208, a Bill for an Act to amend the Real Estate License Act of 1983. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hicks."

Speaker Giglio: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 to House Bill 208 is an agreed language Amendment dealing with the Commercial Real Estate Brokers Lien Act. This Bill...this language is agreed to between the Illinois Association of Realtors and the Illinois State Bar Association. Be happy to answer any questions."

Speaker Giglio: "Any discussion? All those in favor of the Amendment say 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Steczo, 210. Out of the record. Representative Kaszak, 211 and 212. Is the Lady in the chamber? Out of the record. House Bill 412, Representative Steczo. Steczo. Out of the record. Representative Kaszak, you have two Bills: 211 and 212. Do you wish to hear those Bills? Out of the record. Representative Santiago, 715. Representative Santiago? Out of the record. Steczo, on 1532. Representative Steczo? Out of the record. Representative Deering, on

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

1554. (House Bill) 1554. Out of the record. House Bill 2114, Curran. Representative Curran? (House Bill) 2114? Read the Bill."

Clerk McLennand: "House Bill 2114, a Bill for an Act to amend the Barber, Cosmetology, Esthetics and Technology Act of 1985. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Giglio: "Third Reading. Representative Jones. House Bill 2316. Representative Lou Jones. Out of the record. House Bill 539, Representative Skinner. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 539, a Bill for an Act concerning the scientific evaluation of job training programs for disadvantaged persons. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Giglio: "Third Reading. On the Order of Public Utilities, Second Reading, appears House Bill 1844. Out of the record. House Bill 2014, Representative Shirley Jones. The Lady from Cook. Out of the record. On the Order of Revenue, Second Reading, House Bill 410, House Bill 1310. Representative Steczo. Out of the record. House Bill 1294, Representative Woolard. (House Bill) 1294. Out of the record. On the Order of Roads and Transportation, House Bill 127, Representative Giorgi. Representative Giorgi in the chamber? I hear Representative Giorgi in the chamber? Out of the record. Representative Hartke, you have four Bills. (House Bill) 457. Do you wish to call 457? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 457, a Bill for an Act to amend the Illinois Vehicle Code. The Bill's been read a second time previously. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Representative Hawkins."

Speaker Giglio: "Representative Hawkins, on Amendment #2 to House Bill 457."

Hawkins: "Mr. Chairman, Ladies and Gentlemen of the House, this Amendment here would simply take the fine money that is collected for overweight trucks on county roads to remain in the county rather than to go to the state. It makes sense to... The county roads are the ones that are being damaged by overweight trucks and that the money from those fines should go there. Be glad to answer any questions."

Speaker Giglio: "Any discussion? All those in... Representative Wennlund."

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

Speaker Giglio: "Indicates he will."

Wennlund: "If the overweight violation occurs on a township road under this Amendment, where would the moneys go?"

Hawkins: "Township district."

Wennlund: "It would go to the Township Road Commissioner?"

Hawkins: "To the Township Road... It would go to the Township Road Fund."

Wennlund: "And, if...if the overweight occurred on a county's road, then it would go to that particular county in which..."

Hawkins: "That's correct."

Wennlund: "How much money does this generate currently of moneys that would normally go to the Department of Transportation."

Hawkins: "I don't know. I can't answer that."

Wennlund: "The Department of Transportation says it would reduce the amount that's available for road construction in Illinois to the tune of \$6.1 million a year."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Hawkins: "Well, they're wrong on that. It would reduce the amount of road construction for state highways, but it would provide that much money for road construction of roads that are damaged by overweight trucks on county highways."

Wennlund: "Okay. Thank you very much."

Speaker Giglio: "Further discussion? All those in favor of the Amendment say 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Hartke, on 458. Hold the Bill. How 'bout 1113? (House Bill) 1113. (House Bill) 458? You could discuss these matters with the matter...we'll come back to you. Representative Deuchler, on 2308. Representative Deuchler. Is the Lady from Kane in the chamber? Out of the record. Mr. Clerk, read House Bill 2308."

Clerk McLennand: "House Bill 2308, a Bill for an Act to amend the Illinois Vehicle Code. The Bill's been read a second time previously. Amendment #1 was adopted in committee. No Floor Amendments, and a state mandates note has been requested."

Speaker Giglio: "No Floor Amendments, either?"

Clerk McLennand: "No Floor Amendments."

Speaker Giglio: "All right. The Bill will remain on Second Reading, Representative Deuchler. There's a fiscal note filed. On the Order of Roads and Transportation, House Bill 458, Representative Hartke. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 458, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Amendment #1 was adopted in committee. No Motions filed.

Floor Amendment #2, offered by Representative McPike."

McPike: "The Gentleman from Madison, Representative McPike on Amendment #2."

McPike: "Thank you very much, Mr. Speaker. Amendment #2 deals with go-carts, and it provides that...it provides that anyone riding a go-cart must have a seat belt and a roll bar and for minors under the age of 16, they must have a helmet, and a violation of this is a Class A misdemeanor by the operator. The purpose behind this is to respond to an accident that happened in Belleville this last year where a young child was allowed to wear a go-cart unsupervised. The child was about eight years old. He had no seat belt. He had no hard hat on. The go-cart flipped over and he was killed. So, we think that young kids that are riding these should have some protections, and I think these are minimal protections that you or any parent would want to have for your child riding one of these vehicles. You have to remember that these go up to 30 miles an hour. When they flip, there is no protections whatsoever, and if you want to protect youngsters from serious injuries and possible death, then I think this is a good way to start. I move for the adoption of the Amendment."

Speaker Giglio: "Any discussion? Representative Weaver."

Weaver: "Thank you, Mr. Speaker. Ladies and Gentlemen, we have visited the helmet issue time and time again in this chamber. This is simply a foot in the door to get helmets on all motorcycle riders, and I really don't think it's a good way to start. There's no law against wearing helmets, and I think it really implies that we need to encourage more parental involvement in whatever the kids are riding whether it's motorized or not motorized. I simply stand in

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

opposition to this Amendment, and I would request a Roll Call Vote."

Speaker Giglio: "Representative Saltsman."

Saltsman: "Yes. Will the Sponsor yield, please?"

Speaker Giglio: "Indicates he will."

Saltsman: "Yes. Representative McPike, does this also include supervised tracks where you'd pay where our carnival ride people have made the inspections. I have a go-cart track that's been operating in my area for probably 40 years, and they've had a very, very good accident record because they're under supervision constantly. There's adults there, and if a child goes into this track...now, under the Carnival Act, we had a lot of problems, myself and Representative Frederick and us did back about six, seven years ago after the fatal accident on a roller coaster up in Pontiac, Illinois. We went to the Department of Labor and started this Carnival Inspections Act with the Department of Labor. I don't object to your Bill..."

McPike: "To answer your question, the answer is yes. I believe the Department of Labor has one inspector for the State of Illinois. One inspector, and that's it, and regardless of how many times you inspect, you can inspect every day, it doesn't make any difference. If you have a six-year-old child driving one of these without any protection, all the inspections in the world won't help you. This doesn't increase the number of inspections. We have one inspector for the entire state. For 12 million people, we have one inspector in the Department of Labor. This doesn't increase the amount of inspections. It simply says that after you're inspected, you have to follow these new rules. The rules are very simple. Put a seat belt on and wear a hard hat. This has nothing to do with motorcycles; it has

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

nothing whatsoever to do with motorcycles. It says that for young kids riding go-carts...this isn't a for-profit go-cart track inspected by the Department of Labor, yes. Very simple Amendment. Put a hard hat on, put a seatbelt on. Don't kill yourself. Don't break your back. Be safe. Stay alive."

Saltsman: "Yes. Okay. You've answered my question, but I'm very fortunate in my area, and it's very difficult for me because they went and made sure that the go-carts have shields between the gas tanks and so on, you know, to really make 'em spend more money on these go-carts at this track facility. It's a family operated program, and you can't...noone's going to buy a helmet that's going to be more than the cost of the go-cart, right? For a kid to go there, and I'm not going to let my grandkids put helmets on that somebody's worn five minutes before that, so it would probably put this go-cart track out of business. I mean, I...that's the only thing I'm worried about. I gotta take care of the people in my district who run a clean operation."

Speaker Giglio: "Further discussion? Representative Stephens."

Stephens: "Thank you, Mr. Speaker. This Amendment has nothing to do with helmets or motorcycles. The Gentleman's Amendment, I think, is very much in order. He's dealing with an issue that came to light in metro-east area last year. I rise in support of the Gentleman's Amendment."

Speaker Giglio: "Further discussion? Representative McPike."

McPike: "Again, I think I've already said it twice. This has nothing to do with motorcycles. It started when a young child was killed in Belleville, so you have kids. Some of you have grandkids. All of you...you know, all of the kids in your district, just ask yourself if you want a young

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

child riding a go-cart without any safety protection. We passed seat belts for cars years ago. We have car seats for toddlers. You take 'em out of your car and you put 'em on a go-cart and it's going 30 miles an hour by themselves, and you say, 'Well, that's all right, we don't care.'. All this Amendment says is that yeah, we do care. We'd like to provide some minimal amount of safety for these kids."

Speaker Giglio: "All those in favor of the Amendment say 'aye'; opposed, 'no'. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "Amendment #3, offered by Representative Hartke."

Speaker Giglio: "Representative Hartke, on Amendment #3."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. Amendment #3 to House Bill ⁴⁵³~~405~~ is nothing more than cleaning up the funding mechanism for the provisions of defining overweight trucks, and I would appreciate your support for Amendment #3."

Speaker Giglio: "Any discussion? Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. With Amendment #2 having been adopted, this Amendment would be out of order."

Speaker Giglio: "Amendment #2 has been adopted."

Wennlund: "Then Amendment #3 is out of order. You'll need another Amendment to clear it up."

Speaker Giglio: "Mr. Clerk, let me see the Amendment."

Wennlund: "All right. It guts the Bill, Mr. Speaker. Amendment #3 actually guts the Bill, so..."

Speaker Giglio: "Representative Hartke."

Hartke: "I think you're...he's absolutely correct, I don't want to take the second Amendment off, so can we just...take it out of the record right now and Amendment #2 will stay on, and we'll pull it back in when we have Amendment #4

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

prepared?"

Wennlund: "Sure. Sure. Okay. I just didn't want...I didn't think Representative McPike would be real happy if you had gutted his Amendment out."

Hartke: "No. Nope. Thank you."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. Representative Hartke, 1113. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1113, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendments 1 and 2 were adopted in committee. No Motions filed. Floor Amendment #3, offered by Representative Woolard."

Speaker Giglio: "Representative Woolard."

Woolard: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. What Amendment #3 does is...puts rural area rides, mass transit transportation systems on a level playing field with some of the urban areas. What we're trying to accomplish is the opportunity to serve those people who have needs in many, many of the areas of this state that now are not getting access to those mass transit systems. We believe that this is a much needed and necessary piece of legislation that will accommodate this. This will allow us to have adequate funding to accomplish our end when we're through."

Speaker Giglio: "Any discussion? All those in favor of the Amendment say 'aye'; opposed, 'no'. In the opinion of the Chair the Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. (House Bill) 1114, Representative Hartke. Out of the record. On the Order of Constitutional Officers, Second Reading, appears House Bill 1778, Representative Stephens. (House Bill) 1778. Read

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1778, a Bill for an Act to amend the Illinois Library System Act. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Giglio: "Third Reading. On the Order of Second Reading, Consumer Protection, appears House Bill 793. Representative Schakowsky. (House Bill) 793. Out of the record. House Bill 1645, Representative Turner. Art Turner, 1645. Consumer Protection. Out of the record. State Operations, Second Reading. House Bill 177, Representative Santiago. (House Bill) 177. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 177, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 314, Representative Homer. Out of the record. House Bill 362, Representative LeFlore. (House Bill) 362. (House Bill) 363. Anybody carrying the Bills for Representative LeFlore? Out of the record. House Bill 429, Representative Rutherford. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 429, a Bill for an Act to amend the Illinois Lottery Law. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Rutherford."

Speaker Giglio: "The Gentleman from Livingston, Representative Rutherford."

Rutherford: "The Illinois State Lottery has a perception by many that the funds go directly into the Education Fund. Well, those in the appropriations cycle, obviously realize that it does not, and since perception is reality, a movement that we're trying to present in this legislation would

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

require that the State Lottery would print on the back of each ticket that by law, all net lottery proceeds are transferred to the Common School Fund. These net proceeds do not necessarily increase state funding for education. So, it's a compliment to the effort that the lottery is doing, and I would move 'do adopt'."

Speaker Giglio: "Any discussion on the Amendment? The Gentleman from Clinton, Representative Granberg."

Granberg: "Representative, would you yield...ask a question. Representative, has the...the lottery departments or the Governor's office taken a position on your Amendment?"

Rutherford: "The lottery is not opposed to having something printed on the back of the ticket. They're not necessarily totally enamored with it...with the wording in the last sentence."

Granberg: "So, the lottery...the Department of the Lottery is not in favor of your Amendment?"

Rutherford: "The Department of the Lottery is not opposed to the Amendment."

Granberg: "There...are they opposed or are they in favor?"

Rutherford: "As I would take it, they would take a neutral position."

Granberg: "They would take...they would take a neutral position on your Amendment?"

Rutherford: "They've got some...they've got a word they want to change in the last sentence."

Granberg: "What is the word they want to change?"

Rutherford: "I believe it's got to be the word 'not'."

Granberg: "So, they want to remove the word that does not necessarily go to education? So, they want to make it where it says it does go to education?"

Rutherford: "As I understand it, the lottery would like for it to

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

say that in part goes to education, so I think we've got a bit of a semantics which seems to be the perennial problem that the lottery has with regards to this whole thing."

Granberg: "Okay. So the lottery does not want to put on the ticket that it doesn't necessarily increase education funding."

Rutherford: "Does not necessarily... That is correct. They...they don't oppose putting something on the ticket, but it's...I think the semantics in perception of how much does or does not go to education."

Granberg: "Thank...thank you, Representative."

Rutherford: "Thank you, Representative."

Speaker Giglio: "Representative Balanoff."

Balanoff: "No. I just rise in support of this truth in advertising Amendment. Probably the biggest scam in town is that somehow the lottery funds education. All of us at forums and public meetings have always been asked 'Well, when it comes to funding for education, well what about the lottery?' The lottery in no way funds education. I just...this Amendment just adds a little bit of truth to the lottery tickets."

Speaker Giglio: "Representative Granberg."

Granberg: "Representative, a point of clarification, Mr. Speaker. I've just been informed by a representative of the lottery that they are opposed to this Amendment. Now, I just want to let the Members know...inform the Members, the lottery is opposed to this Amendment."

Speaker Giglio: "The Lady from Cook, Representative Murphy."

Murphy, M.: "Thank you...thank you, Mr. Speaker and Ladies and Gentlemen of the General Assembly. This is one of those Bills that we often refer to as a 'good government Bill'. The Bill is a Good Government Bill, the Amendment is a good

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

government Bill, and we over on this side of the aisle will not be afraid of a Roll Call Vote if necessary on this Amendment. To speak to the Amendment. As Sponsor Balanoff pointed out, this will strengthen...it will strengthen the original Bill, 429. (House Bill) 429 dealt with letting the public know in advertisements... Can we have some order? (House Bill) 429...the genesis of the Bill speaks to not having the lottery ill-advised through advertisement any intention to the public. What better way than with Amendment #1 as prepared by Rutherford and hyphenated with Sponsor Balanoff of right of the very product that is being sold; the lottery ticket itself will clearly state what the intent of 429 has reached. We over here again...we duly respectfully call, knowing the time. I don't think it will take long if we go through a Roll Call Vote on this. I speak in favor of the Amendment and the Bill. Thank you."

Speaker Giglio: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to commend Representative Balanoff, as well as Representative Rutherford, for bringing forth this Bill and this Amendment. We've had negotiations over the last several weeks with the agency. The agency recognizes that there's an awful lot of public confusion, but they keep vacillating in terms of whether or not they want to correct that confusion. You and I know that the most asked question we get from our constituents is, 'Well, isn't the lottery taking care of education'? We then have to spend the next ten minutes explaining that while technically the money from the lottery goes into the Common School Fund, that doesn't bring about additional funding for education. That's what this Amendment intended to do, to clarify the most commonly asked question we get, and

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

clearly the reason last fall that the Constitutional Amendment on Education went down, because of the public confusion. I think this is a good Amendment, and I think the department has got to get its act together."

Speaker Giglio: "Further discussion? The Lady from Cook, Representative Davis."

Davis: "Thank you, Mr. Speaker. I rise in support of this Amendment, because it really just lends itself to truth-in-advertising. There are a number of questions from constituents on a constant basis as to where does the lottery money go? Why are you still having problems with education? When you passed that lottery Bill you stated that this was going to increase educational funding. So, what this piece of legislation does, it lets people know that it does not necessarily increase state funding for education. It states that all the proceeds are transferred to the Common School Fund, and yet it clearly defines the fact or identifies the fact, that these proceeds, even though they go to the Common School Fund, they do not necessarily increase those state dollars that fund education. I think that's an important and significant truth, and I think Legislators should lead all else in providing truth-in-advertising. About two years ago, we passed legislation that stated that the lottery was to give truth in the odds. What were the odds of winning, and they watered that down, they watered that down until you hardly see what those odds are in their advertising. So, we just think this is an excellent piece of legislation to help your constituents understand that those lottery funds are...dollars they play do go to a Common School Fund; however, they do not increase funding to the operation of education in the state. Thank you."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Speaker Giglio: "Further discussion? Representative Steczko."

Steczko: "Thank you, Mr. Speaker and Members of the House. I rise in opposition to this Amendment, because after reading the language, you know, I find out this is almost as untruthful perhaps as some of the people perceive the lottery as being right now. The fact is, is that the proceeds that we get from the lottery does go in to the Common School Fund. The fact is, whether we'd like to admit it or not, that \$600 million that goes from the lottery to the Common School Fund does, in fact, help educational assistance in the State of Illinois. I would just ask you...the converse, I guess, of the question that is opposed in this section, and that question is...or the language of the section says, 'These net proceeds do not necessarily increase state funding for education.' I would ask each and every one of you what would happen without that \$600 million in the Common School Fund. Certainly, we would be...see a drastic decrease in funding for schools in this state, so I think this language in itself is a misnomer. This will cause more problems and more misunderstandings on behalf of the public and should be defeated."

Speaker Giglio: "Representative Black."

Black: "Thank you very much, Mr. Speaker. Could we have a little order in the chamber? You know, this is an annual masochistic exercise that we go through. Democrat passed the lottery...it was the father of the lottery, you all know who he is, and he isn't bashful about that, and thank God he did, or where would you come up with \$580 million for the Common School Fund this year? Now, folks, you can't have it both ways here. The profit of the lottery goes to the Common School Fund, and that law was changed under the sponsorship of the Democratic Representative,

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Representative Pangle. I agree with what Representative Steczo said. This is the ultimate hypocrisy. Who do you think, who do you think maneuvered the money from the lottery and played the shell game? Was it the lottery? Hell, it was the General Assembly that did it. You people right in here played the shell game with that money, and we could, if we wanted to, add the lottery over and above other appropriations tomorrow if you wanted to. Who are you kidding? All this crazy Amendment does, in all due respect to the Sponsor, is to further diminish the people who play the lottery. Then where are you going to come up with \$580 million profit that goes into the Common School Fund? Hey, either support the lottery or do away with it, but stop this hypocrisy and vote 'no'."

Speaker Giglio: "The Gentleman from Champaign, Representative Tim Johnson."

Johnson, Tim: "You know, sometimes it takes the new Members of the General Assembly for us to realize how much we get jaded as a result of being in this process. This is an absolutely good Amendment to the Bill. The fact of the matter is, despite the protestations to the contrary, that lottery moneys really don't go to the school at least in whole or in part. It's a shell game. Everybody knows it's a shell game. The citizens, unfortunately, don't have the same awareness that we do, and they need to understand that the promise we made to them several years ago is an illusory promise; and, perhaps, if this Amendment gets on and those go on the back of lottery tickets and the people realize what's happening, perhaps there'll be enough support for legislation that's been introduced here, Representative Weaver and myself and others have introduced, Members from the other side of the aisle as

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

well, that we can get the Bill passed and assure that moneys from the lottery's truly do go to the schools through the formula that we set up in that Bill rather than that Bill languishing in committee, so I urge strong support for this very, very good Amendment from our new colleague, Representative Rutherford."

Speaker Giglio: "The Gentleman from Peoria, Representative Saltsman."

Saltsman: "Yes. Thank you, Mr. Speaker. I firmly confirm what Representative Black said. I have a copy of the Sun-Times, Sunday, December 2, 1973 with the picture of Harold Washington standing here with Zeke Giorgi, and we're going to ask Zeke a question in a couple minutes. Let's read the first paragraph: 'Writing on the RTA compromise, the first general lottery won Illinois House approval on Saturday and went to the Governor's desk for his expected signature'. The lottery was put in only because, let's face it, of the RTA was in debt at that time, and then if we go down one more short paragraph: 'The lottery was included in the RTA compromise as a potential source of revenue to replace funds designated for an annual subsidy of the RTA'. Who ever said this was for schools? Our people went back home. I wasn't here then, I didn't do it, thank God. Our people in the General Assembly then; none of them are here anymore. I think there only 17 people on this floor that's been here longer than I have, or as long. Well, let me tell you something. I go back home, there's teachers asking me, 'Where's the money go?' These people are supposed to be educated. These are teachers. They're school superintendents and on account of mismanagement say 'We're not getting any of the lottery money.' Well, the...let's face it, the educational fund is \$5 billion.

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

What in the heck is \$600 million versus \$5 billion? My second year in this General Assembly, and my first term, Representative Giorgi in that very same seat stood up and he pointed at your side of the aisle and says, 'You people didn't want this lottery, but look what it's bringing to the state'. In 1982...it's on tape, Representative Giorgi says 'and it brought in \$100 million this year'. Up until then, nobody was fighting over it, but we still had people coming into our office, even during my term, saying, 'Oh, that's for education'. Never was for education. Went back home and lied to the people. But the best part of it is, we got some educators out there that aren't too brilliant. You ask 'em this question. Ask an educator or superintendent, 'We're at \$600 million now, every state around us is getting lottery. If we drop down to \$300 million, you want to take that loss and not go to the regular appropriations process that we do here?' If we want to do that, if we want to take a loss and dip down to \$300 million, or if riverboat gambling robs us some more, or if Chicago casino which is gonna be coming robs us some more, are the educational systems going to say, 'Take that cut out of our budget next year'? You ask a superintendent and he's going to tell you, 'No, Don, leave it alone. Leave it like it is'. But he tells the PTA this on account of his mismanagement, and these superintendents do, not all of 'em, probably a third of 'em do, 'cause half of 'em don't know what they're doing anyhow, but the thing of it is, this was never made for this. We're only a pinch...one-eleventh of the education budget as this. Don't go home and criticize the General Assembly. I wouldn't even criticize Governor Edgar over this. But all we're doing is throwing a piece of...or throwing a smoke

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

screen out there that everybody should be able to read through, and this Amendment should be defeated. We don't need anymore things to clog up the back of the lottery ticket. I'd like to ask Representative Giorgi a question if I may. Mr. Speaker?"

Speaker Giglio: "Representative Giorgi? You want to answer the question or Representative Saltsman?"

Giorgi: "Yes. I'd like to have you respond. You were the one that was here. I wasn't."

Speaker Giglio: "All right. Wait a minute, Representative Saltsman. Representative Rutherford."

Saltsman: "Who?"

Rutherford: "I'd like to take this out of the record for the time being."

Speaker Giglio: "Take the Bill out of the record."

Representative Rutherford: "But we shall return."

Speaker Giglio: "Take the Bill out of the record. On the Order of Agriculture and Conservation, Second Reading, appears House Bill 602, Representative Hicks. Out of the record. House Bill 690, Representative Moseley. Representative Moseley. Out of the record. (House Bill) 1074, Representative Churchill. Out of the record. Representative Hartke, on 1259. Out of the record. (House Bill) 1990, Representative Brunsvold. Brunsvold. (House Bill) 1990. Out of the record. On the Order of Insurance, Second Reading, appears House Bill 1067, Representative Hicks. Representative Hicks. Out of the record. Representative Hicks, on 1829. Out of the record. (House Bill) 2390, Representative Ryder. (House Bill) 2390? (House Bill) 2390? Out of the record. You want to hear it? (House Bill) 2330. Yes. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2330. A Bill for an Act to amend

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

the Illinois Insurance Code. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Ryder."

Speaker Giglio: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. This Amendment accomplishes several things by cleaning up some concerns that were addressed in committee, in particular it cleans up the concerns on confidentiality and the concerns that were expressed by the Illinois Trial Lawyers, and those have been addressed and, I believe, the Bill is...the Amendment is without opposition and it will make the Bill without opposition, as well. I'd be glad to answer any questions."

Speaker Giglio: "Any discussion? Hearing none, all those in favor of the Amendment... Representative Granberg."

Granberg: "Mr. Speaker, Representative Ryder, could we just wait just a moment?"

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. Representative Granberg, on 2353. You wish to call 2353? No. Out of the record. On the Order of Civil Justice, House Bill 141, Second Reading, Representative Schoenberg. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 141, a Bill for an Act in relation to offenses involving motor vehicles. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Tom Johnson."

Speaker Giglio: "Representative Tom Johnson, on Amendment #1. Representative Johnson."

Johnson, Tom: "Like to withdraw Floor Amendment #1."

Speaker Giglio: "Withdraw Amendment #1, Mr. Clerk. Further Amendments?"

Clerk McLennand: "Floor Amendment #2, offered by Representative Tom Johnson."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Speaker Giglio: "Amendment #2."

Johnson, Tom: "Yes. Mr. Speaker, we are offering Floor Amendment #2. This deals with the admission of preliminary breath tests in DUI cases, and what Amendment #2 does is prohibits the defense from using the preliminary breath test in defense on these cases. Now, the first Amendment which I just withdrew, initially, I tried to adopt a position of letting the state also use the preliminary test, and we decided it's best to create the level playing field that would just eliminate the preliminary use of breathalyzer...the preliminary tests from the case altogether, as they are not evidentiary pieces of evidence that should go into evidence in these types of trials, and I move for its adoption."

Speaker Giglio: "Any discussion? Representative Granberg."

Granberg: "Will the Gentleman yield?"

Johnson, Tom: "Yes."

Granberg: "Representative Johnson, Amendment #1 was taken out of the record, and this is Amendment #2."

Johnson, Tom: "That's correct."

Granberg: "Amendment #2, though...that's...it will still give affirmation to a police officer to make a stop without probable cause because they would still be allowed to use the test results in the...in the hearing?"

Johnson, Tom: "No, not on the preliminary breathalyzer. This is the preliminary on-street test. No, they are not able to use that."

Granberg: "They would not. So, the Amendment..."

Johnson, Tom: "This eliminates... Amendment #2 eliminates the defendant's right to use that, as well."

Granberg: "But this would...allow both parties, both the prosecution and the defendant, to use this information."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Johnson, Tom: "Neither party would be able to use the information."

Granberg: "Either party?"

Johnson, Tom: "Neither party."

Granberg: "Neither party would be able to use..."

Johnson, Tom: "Neither."

Granberg: "Okay. Thank you, Representative."

Speaker Giglio: "Representative Dart."

Dart: "Will the Sponsor yield, please?"

Speaker Giglio: "He indicates he will."

Dart: "This is in regards to the preliminary breath screening alone, not the one that's done at the station; is that correct?"

Johnson, Tom: "That's correct."

Dart: "These are the ones that are done on the road?"

Johnson, Tom: "That's correct."

Dart: "Now, why is it that we're removing the defendant's ability to use these in the defense of the case? Has there been a problem with this?"

Johnson, Tom: "Well, what happened here, Representative, is that we had initially prepared a Bill and an Amendment that would permit the state to also use these preliminary tests in their prosecution, and in talking to the Illinois State Bar Association people and saw and felt that it's improper as an evidentially matter on either side, and so what we are now doing is saying, 'All right then, let's just create the level playing field on both sides, and let's eliminate the use of that preliminary test on both sides in the case'."

Dart: "So, the entire purpose now of having this preliminary test would be just so that the police officer..."

Johnson, Tom: "It's basically probable cause, and to proceed into

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

the station, right."

Dart: "It would allow the police officer on the scene to make a determination there, and if in fact the preliminary comes down below the 1.0 he can then determine whether or not he wants to let the person go or not?"

Johnson, Tom: "Yes, basically that, I presume, is a correct statement. That it would give discretion."

Dart: "Has there been a problem? Have defendants been using these often in cases?"

Johnson, Tom: "From what I understand from the State's Attorneys, yes, they do come up in defense of DUI's. In other words, you will end up putting in one test, the final test that's evidence, then to show that the final test might have been inaccurate, they will try to show the preliminary test is..."

Dart: "Is there a problem with the accuracy of these tests?"

Johnson, Tom: "I don't know. They're probably not as accurate as the ones that are done in the police department with the other machines. I understand that these tests were initially designed really for just reasonable suspicion and reasonable cause and probably don't have the accuracy as the in-department tests."

Dart: "Okay. Thank you."

Speaker Giglio: "Representative Homer."

Homer: "Question for the Sponsor."

Speaker Giglio: "Indicates he will."

Johnson, Tom: "Yes."

Homer: "Representative Johnson, there was an Amendment filed to this Bill that would have made admissible, the preliminary breath screening results. Is that incorporated in this Amendment?"

Johnson, Tom: "No. That was...that was on Amendment #1,

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Representative. We had put in Amendment #1, and then after talking to the Bar Association who had opposition to that, that basically these things should not be put in as evidence, we put in a second Amendment."

Homer: "Okay. Did you withdraw Amendment #1?"

Johnson, Tom: "Yes. I withdrew Amendment #1."

Homer: "So what...tell me again, what does Amendment #2 do?"

Johnson, Tom: "Amendment #2 eliminates the use of the preliminary test by both the defendant and the state where previously it was only barred by the state. Now that evidence is not admissible by either the state or the defendant."

Homer: "So, if this Amendment goes on, the defendant would no longer be able to use the results of the preliminary test in the trial?"

Johnson, Tom: "Right, and that's basically to eliminate the, as I understand it from talking to the State's Attorneys, the issue of defendant trying to impeach the final test in the police department with a preliminary test in the field, and I don't know how often that's come up, but all this does is create a level playing field and it shouldn't be admissible in either case."

Homer: "And who's asking for this Amendment?"

Johnson, Tom: "I am."

Homer: "Are you, though, doing this at the request of any other party or interest?"

Johnson, Tom: "Well, our initial thrust of this whole preliminary test issue was suggested to us by the State's Attorneys, I believe, in DuPage County and in Cook County."

Homer: "Mr. Speaker, to the Amendment. I stand in opposition to Amendment #2. Under current law, if the police want to administer one of these preliminary breath tests, that's where they make the stop and they have this portable

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

breathalyzer, the police can do that, under current law. The law provides, however, that the results of that test would not be admissible into evidence in the prosecution of the defendant offered by the state. There's nothing in the current law, however, that would keep the defendant from offering those results in his defense, and this Bill would attempt...this Amendment would take that right away from the defendant. My position would be that if the police want to use these devices (and certainly there may be a case to be made for them to do so), then they should not be allowed to complain and be allowed to keep out of evidence the results of those tests that, in fact, exonerate or tend to exonerate the defendant. In other words, they shouldn't be able to have their cake and eat it too, and that's what this Amendment would allow them to do. If they want to use this preliminary breath test in determining whether or not to affect an arrest, then if in fact the results show that the person was not under the influence, then that defendant ought to be able to use that evidence in his defense on the charge of DUI. So, I think that this is a fundamental fairness question, and for that reason this Amendment should be defeated."

Speaker Giglio: "Further discussion? Representative Johnson, to close."

Johnson, Tom: "Yes. Again, I believe that in light of what we have in DUI prosecutions these days, that any preliminary test which is used and marketed really to establish probable cause should not be used by either the prosecution or the defense in the actual trial where, in fact, the actual test taken in the police department is the final determining factor, and I believe that this Amendment just levels the playing field, and it's a necessary tool in law

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

enforcement, and I ask for its passage."

Speaker Giglio: "All those in favor of the Amendment say 'aye'; opposed, 'no'. In the opinion of the Chair, the 'noes' have it. The Amendment's defeated. Further Amendments?"

Clerk McLennand: "Floor Amendment #3, offered by Representative Schoenberg."

Speaker Giglio: "Representative Schoenberg. Amendment's not printed."

Schoenberg: "Amendment's not printed, Mr. Speaker. Could you please take this out of the record momentarily until the Amendment is printed and distributed?"

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. Representative Pugh, 224. House Bill 224. Out of the record. House Bill 365, Representative Homer. (House Bill) 365. Out of the record. House Bill 764, Representative Lang. (House Bill) 764. Out of the record. Representative Homer, you have two more Bills: 935 and 1036. Also, 1235. House Bill 935. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 935, a Bill for an Act to amend the Domestic Violence Act of 1986. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Tom Johnson."

Speaker Giglio: "Representative Johnson, on Amendment #2 to House Bill 935."

Johnson, Tom: "Ask for your indulgence, please, for a moment."

Speaker Giglio: "Representative Homer."

Homer: "Thank you. Maybe I can help the Gentleman. This is the Amendment that he requested that has to do with reports of domestic violence, and the Gentleman's Amendment would take out of the Bill the requirement to give that report to the Coalition Against Domestic Violence. I agreed to that and

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

would have no objection to the adoption of that Amendment."

Speaker Giglio: "Further discussion? All those in favor of the Amendment say 'aye'; opposed, 'nay'. Amendment's adopted. Further Amendments?"

Clerk McLennand: "Floor Amendment #3, offered by Representative Homer."

Speaker Giglio: "Representative Homer, on Amendment #3."

Homer: "Perhaps we should take the Bill out of the record, momentarily."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. How 'bout House Bill 1026? Representative Homer. House Bill 1161, Representative Dart. (House Bill) 1161. Out of the record. House Bill 1203, Representative Currie. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1203, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Currie."

Speaker Giglio: "Is the Amendment been...printed and distributed?"

Clerk McLennand: "It has."

Speaker Giglio: "Representative Currie."

Currie: "I'd like to withdraw this Amendment, please."

Speaker Giglio: "Withdraw Amendment #1. Further Amendments?"

Clerk McLennand: "Floor Amendment #2, offered by Representative Currie."

Speaker Giglio: "Representative Currie, on Amendment #2."

Currie: "Thank you, Speaker and Members of the House. This Amendment would clarify what kind of standards a court uses in making the determination whether a custodial parent may have leave to take the child out of the state and would further provide that if the address of that child should

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

not be made known to the non-custodial parent in state by virtue of domestic violence, by virtue of an Order of Protection, then that information would not be available if the child is taken out of state. I've discussed the Amendment...the staff has discussed the Amendment with the Minority Spokesman and Chair and several other Members of the Judiciary Committee. I know of no opposition and would appreciate your support."

Speaker Giglio: "The Gentleman from Vermilion, Representative Black."

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

Speaker Giglio: "She indicates she will."

Black: "Representative, does this only deal with the potential removal of the child from the home environment or in a petition to take the child out of state?"

Currie: "This is an Amendment to the section of the statute that describes what kind of standards apply when there is a request by the custodial parent to move away. And as I say, the first Amendment that I withdrew, in the opinion of the Judiciary Committee, Chair, and Members and Minority Spokesman was too vaguely drafted and Amendment 2, we think, clears up that ambiguity."

Black: "The... Is the Illinois Bar Association in...in accordance with this Amendment?"

Currie: "I don't know that we've had a final word from the Illinois State Bar Association. The... This language we developed on Friday, and I know we've given that Amendment to...this Amendment to the ISBA. I'm hopeful that they will agree. We were certainly trying to respond to issues they raised during the committee hearing."

Black: "And it...it has nothing to do with support payments or

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

any of that language."

Currie: "No, no."

Black: "Okay, thank you very much."

Speaker Giglio: "Further discussion? Representative Hicks."

Hicks: "Would the Lady yield for a question, please?"

Speaker Giglio: "She indicates she will."

Hicks: "Representative Currie, when you about 'abuse' you're talking now...the custodial parent then, if there was a finding of abuse, would be able to take the child out of the state without letting the non-custodial parent know where the child was located; is that correct?"

Currie: "No. The Amendment... I should not have spoken about the other issue that is in the Bill. What we were trying to do here in the Amendment...in the Amendment is merely restating the factors that the court should use when making the decision whether the custodial parent may take the child out of state, and the Bill, as originally introduced, did two things: It said, 'Here is what the court should do when making that determination'; and, secondly; It provided in the event that the address of the child would not be made available to the non-custodial parent because of an Order of Protection, were that child to live in Illinois, that same information would not be available if the child moved out of state. I shouldn't have mentioned that in terms of this Amendment, because this Amendment only deals with the first part of the Bill."

Hicks: "Okay, and then..."

Currie: "And what the Judiciary Committee wanted, Representative, was a delineation for the court of what factors it ought to be looking at. Now, these are not new factors. These are factors that have come out of case law and so forth, but the Judiciary Committee wanted some specificity about those

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

factors, and that's why we drafted this Amendment."

Hicks: "Okay. Then when we're talking about abuse, are we about abuse of the spouse or abuse of the child?"

Currie: "Are you looking at a particular line in the Bill?"

Hicks: "No, I'm looking at... I'm thinking about the whole context of the Amendment itself, and I guess maybe possibly in context with the entire Bill."

Currie: "Right. That actually refers to a different part of the Bill that is not referenced by that...by this Amendment, and the effect of that, that change, which I should never have mentioned because it's not part of this Amendment. It's in the underlying Bill, is to say that if there is an Order of Protection that among other things says that the address of the child shall not be made known to the non-custodial parent, then that provision would have effect not only within the State of Illinois but also if the Order of Protection is continuing, but, also, for addresses outside the State of Illinois. It's really a technical correction under which right now if an Order of Protection says that the absent parent, the non-custodial parent, may not know where the child is, that applies as long as the kid is in Illinois. It doesn't apply if the child has moved across the border to Indiana."

Hicks: "So, you're simply taking into consideration the adjoin...any other states involved in those."

Currie: "Yes, Yes. I mean... And this was a proposal that came out of Citizen's Council on Women hearings, and...it was really what we thought was an oversight in the law, but that provision is not relevant to this Amendment."

Hicks: "All right. Thank you."

Speaker Giglio: "Is there further discussion? Representative Currie, to close."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Currie: "I appreciate your support."

Speaker Giglio: "Excuse me. Representative Biggert. The Lady from DuPage."

Biggert: "Thank you, Mr. Chairman. As the Minority Spokesman of the Judiciary I, I think that Representative Currie has worked very hard to come up with this Amendment and it really is a codification of the Eckhart case, and I think it satisfies any questions that the Judiciary Committee had. Thank you."

Speaker Giglio: "All those in favor of the Amendment say 'aye'; opposed, 'no'. In the opinion of the Chair, the Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Homer, 1235? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1235, a Bill for an Act to amend the Criminal Code of 1961. Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Homer."

Speaker Giglio: "Representative Homer."

Homer: "Thank you. What... I would...withdraw Amendment (sic - Amendments) 2 and 3 and 4."

Speaker Giglio: "Withdraw Amendment (sic - Amendments) 2, 3 and 4, Mr. Clerk. Further Amendments?"

Clerk McLennand: "Floor Amendment #5, offered by Representative Homer."

Speaker Giglio: "Representative Homer."

Homer: "Thank you, Mr. Speaker, Ladies and Gentlemen. The Amendment becomes the Bill. It deals with the stalking, anti-stalking legislation that we passed last year. As you remember, we passed...one of the toughest stalking laws in the nation a year ago that went into effect in July. It's

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

since been used to prosecute...several hundred stalkers throughout the State of Illinois. The state's attorneys have come to me and expressed an interest in further refining the Bill, in order to give them even greater tools to...to protect victims...against this...phenomenon known as stalking and to create a wider net for the victims of those...who commit this offense, and so Amendment #5 is the product of discussions and negotiations with the state's attorneys; and, in consultation with...Republican Spokesman Johnson from the Judiciary II Committee, I would offer Amendment #5, which adds a misdemeanor offense of unlawful infliction of emotional distress and redefines slightly the offenses of stalking and aggravated stalking in such a way, I believe, to perfect (as best we are able to) the concept known as anti-stalking legislation. I would...move adoption of Amendment #5."

Speaker Giglio: "And, on that question, the Gentleman from DuPage, Representative Johnson."

Johnson, Tom: "Yes, I would just like to concur with Representative Homer on this Amendment. There's been a lot of work that Representative Homer has put into this Bill, and I...I think it's now, in its amended form, ...a good Bill and would recommend its passage."

Speaker Giglio: "Further discussion? All those in favor of the Amendment say 'aye'; opposed, 'nay'. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 1277, Representative Santiago. Out of the record. House Bill 1319, Representative Currie, Victim Bill of Rights. Out of the record. House Bill 1386, Representative Pankau. Out of the record. Representative Ryder, on 1391. Representative

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Ryder. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1391, a Bill for an Act to amend the Good Samaritan Food Donor Act. Second Reading of the Bill. Amendment #1, was adopted in committee. No Motions filed. No Floor Amendments."

Speaker Giglio: "Third Reading. Representative Lang, 1575. Out of the record. Representative Homer, you have a number of Bills, 1660. Out of the record. Out of the record. House Bill 1677, Representative Levin. Out of the record. Representative Lang, on 1905. Out of the record. Representative Mulligan, 1917. Do you wish to call that Bill? Out of the record. (House Bill) 1940, Representative von Bergen-Wessels. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1940, a Bill for an Act to amend the Elder Abuse and Neglect Act. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative von Bergen-Wessels."

Speaker Giglio: "Excuse me, Representative. Has the Amendment been printed and distributed? It has. Okay, proceed."

von Bergen-Wessels: "...Amendment #1."

Speaker Giglio: "Withdraw Amendment #1, Mr. Clerk."

von Bergen Wessels: "And hold on Second Reading, I have another Amendment forthcoming."

Speaker Giglio: "Amendment #1 out of the record. Amendment #2; has it been printed and distributed, Mr. Clerk?"

Clerk McLennand: "Amendment 2 has not been printed."

Speaker Giglio: "You want to hold it?"

von Bergen-Wessels: "Yes. Please, Sir."

Speaker Giglio: "Okay. Hold the Bill. Representative Cross, on 2010. Representative Cross. Out of the record. Representative Lou Jones, 2112. Out of the record."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Representative DeJaegher, 2163. Representative Bob DeJaegher, 2163. Do you wish to call that Bill, Sir? Come back to it. (House Bill) 2191, Representative Lopez. Representative Lopez? Representative Lopez, do you wish to call this Bill, Sir? Out of the record. Representative Hoffman, Jay Hoffman, on 2386. Out of the record. Representative Dart, you have four Bills, House Bill 2407. Do you wish to call that Bill, Sir? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2407, a Bill for an Act to amend the Juvenile Court Act of 1987. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Dart."

Speaker Giglio: "The Gentleman from Cook, Representative Dart."

Dart: "Amendment #1 adds merely...as an immediate effective date, and I move for its adoption."

Speaker Giglio: "Any discussion? All those in favor of the Amendment say 'aye'; opposed, 'no'. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 2408. Out of the record. (House Bill) 2423. Read the Bill."

Clerk McLennand: "House Bill 2423, a Bill for an Act to amend the Juvenile Court Act of 1987. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Dart."

Speaker Giglio: "Representative Dart."

Dart: "Thank you, Mr. Speaker. This Amendment also adds an immediate effective date, and I'd move for its adoption."

Speaker Giglio: "Any discussion? All those in favor of the Amendment say 'aye'; opposed, 'no'. The Amendment's adopted. Further Amendments?"

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. (House Bill) 2424. Read the Bill."

Clerk McLennand: "House Bill 2424, a Bill for an Act to amend the Adoption Act. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Dart."

Speaker Giglio: "Representative Dart."

Dart: "Thank you, Mr. Speaker. This also adds an immediate effective date and move for its adoption."

Speaker Giglio: "All those in favor of the adoption say 'aye'; opposed, 'no'. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 2425, Representative Gash. Out of the record. House Bill 2427, Schakowsky. Read the Bill."

Clerk McLennand: "House Bill 2427, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Schakowsky."

Speaker Giglio: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker. Amendment 1 to House Bill 2244 specifies the fees that will be used to provide funds for legal services for the indigent. It's an Amendment that was that supported by the Clerk of the Circuit Court of Cook County, and I urge its adoption."

Speaker Giglio: "Representative Wennlund."

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

Speaker Giglio: "She indicates she will."

Wennlund: "Does this increase in fees, in the filing fees, apply only to Cook County?"

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Schakowsky: "Pardon me?"

Wennlund: "Does the increase in filing fees that you provided for here apply only in Cook County?"

Schakowsky: "My understanding is that it's statewide."

Wennlund: "If it applies statewide, then does the Amendment provide that the money collected goes into the...it goes to the Attorney General and then goes out for grants to...for Cook County legal services for the indigent?"

Schakowsky: "Actually, I'm gonna take this out of the record now, Representative."

Wennlund: "Thank you."

Speaker Giglio: "Take the Bill out of the record. Representative Lang, on 2428. Out of the record. Out of the record. All right, we'll go back to Representative DeJaegher, on 2163. Read that Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2163, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practices Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk McLennand: "No Floor Amendments."

Speaker Giglio: "Third Reading. Representative Homer on House Bill 935. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 935, a Bill for an Act to amend the Illinois Domestic Violence Act of 1986. Second Reading of the Bill. Amendments #1 and 2 have been adopted. Floor Amendment #3, offered by Representative Homer."

Speaker Giglio: "Representative Homer."

Homer: "Thank you, Mr. Speaker. House Amendment #3 is an Agreed Amendment between the Coalition Against Domestic Violence, for whom I am carrying the Bill, and the Office of Administrative Courts, who asked that there be some delineation of what the chief judges' responsibility is in

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

each circuit, with respect to providing a list of referral agencies on Orders of Protection. I would move the adoption of the Amendment."

Speaker Giglio: "Any discussion? Hearing none... Excuse me, Representative Wennlund."

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

Speaker Giglio: "He indicates he will."

Wennlund: "Wasn't this... Is this the same Amendment that we considered half an hour ago on another Bill?"

Homer: "Well, it is, except that I asked to take that Bill out of the record. So, it's actually the identical Amendment. I mean, it's the same Bill, the same Amendment. I... We didn't act on it."

Wennlund: "Oh, I see. All right. I was just trying to clarify that. But if it was the same Amendment, did Public Aid... Has Public Aid taken a position on this list with respect to whether or not it can afford to...?"

Homer: "I understand that they've been consulted and have no objection to the Amendment. It really won't require them to do anything beyond photocopy a list and give it to the chief judge, so there's really no work involved in this."

Wennlund: "Very good. Thank you very much, Representative."

Speaker Giglio: "All those in favor of the Amendment say 'aye'; opposed, 'no'. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Steczko, in the Chair."

Speaker Steczko: "Civil Justice, Second Reading, appears House Bill 1691, Representative Homer. Representative Homer. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 1691, a Bill for an Act in relation

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

to the distribution of drug related fines. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Homer."

Speaker Steczko: "The Gentleman from Fulton, Representative Homer."

Homer: "Amendment #2 simply takes Cook County out of...out of the Bill, and it's an agreement reached with the Representatives of the Cook County Board office. I move its adoption."

Speaker Steczko: "Is there any discussion? All those in favor of the Amendment will signify by saying 'aye'; those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Steczko: "Third Reading. The Rules Committee will now meet in the Speaker's Conference room. So, all Members of the Rules Committee please report to the Speaker's Conference room for the Rules Committee meeting. On the Order of Business and Job Development, Second Reading, appears House Bill 4, Representative Lang. Mr. Lang, House Bill 4. Representative Lang? I'm sorry, House Bill 7 is on page 4 of the Calendar. House Bill 7, Mr. Lang. Out of the record. I'm sorry. House Bill 1443, Representative Stroger. Out of the record. House Bill 2036, Representative Saviano. Out of the record. House Bill 2374, Representative Churchill. Out of the record. He's in the Rules Committee. On the Order of State and Local Government, Second Reading, appears House Bill 129, Representative Black. Out of the record. House Bill 165, Representative Balanoff. Mr. Balanoff, House Bill 165. Out of the record. House Bill 549, Representative Lang.

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Out of the record. House Bill 822, Representative Schoenberg. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 822, a Bill for an Act concerning future education accounts. The Bill has been read a second time previously. Amendment #1 was adopted in committee. No Motions filed. No Floor Amendments. The fiscal note has been filed."

Speaker Steczo: "Third Reading. On the Order of State And Local Government, Second Reading, appears House Bill 1623, Representative Edley. Mr. Edley? Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 1623, a Bill for an Act in relation to balancing budgets. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Steczo: "Third Reading. House Bill 2053, Representative McAfee. Out of the record. House Bill 2155, Representative Johnson. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 2155, a Bill for an Act to amend the Code of Criminal Procedure of 1963. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Steczo: "Third Reading. House Bill 2171, Representative Dart. Out of the record. On the Order of Seniors, Second Reading, appears House Bill 2392, Representative Schakowsky. Representative Schakowsky? Out of the record. On the Order of Local Government, Second Reading, appears House Bill 168, Representative Lang. Out of the record. House Bill 175, Representative Capparelli. Out of the record. House Bill 550, Representative Lang. Out of the record. House Bill 610, Mr. Balanoff. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 610, a Bill for an Act to amend the Illinois Municipal Codes. Second Reading of the Bill. No

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Committee Amendments. Floor Amendment #1, offered by Representative Balthis."

Speaker Steczo: "The Chair recognizes the Gentleman from Cook, Representative Balthis."

Balthis: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 to House Bill 610 replaces the title and everything after the 'enacting clause'. It makes the following changes effective January 1, 1994: Amends the Municipal Code; deletes the current law requirement that a municipality send written notice of the results of an annexation referendum by registered mail to the highway commissioner of each road district within the annexed territory; it amends the Municipal Code, deletes current law requirement that municipalities outside of Chicago must hold a public hearing prior to increasing a fee for license to own or operate a vending machine; and number three: It repeals the Physical Responsibility Report Card Act. The Act requires the corporate authorities of each taxing district, other than a school district, within 100 days of the conclusion of the physical year, to submit to the clerk of each county or counties in which a taxing district is located, a physical Responsibility Report Card, and I would move for its adoption."

Speaker Steczo: "For what purpose does the Gentleman from McHenry, Representative Skinner, arise?"

Skinner: "To ask two questions of the Sponsor, if he was willing."

Speaker Steczo: "The Gentleman indicates he'll yield."

Skinner: "Who is going to tell the various road commissioners when land is annexed to a village and the jurisdiction changes?"

Balthis: "They are notified of that prior to the thing going on

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

the ballot."

Skinner: "The only difference is that it won't be by certified letter?"

Balthis: "They are notified by certified letter prior to the referendum going on the ballot."

Skinner: "So this... What you're repealing is duplicative?"

Balthis: "Yes."

Skinner: "My second question is about the Fiscal something or other Report Card; what on earth is that?"

Balthis: "The Act requires the corporate authorities of each taxing district other than a school district within 100 days of the conclusion of the physical year to submit to the Clerk of each county or counties in which the taxing district is located a physical Responsibility Report Card. We already submit that report to the State Comptroller's office, so it's a duplication of effort."

Skinner: "You're not eliminating the report card, you've eliminating local access to it then. That's the intent?"

Balthis: "No. Eliminating the sending it to the county. The county has no jurisdiction over it anyway. The State Comptroller's office is the one that has jurisdiction over it, and we...we passed a Bill out of the House last week that would require municipalities to do this or the Comptroller would be able to come and do it herself, or the Comptroller would."

Skinner: "Well it seems to me, Representative, that under the current law, one could go ten miles and find these reports cards, and under your change they'd have to go, in my case, 200 miles. Would you comment on that difference?"

Balthis: "You still could receive this under the Freedom of Information Act. There's no change in that portion of the law. This just simply says that they do not... The only

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

person they have to send this to is the Comptroller, which is the person that has jurisdiction over the report."

Skinner: "I understand what you're trying to do, and every part of the Bill except making people go to Springfield or file a Freedom of Information request sounds fine, but it seems to me a step backward in public accountability not to have these little report cards with whatever they say be available in the county seat, which is accessible to local citizens."

Balthis: "Representative, to respond to your question or comment: They can go to the local government which is closer to them than the county seat in most cases, and get it directly from the local government. So, why should they have to go to the county seat to get something that they can get directly from the local government?"

Skinner: "You may be right."

Speaker Steczo: "Representative Granberg."

Granberg: "Will the Gentleman yield?"

Speaker Steczo: "Yes."

Granberg: "Representative Balthis, on your Amendment, if I understand this correctly, this waives the public meeting requirement for a fee increase?"

Balthis: "Would you repeat that question?"

Granberg: "This waives the public notice requirement for a fee increase, public meeting requirement?"

Balthis: "It waives the requirement on any license fee, such as a vending machine, which is paid by a business. It is not a fee on taxes, something to that effect, and nobody is doing it today."

Granberg: "But, you would be waiving the public hearing requirement that is currently in existing law?"

Balthis: "On a vending machine, not on taxes, but on a vending

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

machine."

Granberg: "But you would... You'd waive the current requirement for a public hearing on this provision."

Balthis: "They aren't doing it today."

Granberg: "They aren't or they are?"

Balthis: "They are not."

Granberg: "They are not doing the public hearings?"

Balthis: "They are not doing a public hearing when they raise a fee on the vending machine."

Granberg: "But they're supposed to do that."

Balthis: "I'm not..."

Granberg: "Doesn't the law say that they have to conduct a public hearing when they have a fee increase on this matter?"

Balthis: "When they raise from \$5 to \$10 the fee on a vending machine, it costs them hundreds of dollars to publish a public notice, et cetera."

Granberg: "I understand that, Representative, but the current law provides that you're supposed to have a public hearing."

Balthis: "Yes."

Granberg: "And that is the current law. This would do away with the requirement for a public hearing on a fee increase."

Balthis: "For a vending machine, and it would cost them hundreds of dollars to have that public notice published, and to have the public hearing; and no communities are doing it, including the City of Chicago, currently."

Granberg: "Thank you, Representative, I just wanted to make the Members understood that this would delete the public hearing requirement even tho...for a fee increase, even though it is for vending machines."

Speaker Steczo: "The Gentleman from Cook, Representative Balanoff."

Balanoff: "Yes, Mr. Speaker, Ladies and Gentlemen of the House,

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

as the Sponsor of this Bill, I just want to make it clear to everybody in the Legislature that I consider this a hostile Amendment."

Speaker Steczo: "Is there any further discussion? The Gentleman has moved for the adoption of Amendment #1 to House Bill 610. All those in favor will signify by saying 'aye'; those opposed by voting 'no'. In the opinion of the Chair, the 'noes' have it. The Amendment is defeated. Mr. Clerk, any further Amendments?"

Clerk Rossi: "Floor Amendment 2, offered by Representative Balanoff."

Speaker Steczo: "The Gentleman from Cook, Representative Balanoff."

Balanoff: "This... Ladies and Gentleman of the House, Amendment 2, which is this Amendment will probably become or possibly become known as the Kozubowski Amendment after Chicago City Clerk Walter Kozubowski who recently resigned from office, because it will change the current loophole in the law that allows an admitted felon to continue to feed at the public trough until sentencing. Although it will not affect him and it won't affect any of the 18 Chicago alderman who in the past have pleaded guilty or been convicted of felonies since 1971 (some of whom continue to draw a pay check until sentencing), it will prevent future crimes. What the Amendment will do is upon the admission of guilt that would upon conviction disqualify the holder of an elected office from holding that office, it shall constitute a resignation immediately from that office. The loophole that allows the crime to continue will be closed and some amount of public confidence restored."

Speaker Steczo: "The Gentleman from DuPage, Representative Biggins."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Biggins: "Thank you, Mr. Speaker. I salute the Sponsor of that Amendment. I'm glad that they joined the Republican party a week later in coming out for this Amendment, which the voters all over this state have spoken for in all their districts to have ethics packages in government that do not allow felons to collect paychecks off the public trough. Now, this is a lot...very similar to my Amendment, and I would like to support this Amendment and join my colleagues in welcoming the Democratic Party to reform legislation ethics in government and no felons getting state money or local government money. Thank you."

Speaker Steczo: "Is there any further discussion? There being none, the Gentleman has moved for the adoption of Amendment #2 to House Bill 610. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment's adopted. Any further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Steczo: "Third Reading. House Bill 611, Representative Balanoff. House Bill 611? On the Order of Local Government, Second Reading appears House Bill 1279, Representative Santiago. House Bill 1282, Representative Santiago. Out of the record, on House Bill 1279 and 1282. House Bill 1478, Representative Homer. Mr. Homer? House Bill 1478. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1478, a Bill for an Act amending the Counties Code. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Steczo: "Third Reading. On the Order of Local Government, Second Reading, appears House Bill 2240, Representative Erwin. Out of the record. On the Order of Education, Second Reading, appears House Bill 1083,

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Representative Churchill. Out of the record. House Bill 1087, Representative Churchill. Out of the record. House Bill 1165, Representative Hoffman. Out of the record. House Bill 1192, Representative Currie. Out of the record. House Bill 1999, Representative Burke. Out of the record. House Bill 2107, Representative Levin. Out of the record. On the Order of Elections and State Government, Second Reading, appears House Bill 103, Representative Novak. Out of the record. House Bill 140, Representative Schoenberg. Out of the record. House Bill 147, Representative Giolitto. Representative Giolitto? House Bill 147. Out of the record. House Bill 660, Representative Schoenberg. Out of the record. House Bill 973, Representative McGuire. Out of the record. House Bill 1201, Representative Currie. Out of the record. House Bill 1228, Representative Curran. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1228, a Bill for an Act amending the Illinois Purchasing Act. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Steczko: "The Gentleman from Sangamon, Representative Curran."

Curran: "I'm sorry, Mr. Speaker. Would you take this Bill out of the record?"

Speaker Steczko: "Out of the record. On the Order of Elections and State Government, Second Reading, appears House Bill 1460, Representative Edley. Out of the record. House Bill 1745, Representative Rotello. Out of the record. House Bill 1912, Representative Moseley. Representative Moseley? Out of the record. House Bill 2296, Representative Prussing. Out of the record. On the Order of Environment and Energy, Second Reading, appears House Bill 298, Representative Novak. Out of the record. House Bill 299,

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Representative Novak. Out of the record. House Bill 300, Representative Novak. Out of the record. House Bill 497, Representative Hoffman. Out of the record. House Bill 1965, Representative Deering. Out of the record. House Bill 1967, Representative Deering. Out of the record. House Bill 2183, Representative Moffitt. Representative Moffitt, do you wish to hear House Bill 2183? Out of the record. On the Order of Energy And Environment, Third Reading, appears House Bill 436. Representative Novak asks leave to have this Bill returned back to the Order of Second Reading for the purposes of an Amendment. Is there leave? There being no objection, leave is granted. Mr. Clerk, are there any Amendments to House Bill 436?"

Clerk Rossi: "Amendment #4, offered by Representative Hartke."

Speaker Steczko: "The Gentleman from Kankakee, Representative Novak."

Novak: "Yes, Mr. Speaker, thank you. Ladies and Gentlemen of the House, Amendment 4 to House Bill 436 concerns...over the last two years the EPA and the Department of Agriculture have cooperatively administered a program that involves an issuing of permits for AG facilities in a convenient, what they call, one-stop process. This Amendment would apply the same convenient one-stop process for certain lawn care facilities. I would like to defer to Representative Hartke for a further explanation of this Amendment. This Amendment is approved by the EPA and, also, by the lawn care industry."

Speaker Steczko: "The Chair recognizes the Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. Amendment #4 just brings into state statutes the lawn care people, what we did with the fertilizer and chemical people a couple of

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

years ago, in dealing with secondary containment of their wash water. So, I'd appreciate your support on Amendment #4 to House Bill 436."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #4 to House Bill 436. Is there any discussion? There being none, all those in favor of the Amendment shall signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment's adopted. Mr. Clerk, any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of Health Care and Human Services, Second Reading, appears House Bill 453, Representative McGuire. Mr. McGuire? Out of the record. House Bill 971, Representative Curran. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 971, a Bill for an Act amendment the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Steczo: "Third Reading. On the Order of Health Care And Human Services, Second Reading, appears House Bill 1147, Representative Phelps. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1147. The Bill has been read a second time previously. Amendments 1 and 2 were adopted previously. No Floor Amendments."

Speaker Steczo: "Third Reading. On the Order of Health Care and Human Services, appears House Bill 1814, Representative Currie. Out of the record. House Bill 1995, Representative Ronen. Representative Ronen? House Bill 1995. Out of the record. House Bill 2332, Representative Ryder. Out of the record. On the Order of Housing and Economic Development, Second Reading, appears House Bill 1060, Representative Turner. Out of the record. House

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Bill 1156, Representative Turner. Out of the record. House Bill 2142, Representative Moseley. Representative Moseley, House Bill 2142. Out of the record. On the Order of Professional Regulations, Second Reading, appears House Bill 211, Representative Kaszak. Out of the record. House Bill 212, Representative Kaszak. Out of the record. House Bill 715, Representative Santiago. House Bill 715, Representative Santiago. Out of the record. House Bill 1554, Representative Deering. House Bill 2316, Representative Lou Jones. Representative Lou Jones? Out of the record. On the Order of Public Utilities, Second Reading, appears House Bill 1844, Representative Schakowsky. Representative Schakowsky? Out of the record. House Bill 2014, Shirley Jones. Representative Shirley Jones. Out of the record. On the Order of Revenue, Second Reading, appears House Bill 1294, Representative Woolard. Out of the record. On the Order of Roads and Transportation, Second Reading, appears House Bill 127, Representative Giorgi. Out of the record. House Bill 1114, Representative Hartke. Out of the record. House Bill 2308, Representative Deuchler. Out of the record. On the Order of Consumer Protection, Second Reading, appears House Bill 793, Representative Schakowsky. House Bill 1645, Representative Turner. For what purpose does the Gentleman from Madison, Representative Stephens, seek recognition?"

Stephens: "Thank you, Mr. Speaker. A point of personal privilege. I've just been delivered a note from former Representative Mike Tate's family. Mike is the proud father of a new son born at 4:10 this afternoon. For those of you who served with Mike, you'll know that maybe you want to send congratulations or condolences as the

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

sleepless nights continue for the Tate family. Thank you."

Speaker Steczo: "Moving back to Roads and Transportation. House Bill 458. The Chair recognizes the Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. We've adopted Amendment #2, and...we now have Amendment #3, and I'd like to withdraw Amendment #3."

Speaker Steczo: "Amendment #3 is withdrawn. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order Of Agriculture and Conservation, Second Reading, appears 602, Representative Hicks. Out of the record. House Bill 1074, Representative Churchill. Out of the record. House Bill 1259, Representative Hartke. Mr. Hartke? House Bill 1259. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1259, a Bill for an Act amending the Illinois Pesticide Act. Second Reading of the Bill. Amendments #1 and 2 were adopted in committee. No Motions filed. Floor Amendment #, offered by Representative Hartke."

Speaker Steczo: "The Chair recognizes the Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. I'd like to table Amendment #2 and Amendment #3."

Speaker Steczo: "The Gentleman has asked to table Amendment 2. Is there leave? There being no objection, leave is granted."

Hartke: "Number 1 and #2."

Speaker Steczo: "The Gentleman asks leave to table Amendments 1 and 2. Is there leave? There being no objection, leave is granted. Mr. Clerk, any further Amendments?"

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Clerk Rossi: "Floor Amendment #3, offered by Representative Hartke."

Speaker Steczo: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. This Amendment extends the termination date permitting land application of pesticide contaminated soil and water to July 1, 1955. In effect, what we're doing is extending the legislation for another two years."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #3. On that question, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment is adopted. Any further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of Agriculture and Conservation, Second Reading, appears House Bill 1990, Representative Brunsvold. Out of the record. On the Order of Insurance, Second Reading, appears House Bill 1067, Representative Hicks. House Bill 1067. Mr. Clerk, please read the Bill. The Chair recognizes Representative Hicks."

Hicks: "An inquiry of the Chair. Is there an Amendment filed on 1067?"

Speaker Steczo: "Mr. Clerk, has there been an Amendment filed on House Bill 1067?"

Clerk Rossi: "No Amendments are filed."

Hicks: "Out of the record."

Speaker Steczo: "Out of the record. House Bill 1229, Representative Laurino. Out of the record. House Bill 1829, Representative Hicks. Representative Hicks, House Bill 1829. Out of the record. House Bill 2353, Representative Granberg. Out of the record. On the Order

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

of Veterans, Second Reading, appears House Bill 1601, Representative Martinez. Out of the record. On the Order of Civil Justice, Second Reading, appears House Bill 224, Representative Pugh. Out of the record. House Bill 365, Representative Homer. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 365, a Bill for an Act amending the Code of Criminal Procedure of 1963. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Giorgi...Representative Homer."

Speaker Steczo: "The Gentleman from Fulton, Representative Homer."

Homer: "Please take the Bill out of the record."

Speaker Steczo: "The Gentleman asks the Bill to be taken from the record. On the Order of Civil Justice, Second Reading, appears House Bill 764, Representative Lang. Mr. Lang? Out of the record. House Bill 1026, Representative Homer. Out of the record. House Bill 1161, Representative Dart. Out of the record. On the Order of Civil Justice, Second Reading, appears House Bill 1277, Representative Santiago. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1277, a Bill for an Act amending the Township Law of 1874. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Lang."

Speaker Steczo: "The Chair recognizes the Gentleman from Cook, Representative Lang, on Amendment #1 to House Bill 1277. The Gentleman withdraws the Amendment. Are there any further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of Civil Justice, Second Reading, appears House Bill 1319, Representative Currie. Out of the record. House Bill 1386,

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Representative Pankau. Out of the record. House Bill 1575, Representative Lang. Mr. Lang? Out of the record. House Bill 1660, Representative Homer. Out of the record. House Bill 1661, Representative Homer. Out of the record. House Bill 1662, Representative Homer. Out of the record. (House Bill) 1663, Mr. Homer? Out of the record. House Bill 1664, Representative Homer. Out of the record. House Bill 1677, Representative Levin. Out of the record. House Bill 1905, Mr. Lang, Representative Lang. Out of the record. House Bill 1917, Representative Mulligan. Representative Mulligan, do you wish to hear House Bill 1917? Out of the record. House Bill 1940, Representative von Bergen-Wessels. Out of the record. House Bill 2010, Representative Cross. Out of the record. House Bill 2112, Representative Jones. Out of the record. House Bill 2191, Representative Lopez. Out of the record. House Bill 2386, Representative Hoffman. Out of the record. House Bill 2408, Representative Dart. Out of the record. House Bill 2425, Representative Gash. Out of the record. House Bill 2428, Representative Lang. Out of the record. House Bill 2433, Representative Lang. Out of the record. On the Order of Business and Job Development, Second Reading, appears House Bill 7, Representative Lang. Out of the record. House Bill 1443, Representative Stroger. Out of the record. House Bill 2036, Representative Saviano. For what purpose does the Gentleman from Vermilion, Representative Black, arise?"

Black: "A very respectful inquiry of the Chair."

Speaker Steczo: "Please proceed, Mr. Black."

Black: "You have just gone through 27 Bills on Second Reading, and nobody called 'em. I have Members over here who have had Bills on the Consent Calendar, on the Agreed Bill List,

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

that were on a Special Order last week, and now we can't find 'em. So, you know, we...if we're just gonna go through this redundant list and nobody's gonna call a Bill and some of our Bills have been lost in the shuffle, we might want to consider perhaps a recess, and some of those Bills might...might turn up."

Speaker Steczo: "I suggest, Mr. Black, we will turn our detectives loose to look for the lost Bills."

Black: "That's what scares me."

Speaker Steczo: "Proceeding down the list of Business and Job Development, Second Reading, appears House Bill 2374, Representative Churchill. Out of the record. Mr. Black, I think we found one. On the Order of State and Local Government, Second Reading, appears House Bill 129, Representative Black. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 129, a Bill for an Act amending the Emergency Telephone System Act. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Black."

Speaker Steczo: "The Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House, and my compliments to your detectives. Amendment #1 becomes the Bill, and let me just be totally honest with ya', this Bill was originated by a Democrat Member of the House last year, Representative Walsh, on an incident that happened up in his district, and it was introduced too late in the Session to get it...to get a hearing. It's a good idea. It establishes a statewide 911 Emergency Cellular Response System as other states already have. I can't portray this as an Agreed Amendment because Cell-One doesn't agree with the surcharge. This Bill says the surcharge of 30 cents a month on cellular phone

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

subscribers will sunset on June 30, 1996; prohibits the use of any such surcharge funds to do anything but set up the system by the State Police; provides there shall not be a charge for emergency 911 cellular calls. It establishes the ground rules for an emergency response to cellular phone calls and, I believe, also on the Amendment it was requested that Cook County be exempt from this because they're working on another system. I believe that's all the Amendment does."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #1. On that, the Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you. Will the Sponsor yield, please?"

Speaker Steczo: "He indicates that he will."

Granberg: "Representative Black, just to clarify the record for our Members, your Amendment to House Bill 129, does this reflect the agreement they're working on with Senator Mahar?"

Black: "It's very close, but it is not exactly the same. I believe Senator Mahar's Amendment does not have a sunset provision on the monthly surcharge, I think that's a mistake, and this Amendment does allow for that surcharge to sunset June 30, 1996."

Granberg: "Is that the only difference with the negotiations with Senator Mahar that you know of?"

Black: "I'm not real sure. I think so, but I'm not positive of that."

Granberg: "But your Amendment does call for a 30 cent monthly surcharge on every cellular telephone line?"

Black: "Every cellular phone system service, yes, I believe that's true. And...and I will tell you now that Cellular One does not agree with that."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Granberg: "You're an honest Gentleman. And it also provides a \$1.3 million loan from GRF to the state police for start-up costs?"

Black: "Well, I know there's a start-up cost to be paid back out of the monthly surcharge. I don't know. Yes, I see it, \$1.3 million."

Granberg: "So, to our Members on this side of the aisle and to our other respected Members, just to be aware, there is a 30 cent a line...30 cent charge, surcharge, on this line; be aware of that. Understand also that there is a Senate Bill coming from the Senate that negotiations have been going on for a number of weeks that either Representative Black's or Senator Mahar's Bill will be the vehicle for that. But those negotiations have been the subject of the Senate Bill sponsored by Senator Mahar. So, if this Amendment is not adopted or this Bill is not passed, we will have a Senate Bill in this chamber to carry on with those negotiations."

Speaker Steczo: "Is there any further discussion? The Gentleman has moved for the adoption of Amendment #1 to House Bill 129. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. In the opinion of the Chair, the 'noes' have it. The Amendment is defeated. Any further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments. A fiscal note's been requested on the Bill."

Speaker Steczo: "Okay, the Bill shall stay on the Order of Second Reading. On the Order of State and Local Government, Second Reading, appears House Bill 165, Representative Balanoff. Out of the record. House Bill 549, Representative Lang. Out of the record. House Bill 2053, Representative McAfee. Out of the record. House Bill 2171,

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Representative Dart. Out of the record. On the Order of Seniors, Second Reading, appears House Bill 2392, Representative Schakowsky. Representative Schakowsky? House Bill 2392. Out of the record. Committee reports."

Clerk Rossi: "The Committee on Rules has met, and pursuant to Rule 1486, Bills referred pursuant to Rule 27, recommends House Bill 1316 be placed on the Order Of Counter-Order Second Reading, signed Frank Giglio, Chairman."

Speaker Steczo: "Under State And Local Government, Second Reading, appears House Bill 165, Representative Balanoff. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 165, the Bill has been read a second time previously. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #3, offered by Representative Balanoff."

Speaker Steczo: "Please take the Bill out of the record. House Bill 549, Representative Lang. Please read the Bill."

Clerk Rossi: "House Bill 549, a Bill for an Act in relation to taxation by home rule unit. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Kubik."

Speaker Steczo: "Please hold this Bill on Second Reading. House Bill 2053, Representative McAfee. Please read the Bill, Mr. Clerk. House Bill 2053."

Clerk Rossi: "House Bill 2053, a Bill for an Act to amend certain Acts in relation to funerals, burials and cemeteries. Second Reading of the Bill. Amendment 1 was adopted in committee. No Floor Amendments."

Speaker Steczo: "The Bill shall be held on Second Reading at the request of the Sponsor. House Bill 2171, Representative Dart. Please read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2171, a Bill for an Act amending the

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Code of Civil Procedure. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed. No Floor Amendments."

Speaker Steczo: "Please hold the Bill on Second Reading. On the Order of State And Local Government, Second Reading, appears House Bill 1053, Representative Morrow. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1053, a Bill for an Act concerning small business surety bonds. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Wennlund."

Speaker Steczo: "Please hold the Bill on Second Reading. On the Order of Local Government, Third Reading, appears House Bill 105, Representative Homer. Mr. Homer, House Bill 105. Out of the record. House Bill 144, Representative Brunsvold. Mr. Brunsvold, House Bill 144. Out of the record. House Bill 176, Representative Capparelli. Out of the record. House Bill 343, Representative Brunsvold. Out of the record. House Bill 344, Representative Black. Out of the record. House Bill 394, Representative John Dunn. Out of the record. House Bill... I'm sorry, back to House Bill 394 by Representative John Dunn. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 394, a Bill for an Act amending the Government Salary Withholding Act. Third Reading of the Bill."

Speaker Steczo: "The Chair recognizes Representative Dunn."

Dunn: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. House Bill 394 is a Bill which would mandate local governments who participate in certain charity campaigns to comply with some equitable and fair regulations, and I would ask for a favorable vote on this legislation. This

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

legislation is supported by the Cancer Society, the Combined Health Appeal, which includes the Cancer Society, Diabetes, Heart, Lung, Arthritis and many, many others. So, I would ask for favorable vote on this legislation."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 394. On that question, is there any discussion? The Gentleman from Will, Representative Wennlund."

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

Speaker Steczo: "He indicates that he will."

Wennlund: "Representative Dunn, can you tell us is this a mandate on local governments?"

Dunn: "Well this legislation does not mandate but permits local governments to allow their employees to make voluntary contributions to those charitable organizations approved pursuant to the Voluntary Payroll Deduction Act of 1983. What this means is that we have on the books already the Voluntary Payroll Deduction Act of 1983, and this simply says that a local government doesn't have to do anything. But if it chooses to participate in this program, that it must adhere to the Code of Conduct that this Act requires."

Wennlund: "Did this arise out of a disagreement between the United Way and the Combined Health Appeals of Illinois?"

Dunn: "I don't know that there is a disagreement. I don't know that United Way supports or doesn't support this legislation. What this is is there have been some misunderstandings about this legislation, because there is a misconception floating around that this is a mandate and that it involves new and different things. What this legislation says is that if a local government chooses to participate in this program, then there is certain other requirements that must be adhered to. The local government, of course, is free not to participate."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Wennlund: "But it does take away local governments autonomy to decide which charities include in its withholding programs, doesn't it?"

Dunn: "Not unless local government wants to get in this program."

Wennlund: "So if they allow any withholding at all..."

Dunn: "It's the difference between 'may' and 'shall', which as you know, makes a great big difference. This is not 'shall' this is 'may'."

Wennlund: "What a... The language of the Bill uses the word discriminate, yet there's no definition under discriminate. What..."

Dunn: "Well, let's keep in mind that that this legislation amends the existing 1983 Act. So, everything is keyed into the 1983 Act, and what the legislation simply says is that, as I indicated earlier, that in the event a local governmental agency provides for payroll deductions authorized by this section, which includes the earlier enacted legislation, it shall follow the written guidelines and rules and those would govern the payroll withholding, and it shall not discriminate against any of the qualified organizations; and, as you know, the Payroll Deduction Act was enacted so that there would be a so-called 'level playing field' for the various charities participating."

Wennlund: "Thank you..."

Dunn: "This is a good Bill. It's, in the best of my knowledge, not very controversial. I'd ask for your 'aye' vote."

Wennlund: "Thank you. To the Bill."

Speaker Steczo: "Proceed."

Wennlund: "My file indicates that both the United Way and the American Red Cross are opposed to this Bill for whatever reason, and I don't know what that reason is. But it does, in the event that a municipality gonna participate in a

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

withholding program, it does take away their local autonomy to determine which charitable groups it will allow withholding from its employees on. So you have to keep that in mind when you're voting on the issue."

Speaker Steczo: "The Gentleman from Clinton, Representative Granberg."

Granberg: "Well the Representative yield, please?"

Speaker Steczo: "He indicates that he will."

Granberg: "John just a... Representative Wennlund just mentioned something. Is the United Way and or the American Red Cross against this Bill?"

Dunn: "I...I don't know. I know there have been discussions with United Way people who initially had a misconception about the legislation and to the extent that comment has been raised here that this legislation is a mandate, and it is not, because the legislation provides that a local government subjects itself to certain rules and regulations 'if' it chooses to participate. Now, the local government doesn't have to participate. So, this is not 'shall', this is 'may' legislation and there was a misconception about that. So, I don't speak for the United Way on this issue, and I don't really recall where they stand now."

Granberg: "Well, I've been told by some other people that the United Way and the American Red Cross is against the Bill, so that's why I'm...that's why I wanted to ask, and...the issue was raised about a local government mandate, 'cause on line 23 it says 'shall govern the procedures', although I understand your position. But..."

Dunn: "The 'shall' is there if you choose to participate, and so it's the same as you don't have to cross the street but if you choose to cross the street, you 'shall' obey the traffic light and the walk signal. That's the best analogy

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

I can give you."

Granberg: "Well, it's not often I disagree with you, Representative Dunn, but this might be once. I'm not sure if that's good or not."

Dunn: "I think it's a fine Bill."

Granberg: "Thank you."

Speaker Steczo: "The Chair recognizes the Gentleman from McHenry, Representative Skinner."

Skinner: "I wonder if the Sponsor could tell us who's going to write these guidelines, rules or regulations? Is that the local municipality?"

Dunn: "No. They are already written."

Skinner: "Oh it's just a rough..."

Dunn: "They are written in connection with the 1983 Act. They're in place now."

Skinner: "So it just boiler plate."

Dunn: "What this does is it enables the local governments to participate in this if they choose. But those rules and regulations are out there now."

Skinner: "Well, as I understand it, there are all sorts of health-related and other social related charities that do not have access to payroll deduction at the present time at the local municipal level, and what this Bill is attempting to do is provide a level playing field for all such charities; is that correct?"

Dunn: "That's correct. It's a level playing field measure. If you choose to participate in this program. It says that if you choose to participate, then you will involve yourself with a level playing field. That's correct."

Skinner: "Thank you. As I also understand it, the State of Illinois has gone through this little change in procedure. Previously, one could only..."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Dunn: "That's correct."

Skinner: "...check off that one wanted to donate to the United Fund, and now there are all sorts of things like, perhaps, the United Negro College Fund and other charities that are more specific?"

Dunn: "There is a process you have to jump through hoops before you get on the approved list. That's correct."

Skinner: "So, basically, what you're saying is if it's good enough for the State of Illinois employees, it ought to be good enough for local employees?"

Dunn: "If the local government chooses."

Skinner: "Yeah, but they don't have to. Okay, thank you."

Speaker Steczo: "The Chair recognizes the Gentleman from DuPage, Representative Biggins."

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

Speaker Steczo: "He indicates that he will."

Biggins: "Representative Dunn, right now contributions to all these charities by these same employees would be considered voluntary, wouldn't they?"

Dunn: "Well, all the charitable contributions are voluntary, to the best of my knowledge."

Biggins: "So, by definition, a contribution is all most something that voluntary, so I don't know why putting it on a Bill for governmental checks would make it different than it already is. Isn't this just creating another governmental cost?"

Dunn: "It lost in the debate is the conceptional matter. Originally, the legislation was enacted by the state almost ten years ago to clarify situations which occurred when groups that some people felt should not be involved with payroll deduction wound up eligible groups to participate in payroll withholding. So, the original Payroll Deduction

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Act was an enacted. This legislation simply says that, that is on the statute books, there are rules and regulations about how you get on the list, once you're on the list how you continue to participate, and this legislation says that if a local government chooses to participate in that program, then they follow the existing rules and regulations."

Skinner: "Okay, thank you. To the Bill, Mr. Speaker, if I may? It concerns me that government employees might feel this is a cohesion to contribute, rather than a real voluntary contribution, which I believe is the intent of the legislation. But as we all know in government, and in businesses, when somebody on high asks you do you want to contribute, that can be misinterpreted by some people and the order indeed can be improperly given to contribute. So, I'm concerned about that; and, secondly, I think it's a difference to voluntarily write a...take a checkoff on your income tax return because no one's asking you to do it; that truly is a voluntary contribution, as opposed to an employer coming around asking the same thing, particularly an employer who relies on the good will of the community to get elected and might want to be tempted to use this type of voluntary contribution for political gain later in exploiting and exposing the voluntary contributions he's raised for a charity. Thank you."

Speaker Steczo: "The Chair recognizes the Gentleman from Cook, Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I urge green votes on House Bill 394. As it was previously said on House Bill 394, all this Bill would allow is the various groups, charitable groups would be on the same playing field as the Red Cross, as the United Way,

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

and maybe that's why many of you have received calls concerning this Bill. It would just allow all charitable groups to be put on the same playing field. So, I urge green votes on House Bill 394."

Speaker Steczo: "The Chair recognizes the Gentleman from Cook, Representative Balthis."

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

Speaker Steczo: "He indicates that he will."

Balthis: "Representative, as I understand it, if we have a little league in my community that wants to get on payroll deduction, the only way they can do that is to come to the State of Illinois and get qualified to do that. They can't come to local government, and so every entity such as Little League, Girl Scouts, in the community are gonna have to come to the state government, get qualified on the program before they can be included in a local government payroll deduction program. Is that your understanding of the Bill?"

Dunn: "Let's... Let's don't forget that the current law says that any local governmental agency...unless otherwise provided in the statute creating the agency, may provide by ordinance or resolution for the deduction, upon the written request of the employee, for each regular payroll period for the compensation of such an employee the amount specified in such authorization or payment to United Fund and to other organizations found qualified by the state comptroller, pursuant to the Voluntary Payroll Deductions Act. This legislation now simply adds to that, that in the event the governmental agency decides to participate, it will follow the rules and regulations which have been promulgated pursuant to this Act. So, whatever argument or viewpoint one might have about the existing statute, that

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

is in the books and has been there since 1983. This... This statute simply says if you...if you chose to come on board, then you also will sign up to follow the regulations and guidelines of the existing law."

Balthis: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House, to the Bill. I think everybody should take a close look at this. I believe every charity that's on this list is a very commendable one, but if you have local charities that you want your local employees to be involved in, such as Little League and some of your other programs, you're gonna put them in competition with a bunch of programs that the State of Illinois dictates to you. So, I think when you look at this Bill, you better look very closely at the list of people that are there and how your local governments and your local constituents are gonna view this Bill."

Speaker Steczo: "The Chair recognizes the Lady from Champaign, Representative Prussing."

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

Speaker Steczo: "He indicates that he will."

Prussing: "Representative Dunn, could you tell me what the position of the Municipal League and the counties are on this Bill, please?"

Dunn: "I do not know."

Prussing: "Thank you."

Speaker Steczo: "The Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Mr. Speaker, I'd like to announce that there's a birthday cake in the Speaker's Room 314 in honor of Madigan's 51st birthday. Madigan's 51st birthday cake in the Speaker's conference room."

Speaker Steczo: "The Gentleman from Macon, Representative Dunn, to close."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Dunn: "Thank you, Mr. Speaker. We've had considerable discussion on this legislation. Just for anyone who may be confused, there is an existing law on the books about what a local government may or may not do. There is some confusion about whether they need to adhere to the regulations promulgated by the state to implement the existing law. This Bill provides that if a local government chooses to participate, then they'll follow not only the law, which they already have to follow, but they'll also follow the regulations which have been promulgated. I ask for your favorable vote."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 394. And on that ques... The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all... Mr. Clerk, please take the record. On this question, there are 34 voting 'yes', 64 voting 'no', 8 voting 'present'; and House Bill 394, having failed to receive the required Constitutional Majority, is hereby declared lost. On the Order of Local Government, Third Reading, appears House Bill 474, Representative Novak. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 474, a Bill for an Act amending the Illinois Counties Code. Third Reading of the Bill."

Speaker Steczo: "The Gentleman from Kankakee, Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 424 (sic-474) seeks to provide an economical means for residents of non-incorporated areas of counties to be served by a local water...water/sewer utility. The Bill would allow a county to finance the

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

extension of water or sewer facilities through the normal special assessment process and the issuance of bonds, all is currently provided in the Counties Code. The new feature of the Bill would be to clarify that the new facilities local improvements, as used in the Bill, could be leased, sold, or otherwise disposed to the local utility. The local...local utility would then provide the water or sewer service and operate and maintain improvements for relieving the county of the burden of providing that service. This is an agreed upon Bill, to my understanding. It's for consumers of Illinois water company to correct a problem in, I believe, in Will County. Be more than happy to...entertain any questions."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 474. And, on that question, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by... The Lady from McHenry, Representative Hughes. The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 108 voting 'yes', 0 voting 'no', 0 voting 'present'; and House Bill 474, having received the required Constitutional Majority, is hereby declared passed. Going back on Local Government, Third Reading, appears House Bill 144, Representative Brunsvold. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 144, a Bill for an Act amending the Counties Code. Third Reading of the Bill."

Speaker Steczo: "The Gentleman from Rock Island, Representative Brunsvold."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill does one thing: It requires that each county maintain a sheriff's department. And right now, every county has a sheriff's department and has patrols, and this Bill would really not affect anyone. It's a great Bill. A law-and-order Bill."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 144. On that question, is there any discussion? The Chair recognizes the Gentleman from Will, Representative Wennlund."

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

Speaker Steczo: "He indicates that he will. Mr. Wennlund, are you going to ask a question?"

Wennlund: "Yes. Thank you. The Bill requires the sheriff of each county to maintain a county police department. Don't they do that now? Isn't that what their job is?"

Brunsvold: "Yes, they do."

Wennlund: "Then...what's this do? What does the Bill do?"

Brunsvold: "The Bill is just in case they change their mind."

Wennlund: "What... Oh... But they do that now."

Brunsvold: "Yes, they do."

Wennlund: "They change their mind?"

Brunsvold: "This Bill doesn't affect any county, because the... Actually, Representative, all kidding aside, with the cutbacks in county finance, et cetera, there are some counties that are on the edge of not having patrols. And this simply says that they must maintain patrols, must have a sheriff's department. It's pro-law enforcement. I don't think we want to eliminate the sheriff's patrols in the counties."

Wennlund: "No, I agree with that. I...I think that's good law enforcement. It's a good law-and-order Bill, and I think we

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

ought to support it."

Speaker Steczo: "The Chair recognizes the Gentleman from Cook, Representative Balthis."

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

Speaker Steczo: "He indicates that he will."

Balthis: "Representative, according to the State Mandates Act, there appears to be some...some cost to this. Is that reflected in your information on this Bill?"

Brunsvold: "I really don't know why there'd be a cost to this if they have a sheriff's department now, and they all do, why would there be any cost to it?"

Balthis: "Well, I...I just wondered... In the book here, it reflects some cost to this and maybe the state ought to pick up that cost."

Brunsvold: "Well, I think the note indicates that if someone did add a trooper...not a trooper, but a sheriff's patrol individual, that that would cost them about \$20,000, but no one needs to add any, because they already have them."

Balthis: "So, it's your impression that this note in here is incorrect."

Brunsvold: "They are simply saying in that note, and I read the note, that if they would add somebody, it would cost about \$20,000, but since no one is gonna add anyone that I know, you know...then its... I think it's irrelevant."

Balthis: "Thank you."

Speaker Steczo: "The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to the Bill. Who the hell are we to tell a county what they can or can not do with their money? If you have a small county who wants to abolish their sheriff's department because they don't have the

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

money, this Legislature, in it's wisdom, is gonna say, 'no, you can't do that'. Well, are we gonna send the money to 'em. I'll make ya' a bet that you know the answer to that. That's why this is opposed by the United Counties Council. That's why it's opposed by other groups. It's a mandate. A ridiculous mandate. If a county of a few thousand people wants to abolish the sheriff's department and make arrangements with village police or the state police or anybody else, this law says 'No, you can't do it'. Vote 'no'."

Speaker Steczo: "The Chair recognizes the Gentleman from McLean, Representative Brady."

Brady: "Will the Sponsor yield?"

Speaker Steczo: "He indicates that he will."

Brady: "Representative, the analysis of this Bill says that they would have to maintain deputy sheriffs (plural). Is it your understanding that this Bill would require each county sheriff's department to employ two deputy sheriffs?"

Brunsvold: "No, it's not, Representative. Right now, everybody is fine. No one has...does not have a deputy. Does not have...patrols. They are simply running the way they should be now. I just don't believe that we ought to eliminate the sheriff's departments in the counties. I think we ought to keep it."

Brady: "But this Bill requires no more than a sheriff and a department. Is that correct?"

Brunsvold: "What. Repeat that, please."

Brady: "Does this Bill require any more than one sheriff and the department?"

Brunsvold: "Not to my knowledge. It just says that they must have patrols."

Brady: "That's not the way we understand the Bill. Thank you."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Speaker Steczo: "The Gentleman from Rock Island, Representative Brunsvold, to close."

Brunsvold: "Thank you, Mr. Speaker. Again, I think we debated the Bill. I know it's a mandate on the counties, but not as Representative Black indicated. The counties do it now. They think it's a good idea. All of them are doing it. Budget restraints are coming. We're having tough times, but the counties' job is to provide services for its people. If it doesn't want to do that, then it ought to go out of the county business and unite with another county, or something. But let's maintain the patrols. Make sure that all our counties are doing the job. I ask for your affirmative vote."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 144. The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish. Mr. Clerk, please take the record. On this question, there are 36 voting 'yes', 65 voting 'no', 5 voting 'present'; and House Bill 144, having failed to received the required Constitutional Majority, is hereby declared lost. On the Order of Local Government, Third Reading, appears House Bill 176, Representative Capparelli. Mr.... Please read the Bill."

Clerk Rossi: "House Bill 176, a Bill for an Act amending the Counties Code. Third Reading of the Bill."

Speaker Steczo: "The Gentleman from Cook, Representative Capparelli."

Capparelli: "Thank you, Mr. Speaker. House Bill 176 is product of the Illinois Insurance Association. Its' purpose is to resolve the problem concerning nonpayment of serving

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

processes. It allows the sheriff to collect the fee in advance. It is permissive. This is already being done in Cook County. It would make it permissive in the other counties. I would ask for a favorable roll call."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 176. On that, is there any discussion? Hearing none, the question is, 'Shall this Bill pass?' All those in favor will signify by voting 'yes'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 109 voting 'yes', 0 voting 'no', and 0 voting 'present'; and this Bill, having received the required Constitutional Majority, is hereby declared passed. On the Order of Local Government, Third Reading, appears House Bill 343, Representative Brunsvold. Mr. Clerk, please read the Bill. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 343, a Bill for an Act amending the Illinois Municipal Code. Third Reading of the Bill."

Speaker Steczo: "The Chair recognizes the Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. I'd like to yield to Mr. Curran. Speaker, I'd like to yield to Mr. Curran."

Speaker Steczo: "The Chair recognizes the Gentleman from Sangamon, Representative Curran."

Curran: "Thank you, Mr. Speaker. As amended, House Bill 343 will now allow the chief executive of a munic...municipality to hire or terminate the employment of the key members of his staff. This Bill... When this was amended, I think Representative Balthis stood up in favor of it, and I think it was in unanimous support of it. Be glad to answer any questions."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 343. On that question, are there any questions? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Steczo: "He indicates he will."

Black: "It's my understanding that this Bill was not supposed to be amended on the floor unless we had total agreement on both sides of the aisle. Has that been done?"

Curran: "Mr. Black, I amended the Bill on the floor, and when that issue came up... I'm not the original Sponsor. When that issue came up, I...to be honest with you, I don't remember what was said. In response to that particular point, I know that Representative Balthis felt that the idea was a good idea, but maybe Representative Brunsvold could just shake his head. Or maybe not. I don't... I don't know the answer to your question. Joel? Representative Black has asked a question regarding whether this Bill was promised not to be amended. And I told him that while this issue was raised, when we amended it. I couldn't remember the answer."

Speaker Steczo: "The Chair recognizes the Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "I think there was an Agreed Amendment. If you've got a vehicle Bill, you got to amend it, or you got nothing. So, you know, there was agreement, I believe, in committee that there'd have to be an Agreed Amendment and Representative Balthis is worked with him, and he stood up on the floor the other day and agreed to the Amendment."

Black: "In all due respect to the Sponsor of the Amendment, could we take this out of the record and have the staffs get

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

together on this?"

Speaker Steczo: "The Sponsor asks that the Bill be taken from the record. On the Order of Local Government, Third Reading, appears House Bill 344, Representative Black. Out of the record. For what purpose does the Gentleman from Clinton, Representative Granberg, seek recognition?"

Granberg: "Thank you, Mr. Speaker. Having voted on the prevailing side to Amendment 1 to House Bill 129, I move to reconsider the vote taken on Amendment 1 to House Bill 129."

Speaker Steczo: "Mr. Clerk, please put House Bill 139 on the board. I'm sorry, 129. Mr. Granberg. Representative Granberg, having voted on the prevailing side, has asked for the reconsideration...has asked to reconsider the vote relative to Amendment 1. All those in favor of the Motion, will indicate by saying 'aye'; those opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Motion has been reconsidered. Back on the Motion. Is there leave for the Attendance Roll Call on the reconsideration? There being no objection, leave is granted. Mr. Clerk, please read the Amendment."

Clerk Rossi: "Floor Amendment 1, offered by Representative Black."

Speaker Steczo: "Mr. Black has moved for the adoption to Amendment 1 of House Bill 129. All those in favor of the adoption of the Amendment will signify by saying 'aye'; those opposed by saying 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Any further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments, but a fiscal note has been requested on the Bill."

Speaker Steczo: "Mr. Black, we're gonna have to keep the Bill on Second until the fiscal note is filed. But the Amendment

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

has been adopted. Moving to the Order of Local Government, Third Reading, appears House Bill... For what purpose does the Gentleman from Vermilion, Representative Black, seek recognition?"

Black: "Thank you very much, Mr. Speaker. I talked to staff and the Minority spokesman on 343. Our Spokesman did agree to this Amendment and staff says that it has been worked out, so if you want to go back to 343, we have no objection."

Speaker Steczo: "On the Order of Local Government, Third Reading, appears House Bill 343, Representative Brunsvold. Is the Gentleman in the chamber? Representative Curran, I believe this was your Bill, correct? House Bill 343? The Chair recognizes the Gentleman from Sangamon, Representative Curran."

Curran: "I think it's agreed now. And what this Bill does is how I explained before. It allows a chief executive officer of a municipality to hire or to dismiss his top employees. Just to put his administration in the position that he wanted. I think this is agreed at this point."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 343. On that question, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 103 voting 'yes', 3 voting 'no', 1 voting 'present'; and this Bill, having received the required Constitutional Majority, is hereby declared passed. For what purpose does the Gentleman from Cook, Representative Saviano, arise? Mr. Saviano, I'm sorry we didn't see your switch. The transcript will note that you wish to be recorded 'aye' on

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

violations? Is that correct?"

Murphy, Maureen: "If they want to. It's strictly permissive. It's up to them. If they feel it's cost-effective or it can serve their purposes, it's up to the municipality."

Dart: "So...this isn't...is not a mandate then upon them?"

Murphy, Maureen: "No, it is not."

Dart: "And the Municipal League is in support of this?"

Murphy, Maureen: "Yes, they are."

Dart: "Thank you."

Murphy, Maureen: "Thank you."

Speaker Steczo: "The Lady has moved for the passage of House Bill 979. The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please record Representative Curran as 'aye'. Please record Representative Levin as 'aye'. Have all voted who wish? Mr. Clerk, please take the record. On this question, there 109 voting 'yes', 0 voting 'no', 0 voting 'present'; and House Bill 979, having received the required Constitutional Majority, is hereby declared passed. On the Order of Local Government, Third Reading, appears House Bill 1097, Representative Capparelli. Out of the record. House Bill 1164, Representative Hoffman. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1164, a Bill for an Act amending the Official Bond Payment Act. Third Reading of the Bill."

Speaker Steczo: "The Chair recognizes the Gentleman from St. Clair, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This would simply amend the Official Bond Payment Act and authorize a township and a road district comprised of that township in a county with the township form of

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

that Bill. Appearing on the Order of Local Government, Third Reading, appears House Bill 609, Representative Saltsman. Out of the record. House Bill 630, Representative Wojcik. Representative Wojcik? Out of the record. House Bill 703, Representative Ryder. Out of the record. House Bill 907, Representative Kubik. Mr. Kubik? Out of the record. House Bill 979, Representative Maureen Murphy. Please read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 979, a Bill for an Act amending the Illinois Municipal Code. Third Reading of the Bill."

Speaker Steczo: "The Lady from Cook, Representative Murphy."

Murphy, Maureen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. I rise to speak in favor of House Bill 979, as amended, which would amend the Municipal Code and would authorize the corporate authorities of a municipality of 20,000 or more inhabitants to establish a code hearing department. This is a...permissive legislation; it is not a mandate. The genesis of this legislation was the City of Blue Island. It is supported by DuPage mayors and managers, and also by the Illinois Municipal League. This will allow municipalities to establish their own hearing code department to hear code violations that...will be done in their own municipality. Is there any questions? I'd be happy to answer them."

Speaker Steczo: "The Lady has asked for the passage of House Bill 979. And on that question, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Dart."

Dart: "Thank you, Mr. Speaker. Would the Representative yield?"

Speaker Steczo: "She indicates that she will."

Dart: "As amend... As amended, this Bill would allow all cities to establish departments for hearing of building

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

government to jointly obtain or a road district in a county without the township form of government, to obtain from a risk-managed pool of townships, any official bonds required to be furnished by officers of the townships or road districts. I ask for a favorable roll call."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 1164. On that question, is there any discussion? The Chair recognizes the Gentleman from McHenry, Representative Skinner."

Skinner: "I'm not sure this is a good idea. Self-insurance is a good idea for all sorts of things, but I'm not sure it's a good idea for the Walt Kozubowskis of the world. If he had made off with money...then the self-insurance pool would be kicking...having to kick it back to the local government. I think I'd rather have that an insured risk."

Speaker Steczo: "The Chair recognizes the Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. In spite of the well intentions by the...by the Sponsor, I stand in opposition to this Bill. You see, elected officials...are required to put up a surety bond, and now, if we allow them to insure themselves, what we're saying is that we will use taxpayers dollars to ensure that they...that the officials will not abscond the funds from the township. So, if they do, the township loses twice. Not only once in the loss of the revenues, but also that they had to put up the money for the...surety bond. Surety bonds are generally about \$2 a thousand, and so I would think that most elected officials who are worth their salt would not object to putting up those dollars for the surety bond, rather than forcing the townships or allowing the townships to...to be self-insured. I don't think it's going to save

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

the townships any money. It may save some elected officials, but it's bad public policy. And I object to this...this piece of legislation."

Speaker Steczo: "The Chair recognizes the Lady from Cook, Representative Murphy."

Murphy, Maureen: "Thank you, Mr. Speaker. As a former township clerk that made sure our people were bonded, it isn't a question of money, it's not a question of voting for TOI, and it's not a question of voting for surety bondsmen. It simply is a question of voting for your constituents of your townships. Why should we have the foxes in charge of the hen house? Why should we allow the township officials themselves to self-insure themselves, and thereby, if they go off and get into a liability that must be paid off, they will dip into township funds with which to pay them off which. So, for the small amount of money that surety bonds cost, this is again, part of our system of checks and balances that we must rely on, particularly in the obscure township government. I...I urge you to really deliberate this, to take a look at it. Again, it's not cost saving. It's a question of where do we place responsibility? And we need to have officials bonded, then they should be bonded through a third-party system of bonding. I urge you to vote 'no' on this Bill, as a former township official. Thank you."

Speaker Steczo: "On that question, the Gentleman from St. Clair, Representative Hoffman, to close."

Hoffman: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an initiative from the township officials of Illinois. This is put... This is put before the General Assembly at their request. This isn't a pro-township official Bill. This isn't a pro-Kozubowski

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Bill. This isn't a pro-anybody Bill but pro-taxpayers. This is allowing savings of township governments. It's allowing savings for self-insurers. You can say what you want; you can say how you want it, but the bottom line is that the taxpayers saving if we allow these bonds to be provided through self-insurance. I ask for an 'aye' vote."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 1164. The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? For what purposes does the Gentleman from Effingham, Representative Hartke, seek recognition?"

Hartke: "I want to explain my vote."

Speaker Steczo: "Mr. Hartke, I believe you already spoke in debate. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 99 voting 'aye', 10 voting 'no', 0 voting 'present'; and House Bill 1164, having received the required Constitutional Majority, is hereby declared passed. Moving back on the Order of Local Government, Third Reading, appears House Bill 1097, Representative Capparelli. Out of the record. House Bill 1266. Representative Dart. Out of the record. House Bill 1273, Representative Santiago. Out of the record. House Bill 1281, Representative Santiago. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1281, a Bill for an Act amending the Counties Code. Third Reading of the Bill."

Speaker Steczo: "The Chair recognizes the Gentleman from Cook, Representative Santiago."

Santiago: "Thank you, Mr. Speaker and Members of the General Assembly. This is a vehicle Bill, which is needed. My

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Senator is gonna use it in the Senate. I move to adopt.
Thank you."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 1281; and, on that question, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 88 voting 'yes', 17 voting 'no', 4 voting 'present'; and House Bill 1281, having received the required Constitutional Majority, is...is hereby declared passed. On the Order of Local Government, Third Reading, appears House Bill 1364, Representative Hawkins. Mr. Clerk, please read the... Please read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1364, a Bill for an Act amending the Public Officer Prohibited Activities Act. Third Reading of the Bill."

Speaker Steczo: "The Chair recognizes the Gentleman, Representative Hawkins, from Perry, Representative Hawkins."

Hawkins: "Mr. Chairman, Members...of the House. This Bill would simply allow a county board member to also serve on a rural fire protection district. The county board has no control over rural fire districts. They're completely autonomous. Unfortunately, in some areas, rural counties of the state, it's hard to get people to serve on various boards and commissions. And this would allow somebody that is a county board member to also serve on this...on rural fire districts. I ask for a favorable vote. Thank you."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 1364. On that question, is there any discussion? The

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Steczo: "He indicates that he will."

Black: "Representative, have you discussed this with the Fire Protection... Fire District Trustees' Association?"

Hawkins: "No."

Black: "Are you doing this more or less because you have a constituent who wants to serve on a fire protection district?"

Hawkins: "Yes."

Black: "All right. I appreciate your candor. Thank you very much. Mr. Speaker and Ladies and Gentlemen of the House, the Gentleman is forthright and very honest in what he is attempting to do, and we often, all of us, have to do that from time to time down here to accommodate or try to accommodate the needs and desires of our constituents. I reluctantly rise in opposition because, you know, units of local government usually have different corporate authorities for a reason, and that reason prohibiting such cross-services there, I don't know, probably predates my birth. And I think if we're going to change it, there ought to be a compelling reason to change it. Now, the compelling reason to the Sponsor may be that he has a problem in his area and somebody wants to serve on a fire district board who is also on the county board. And I can understand that, but I'm not sure that's a compelling reason to change a law statewide that would allow a member of a county board, who a lot of times has appointment authority over some of those trustees, to also serve as a trustee. And it's for that reason, and that reason alone, with all due respect to the

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Sponsor, I intend to vote 'no'."

Speaker Steczo: "The Chair recognizes the Lady from McHenry,
Representative Hughes."

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

Speaker Steczo: "He indicates that he will."

Hughes: "Thank you. I, too, rise in opposition to this Amendment.
Having spent 12 years on a county board and gone through
numerous, very...interesting and lively debates over
appointments to fire protection districts. I think it's
very poor policy to enter into allowing a county board to
appoint its' own members to another taxing authority when
it's within its limits. Thank you very much."

Speaker Steczo: "The Chair recognizes the Lady from Cook,
Representative Zickus."

Zickus: "Thank you, Mr. Speaker. I have a question of the
Sponsor. Does this exempt Cook County? Thank you."

Speaker Steczo: "Please... Please rec... Turn on Representative
Hawkins."

Hawkins: "Okay. I... To answer Representative Black's concerns, I
would really like to have went through all of the
various...small government agencies and take the ones that
are not...that are compatible and included them in this
legislation. However, since this is my first Bill, I
figured that was a bigger bite than I could handle, so I've
only taken this one simple Bill that simply allows people
on a rural fire protection district to also serve as a
county board member."

Speaker Steczo: "The Chair recognizes the Gentleman from Clinton,
Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. Representative Hawkins, I am surprised that you
would choose such a controversial piece of legislation for

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

your first Bill. Obviously, the opposition is mounting, and...I think you're going to have to explain this a lot more. So, I'll...I haven't decided yet and neither have a lot of other Members."

Speaker Steczo: "Is there any further discussion? The Chair recognizes Representative Hawkins, to close."

Hawkins: "Take it out of the record."

Speaker Steczo: "The Gentleman asks the Bill to be taken from the record. That's closure. On the Order of Local Government, Third Reading, appears House Bill 1524, Representative Black. Mr. Black. House Bill 1254? Or...1254...1524, I'm sorry. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1524, a Bill for an Act amending the Special Area Tax Act. Third Reading of the Bill."

Speaker Steczo: "The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I'm joined by a Representative on your side of the aisle. All of us know the problem we have with special service districts. As amended, it simply says that when you have the public hearing on the issue of starting a special service district, that you will have available a list of the names and addresses of all persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract, or parcel of land that lies within the special service area. That Amendment is a compromise. I would rather not have made it, but at least, I think, that gives the people who might object to special service district a more clear opportunity to gather signatures on a petition to oppose said district. I ask your favorable vote."

Speaker Steczo: "The Gentleman has moved for the passage of House

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Bill 1524. On that, is there any discussion? The Chair recognizes the Gentleman from... Representative Granberg."

Granberg: "Representative Black, our staff indicates there might be a technical problem with Amendment 2. Is Amendment 2 adopted or withdrawn?"

Black: "No, I think 2 is withdrawn. Check with the Clerk. Yeah, there is definitely a technical error in 2, but I think we withdrew it."

Granberg: "Mr. Clerk. Mr. O'Brien, or I mean, Rossi."

Clerk Rossi: "Amendment #2 is withdrawn."

Granberg: "Withdrawn? Thank you, Representative Black."

Black: "Thank you."

Speaker Steczko: "The Chair recognizes the Lady from Cook, Representative Kaszak."

Kaszak: "Thank you, Mr. Speaker. I just wanted to...emphasize the importance of this Bill. The statute, as it is currently drafted, makes it nearly impossible for business owners who want to object to the imposition of a special service area to successfully complete the petition forms. They are very frequently confused by the requirements and confused by who the title owner is and whose signature they'd need to get, and I've witnessed two communities in the City of Chicago that have gone through a very frustrating experience only to find out that they were one or two signatures shy of the necessary objections. So, I think this is an outstanding piece of legislation, and I compliment Mr. Black from the Sponsor of the Bill."

Speaker Steczko: "The Gentleman has moved of the passage of House Bill 1524. Is there any further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 108 voting 'yes', 0 voting 'no', 0 voting 'present'; and House Bill 1524, having received the required Constitutional Majority, is hereby declared passed. On the Order of Local Government, Third Reading, appears House Bill 1569, Representative Brady. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1569, a Bill for an Act amending the Counties Code. Third Reading of the Bill."

Speaker Steczo: "The Chair recognizes the Gentleman from McLean, Representative Brady."

Brady: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill is put to try to relieve some of the stress and strain on local counties of government within their judicial process. This would allow fines less than \$250 to be adjudicated by a system set up by those county governments, if they should so choose. It's not a mandate. It just authorizes them to do so. And for that reason, I would ask for your 'aye' vote."

Speaker Steczo: "The Gentleman has moved for passage of House Bill 1569. On that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor... The Gentleman... The Chair recognizes the Gentleman from Clinton, Representative Granberg."

Granberg: "Would the Representative yield? Representative, we have a note that the Bill contains two technical errors requiring correction. Has your staff made you aware of that?"

Brady: "No, they aren't."

Granberg: "Have they... Okay. And this is on the second point. This provides the counties 'may by ordinance'. This is not a mandate on counties?"

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Brady: "No, it is not a mandate."

Granberg: "All right. Thank you."

Speaker Steczo: "The Chair recognizes the Gentleman from Coles,
Representative Weaver."

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

Speaker Steczo: "He indicates that he will."

Weaver: "Representative, just how much money is this gonna cost
my local county?"

Brady: "Nothing. Nothing."

Weaver: "You're sure there's no cost being passed on down to the
local level?"

Brady: "No one has to change anything."

Weaver: "Is this not just a major...major local tax increase?"

Brady: "Well..."

Weaver: "I think there's something fishy in this Bill. Is this
your first Bill?"

Brady: "Well, there is something fishy. You see, if someone
violated a fishing ordinance, they would be able to
adjudicate it rather than have to go through the trial
system."

Weaver: "So this is a full-employment Bill for attorneys?"

Brady: "Boy, I don't know how you want to read it."

Weaver: "Well, is this gonna make more money for the attorneys or
less money?"

Brady: "Boy, I sure hope not. I hope it's gonna make less money."

Weaver: "So, it...it...it's an attorney bashing Bill, is that
what you're saying?"

Brady: "This is in no way an attorney-bashing Bill. In fact, many
attorneys have asked me to sponsor this piece of
legislation, as it would give them more time for important
cases in the courts."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Weaver: "So...so, this...this is a trial lawyers' Bill. Is that what you're saying?"

Brady: "Well, it...it is... It's by constituent. Every constituent in the State of Illinois agrees with this Bill."

Weaver: "I'm really confused now. I can't understand how a Bill can be on both sides of the issue. Will an attorney be in favor of this Bill or against this Bill?"

Brady: "I'm sure they'd be in favor of it."

Weaver: "They'll be in favor of it. Well, thank you very much."

Speaker Steczo: "Is there any further discussion? There being none, the question is, 'Shall Bill Bill 1569 pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 107 voting 'yes', 2 voting 'no', 1 voting 'present'; and House Bill 1569, having received the required Constitutional Majority, is hereby declared passed. For what purpose does the Gentleman from Adams, Representative Tenhouse, seek recognition? The Gentleman wishes to be recorded as 'aye'. On the Order of Local Government, Third Reading, appears House Bill 1637, Representative Bugielski. Out of the record. House Bill 1724, Representative Turner. Out of the record. House Bill 1728, Representative Currie. Out of the record. House Bill 1981, Representative Kubik. Out of the record. House Bill 2003, Representative Dart. Out of the record. House Bill 2024, Representative Hartke. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 2024, a Bill for an Act amending the Township Law of 1874. Third Reading of the Bill. The Chair recognizes the Gentleman from Effingham, Representative

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. House Bill 2024 provides that a township board may declare a vacancy in the office of township supervisor or trustee if an individual has missed more than five consecutive meetings without a valid excuse. And I appreciate your support. I'd be happy to answer any questions."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 2024. On that question, is there any discussion? There being none, the question is, 'Shall this Bill pass?' The Gentleman from Cook, Representative Balanoff. For what purpose do you seek recognition?"

Balanoff: "I want to ask a question. Are these..."

Speaker Steczo: "The Gentleman..."

Balanoff: "Ask... Will the Gentleman yield?"

Speaker Steczo: "Representative Hartke indicates he'll yield."

Balanoff: "Are these elected officials we're trying...we can remove if they don't attend five meetings?"

Hartke: "Excuse me, I can't hear you."

Balanoff: "Are these elected officials that will be able to be removed if they miss five meetings?"

Hartke: "Yes, that's a fact. You know, Representative Balanoff, tomorrow we're having a...we're having township elections and those individuals elected will be there for four years. Four years. And when we find that those elected officials were there are four trustees and a supervisor, if they miss...if they miss those meetings, the township can be left in a lurch. They're not doing their duties. And so, their office then can be declared vacant if they miss those meetings."

Speaker Steczo: "The Chair recognizes the Lady from Cook, Representative Murphy."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Murphy, Maureen: "Yes, will the Sponsor yield to a question or two?"

Speaker Steczo: "He indicates that he will."

Murphy, Maureen: "Representative Hartke, will these meetings constitute regular meetings? Special meetings?"

Hartke: "Yes. We're talking about regular...regularly scheduled township board meetings."

Murphy, Maureen: "All right. What bothers me is the precedent that this may be setting. Who will be the determination as to what constitutes an excused absence?"

Hartke: "The township board may adopt rules to provide for excused absences themselves. So, the board itself would set up those...those requirements."

Murphy, Maureen: "So, when we witness some real rough-and-tumble township politics out there, if there's three votes on a sitting township board, they could mastermind a way to just get rid of their...their opponents by the absence. Why is it so few? Why..."

Hartke: "No. No. No. Not necessarily. All they've got to do is show up for those one out of every five meetings."

Murphy, Maureen: "Okay. What is the recourse of someone who is deemed to be unexcused? What recourse... What authority can they go to if they do not agree with the board's policy?"

Hartke: "Their recourse would be to show up for the town...town meetings."

Murphy, Maureen: "And what if they're incapacitated?"

Hartke: "Pardon?"

Murphy, Maureen: "What if they really are incapacitated? What if three times they were frivolously absent and two times they were incapacitated?"

Hartke: "All... This is consecutive. All they got to do is show up for one meeting out of every five."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Murphy, M." "Well, I really have problems with setting a precedent with throwing people out of office duly elected by the population they serve. I would urge a 'no' vote on this. Thank you."

Speaker Steczo: "The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative Hartke, was this Bill suggested by the township officials of Illinois?"

Hartke: "I believe so. Yes."

Black: "Was there a particular... Seemed to me, I recall some discussion at a zone meeting about this. I think you might have even been present. Wasn't there a case or two where a township supervisor just simply didn't show up, drew his salary, and there was nothing they could do?"

Hartke: "That's absolutely correct, and you know, if the supervisor or...does not show up they, in effect, kill the activity of that township so...that...because he's not there to act upon issues of importance to that township. Normally meetings are held once a month, and those are regularly scheduled meetings, and surely, if they ran for office and wanted to do their job, they would be there on time for those meetings."

Black: "And...and your Bill clearly gives the township board the right to set up rules that would govern what is an unexcused absence, correct?"

Hartke: "That's correct. And those would be voted on by that town board."

Black: "Thank you very much."

Speaker Steczo: "The Chair recognizes the Lady from McHenry, Representative Hughes."

Hughes: "Thank you, Mr. Speaker. Will the Sponsor yield? I rise

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

in support of this Amendment...or this Bill. It was agreed to and passed unanimously out of committee. I believe that the questions that have been raised are answered by the fact the town board sets up its own rules. This is supported by the township sup...officials, and I urge you to vote for it. Thank you."

Speaker Steczo: "The Chair recognizes the Gentleman from Logan, Representative Olson."

Olson: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, we're not talking about missing five meetings in four years. We're not talking about meeting...missing five meetings in one year. We're talking about five consecutive meetings. Five consecutive meetings. If you can't attend five...one out of five consecutive meetings, I don't believe they should be on the board anyway. And I think this is a good Bill, and I urge a 'yes' vote."

Speaker Steczo: "The Chair recognizes the Gentleman from Will, Representative Meyer."

Meyer: "Thank you, Mr. Speaker. Will the Representative yield?"

Speaker Steczo: "He indicates that he will."

Meyer: "Thank you. I have a question of the Representative. Here we're addressing the problem in the township government. Do you feel that that problem should be addressed in other forms of local taxing bodies that elect their elected officials?"

Hartke: "Possibly, Representative, but...my Bill addresses the township organization."

Meyer: "Do you feel that the township organization should be separated from all other taxing bodies that repr...that elect a representative government?"

Hartke: "Well, as a Representative, you should have the right to...or have the right to...to...introduce legislation to

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

address that issue. As an elected Representative, Sir, you are...it's hopeful that you attend Sessions here in the General Assembly, and if you're constantly...absent from that position, you would not be considered a good Representative for your people. And I'm sure that you would be under the scrutiny two years down the road from your absence. And I'm hopeful that you would be present at most General Assembly Sessions. I've a record here of eight years where I've never missed a day. Now, maybe some day I may. But on a local level where the townships only meet generally once a month, twice a month at the most, regularly scheduled sessions. If you, and there are so few members...trustees, if one-fourth of the elected at those meetings...the elected trustees is absent, or the leader, the supervisor is absent, ineffectively...they're not having a full voice in what's going on. And so, if you're not doing and serving your...your constituency diligently, the trustees should have some mechanism to...to replace you. And so, this says that a vacancy is declared."

Meyer: "I don't have any problem with the essence of what you're driving at at all, Representative. The one thing that I am concerned about is that we single out one taxing body, in this case, and set a standard for five meetings, an arbitrary standard for five. Maybe it should be four. Maybe at six. I don't know. But we're setting that standard all other taxing bodies are not really operating under this form of recall, and that's really what it becomes, and we as a state (as far as I know) have not ever supported recall for any of its elected officials, and I'm concerned about the precedent this establishes in setting up really a recall practice. And that's what I'm struggling with and trying to understand why we should do this just for the

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

township government, or should it be extended, or should it not be there at all. And I guess that's..."

Hartke: "Well, is...is that a question or a comment?"

Meyer: "Well, it's I guess both. I'm interested in your...your thinking and...because as I reach my decision on the vote, that's what I'm struggling with...in terms of overall significance of recall in the state as it reflects to that taxing body or any other elected official."

Hartke: "In the local township organization, there are only four trustees and one supervisor. If you have one that's missing all the time, you have 20% of the elected decision-making individuals consistently absent. That's what I am trying to address. To make sure that because there are so few members making that decision that we have a full five individuals there."

Speaker Steczo: "The Chair recognizes the Gentleman from Cook, Representative Giglio."

Giglio: "Thank you, Mr. Speaker. I think it's a good Bill, and I move the previous question."

Speaker Steczo: "The Gentleman has moved the previous question. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. In the opinion of the Chair, the 'ayes' have it. The question is moved. Mr. Hartke, to close."

Hartke: "I think everyone's heard the discussion, and I'd just appreciate your support on House Bill 2024."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 2024. All those in favor will signify by voting 'yes'; those opposed by voting 'no'. The voting is open. The Gentleman from Kane, Representative Hoeft, one minute to explain your vote. Representative Hoeft, did you wish to explain your vote? Have all voted who wish? Have all voted

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 95 voting 'yes', 10 voting 'no', 2 voting 'present'; and House Bill 2024, having received the required Constitutional Majority, is hereby declared passed. On the Order of Local Government, Third Reading, appears House Bill 2060, Representative Erwin. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 2060, a Bill for an Act amending the Metropolitan Water Reclamation District Act. Third Reading of the Bill."

Speaker Steczo: "The Chair recognizes the Lady from Cook, Representative Erwin."

Erwin: "Thank you, Mr. Speaker. House Bill 2060 will permit the Metropolitan Water Reclamation District to increase from \$25,000 to \$50,000 the amount of materials and services which they would be allowed to purchase without advertisement for operating emergencies. This does not change in any way the competitive bidding requirements in the statutes but just increases from 25 to 50 the amount for the immediate emergency purchase. This amount has not been increased in about ten years. And in the event of public emergency (a sewer collapse or other public health emergency), the district needs this fund increase. I would appreciate a favorable vote."

Speaker Steczo: "The Lady has moved for the passage of House Bill 2060. On that question, the Chair recognizes the Gentleman from Clinton, Representative Granberg."

Granberg: "Will the Lady yield?"

Speaker Steczo: "She indicates that she will."

Granberg: "Now, Representative, technically this isn't your first Bill because your first Bill lost, correct?"

Erwin: "That is correct."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Granberg: "So, you take an even more controversial Bill for your second Bill, which is..."

Erwin: "No, I tried to find the least controversial Bill I could find."

Granberg: "All right. Thank you."

Speaker Steczo: "The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. First Bill or not, I had a Bill that I'd been working on since Labor Day get tangled up a little while ago because it had a slight fee, a temporary fee added onto the Bill. A fee that everybody agreed with except one party. Now, here we go with a Bill that lets, contrary to what was said, in case of an emergency, the Metropolitan Water Reclamation District Act can spend up to \$50,000 without filing a requisition or estimate. In other words, you're raising the no-bid limit from \$25,000 to \$50,000 if there is 'an emergency'. Well, now that's sure a Bill I want to vote for. You remember all the trouble we got into about that Purchasing Act, raising the no-bid limit from five to 25. You remember that. We all heard about that. Well, vote for this one, 25 to 50. Shoot, we'll all get letters. I vote 'no'."

Speaker Steczo: "The Lady asks the Bill be taken from the record. On the Order of Local Government, Third Reading, appears House Bill 2173, Representative Wennlund. Out of the record. House Bill 2195, Representative Hartke. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 2195, a Bill for an Act concerning the merger of special districts and townships. Third Reading of the Bill."

Speaker Steczo: "The Chair recognizes the Gentleman from

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Effingham, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. Illinois is a land of some 6,000 units of local government, and it is my hope with House Bill 2195 to offer an opportunity for many of those townships to...to consolidate and some of those units of local government to consolidate within the township realm of local government. This...this Bill offers that opportunity for those units of local government to do that,...provided that they are coterminous and with...within the township. It is permissive. It is not mandated. It allows for the transfer of that authority and so forth, the rights, the powers, the duties, and liabilities to the township government. It excludes library, park districts, and fire protection districts. And that's included in Amendment #3 of House Bill 12...2159...Oops. In the Amendment placed on this Bill. I'd appreciate your support."

Speaker Steczo: "The Gentleman moves for the passage of House Bill 2195. On that question, is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Steczo: "State your inquiry."

Black: "The Gentleman was talking about three Amendments to the Bill. My file only reflects that there is one. Floor Amendment #1. Is that correct?"

Speaker Steczo: "Mr. Hartke?"

Hartke: "That's correct. I...I was looking at...a different number. This should have the Amendment #1, which allows for the park district... excuse me, fire protection districts to be excluded from the possibility of that merger, at the

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

request of former Representative Hoffman."

Black: "Thank you very much, Representative. An inquiry of the Clerk. Mr. Speaker, there has been some confusion as to whether or not this Amendment was on the Bill. LIS earlier in the day was showing that no Amendment was on this Bill. It's the Sponsor's belief and my belief that Floor Amendment #1 is, indeed, on the Bill. Is that correct?"

Speaker Steczo: "Mr. Clerk?"

Clerk Rossi: "Amendment #1 has been adopted to the Bill."

Black: "Thank you very much."

Speaker Steczo: "The Chair recognizes the Gentleman from Cook, Representative Balthis."

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

Speaker Steczo: "He indicates that he will."

Balthis: "Representative, in the information I have here, it indicates that these are special districts. I don't think it includes municipalities or school districts. Is that true?"

Hartke: "They are not excluded in this legislation."

Balthis: "So, they could be included?"

Hartke: "They could be, and this is permissive. It is not mandated by any means. Your staff person is shaking her head no. I would think they could be, but I don't think they would be."

Balthis: "Okay. Thank you."

Speaker Steczo: "The Gentleman from McHenry, Representative Skinner."

Skinner: "Can you make an estimate how many referendums will result if this Bill is passed?"

Hartke: "I can make an estimate. I don't know how close it would be. But I would hope that it would be several simply because we have so many small units of local government,

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

whether they be drainage districts or whatever, that could be consolidated under the township umbrella. It...it is my hope that we could cut down on that number some. Without...without this encouragement, we're just going to continue the incorporation of local governments in this state."

Skinner: "Well, I'm... I do not object to the idea that you have. I'm just curious as to how many referendums are gonna be spawned. I mean, I can't think of any in my area."

Hartke: "I would think that there will be several local drainage districts, maybe things like that...that would."

Skinner: "Now, we're excluding park districts fire districts, and library districts?"

Hartke: "That's a fact."

Skinner: "And that leaves drainage districts and what else?"

Hartke: "Conservation districts. Sanitary districts. It's permissive."

Skinner: "Well, it's permissive... It's not permissive as far as the referendum goes, but it's permissive whether the voters approve it or not. Right?"

Hartke: "It's allowable. If the two units of local government wish to merge, they would decide to put it on the ballot and then the voters would make the decision."

Skinner: "Well, I remember back in 1970 when the new Constitution was being debated, this was a promise that the framers of the Constitution made, and I think it's about time we started moving in that direction."

Speaker McPike: "Representative Hughes. Representative McPike, in the Chair. Mr. Hughes. Mrs. Hughes, I'm sorry."

Hughes: "I'm sorry. I was looking for Mr. Hughes."

Speaker McPike: "Sorry."

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

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Speaker McPike: "Yes."

Hughes: "I rise again in support of this Bill. It passed out of committee unanimously. It's supported by the township officials, and I think it provides a very good first step towards addressing the tremendous number of special taxing districts in Illinois. I urge your support. Thank you."

Speaker McPike: "Mr. Hoeft."

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

Speaker McPike: "Yes, he will yield."

Hoeft: "Did you say...this excludes schools or includes?"

Hartke: "Yes, in the Bill, it's written that library districts, park districts, and on the Amendment, fire protection districts are excluded from this legislation, per their request."

Hoeft: "And school districts are included then. Then, we're talking about an entirely..."

Hartke: "School districts would have to be located within entirely or coterminously within the township, if they so desire. I really do not expect school districts to...to voluntarily go along with this legislation."

Hoeft: "Because there is whole section of law that would have to be then changed because the school districts have a Consolidation Act...or two of them, actually. I just want to make sure that the schools are not included in this, or we're really gonna open up a whole new avenue."

Hartke: "Excuse me. What was the question?"

Hoeft: "The question is, 'Are school districts included in this Bill?'"

Hartke: "Well, they're excluded."

Hoeft: "Thank you. That's all I wanted. Thank you."

Speaker McPike: "Representative Tim Johnson."

Johnson, Tim: "Rep...Representative Hartke, I'm for your Bill, so

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

I'm not giving you a hard time here. I just want to maybe ask a few questions to establish your intent. I think what you're trying to do to establish some flexibility in local government, particularly with the proliferation of local government we have, is a good one so long as it's permissive. Would...would this allow, for example, some ability where local taxpayers wanted to do it for drainage districts and similar districts to consolidate with one another and save money and so forth?"

Hartke: "Provided that they are within the coterminous boundaries of the township."

Johnson, Tim: "In other words, if a drainage district was across township lines, you couldn't do it?"

Hartke: "That's my understanding, 'cause you wouldn't have a township unit that would be...take over the liability and the functions of that drainage district."

Johnson, Tim: "Is...is there any possibility, I know you can't do it here, that as you look at this Bill in the Senate, you could look towards the idea of allowing drainage districts and other units where they wanted to (even across township lines) to consolidate and save money and serve the people better."

Hartke: "You know, Representative Johnson, I wouldn't have any problem with that at all, but I think maybe we want to look at the possibility for the leadership role there maybe to be taken over by the county, as opposed to one small township. Let's say a drainage district goes over three, four, or five townships."

Johnson, Tim: "Okay...I...I...I support the Bill. I support the concept. If we could look at making this even a little more flexible...and...and that would be, I think, healthy for all of us."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Hartke: "I would welcome your...your assistance for that."

Speaker McPike: "The question is, 'Shall House Bill 2195 pass?'
All in favor vote 'aye'; opposed vote 'no'. Have all voted?
Have all voted who wish? Clerk... The Clerk will take the
record. On this Motion, there 107 'ayes' and 0 'nays'.
House Bill 2195, having received the Constitutional
Majority, is hereby declared passed. House Bill 2173, Mr.
Wennlund. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2173, a Bill for an Act amending the
Downstate Forest Preserve District Act. Third Reading of
the Bill."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. This brings the downstate forest preserve districts
into compliance and into the same method by which counties
are regulated in...any ordinance that either imposes a fine
or appropriates money, it has to be published in full in
the downstate forest preserve districts, as opposed to
either being published or published in book form. It will
reduce the cost of government, reduce the amount of
property taxes levied for downstate forest preserve
districts and reduce the cost of doing government. I move
for its adoption."

Speaker McPike: "The question is, 'Shall House Bill 2173 pass?'
All those in favor vote 'aye'; opposed vote 'no'. Have all
voted? Have all voted who wish? The Clerk will take the
record. On this Motion, there are 107 'ayes' and 0 'nays'.
House Bill 2173, having a received the Constitutional
Majority, is hereby declared passed. House Bill 2245,
Representative Brady. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2245, a Bill for an Act amending the
Counties Code. Third Reading of the Bill."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Speaker McPike: "Representative Brady."

Brady: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill would allow local sanitary boards to...sanitarium boards, excuse me...to charge those who have...third-party private insurance or receive state insurance to charge them for tuberculosis testing, and it's completely permissive. It won't cost anyone anything who doesn't already have the coverage, and I ask for an 'aye' vote."

Speaker McPike: "Representative Granberg, on a 'do pass' Motion."

Granberg: "Representative Brady, currently no one in a sanitarium pays for any fees or any care in any type of sanitarium?"

Brady: "That's the way I understand it."

Granberg: "Who's initiative was this, then?"

Brady: "This is an initiative that came about by me meeting with my local county government."

Granberg: "Are there any... Was there any registered opponents to this legislation in committee?"

Brady: "Not to my knowledge."

Granberg: "So, it would just require those with private insurance. They could establish rules to charge those who have private insurance coverage?"

Brady: "This would be completely voluntary with the sanitary district...sanitarium district."

Granberg: "Does it... Does it delineate what type of private insurance they would have to have for them to charge them?"

Brady: "It just says they'd have to have coverage."

Granberg: "Thank you."

Brady: "Thank you."

Speaker McPike: "Question is, 'Shall House Bill 2245 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

are 104 'ayes' and 3 'noes. House Bill 2245, having received the Constitutional Majority, is hereby declared passed. House Bill 2311, Representative Mautino. Out of the record. Veterans Affairs, Third Reading. Representative Dart, House Joint Resolution 15. Mr. Dart. Mr. Clerk, are there any Amendments?'

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

Speaker McPike: "Representative Dart."

Dart: "I ask to withdraw Floor Amendment #2, please."

Speaker McPike: "The Gentleman withdraws Amendment #2. Further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Dart."

Speaker McPike: "Representative Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. Floor Amendment 3 is...the Amendment is agreed to by the committee. It's co-sponsored by Representative Meyer, and this would expand the number of people on the task force to accommodate numerous people who want to be involved with it, and I move for its adoption."

Speaker McPike: "The question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Education, Third Reading. House Bill 77, Representative Santiago. Representative Currie on 658. Representative Steczo, 730. Representative Cowlshaw, 754. Representative Mautino, 757. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 757, a Bill for an Act amending the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Mautino."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Mautino: "Thank you. (House Bill) 757, as amended, deals with the funding for distance learning centers, telecommunication systems. And what this does is transfer the funding authority from the...from the educational service centers to the regional superintendent of schools. It puts the...the funding avenue...back towards local control. And I'd ask for your 'aye' votes. Answer any questions you have on the Bill."

Speaker McPike: "Any discussion? The question is, 'Shall House Bill 757 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 103 'ayes' and 5 'noes'. House Bill 757, having received the Constitutional Majority, is hereby declared passed. House Bill 957, Representative Stroger. Mr. Churchill, on 1089. Representative John Dunn, 1195. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1195, a Bill for an Act amending the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Phelan, 1932. Mr. Phelan. Mr. Turner, 2027. Representative Bugielski, 2062. Mr. Phelan, 2073. Mr. Levin, 2105. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2105, a Bill for an Act amending the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2105 came out of House Elementary and Secondary on a 21-0 vote. It codifies...the rules of the Governor's Purchase Care Review Board, with respect to reimbursement of private...special-ed facilities. ...I know of no opposition to this legislation. If there's questions, I'd be happy to answer them. It was drafted by the Governor's Purchase Care Review Board, as a result of a

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

request last year for a legal opinion from the Attorney General that suggested there was a need for a statutory basis. Oh. Oh, can I take this out of the record."

Speaker McPike: "Yes. Representative Flowers, 2249. Mary Flowers. Mr. Brunsvold, 2274. Representative Gash, 2282. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2282, a Bill for an Act amending the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Gash."

Gash: "This is House Bill 2282, which would allow newly formed consolidated school districts the authority to issue life safety bonds before the date at which the consolidation becomes effective. Last year, all of their powers were given to newly consolidated districts. I want you to know that this Bill is not going to increase taxes and could save school districts...money. Right now, school districts involved in consolidation can use their authority in duplicate or triplicate manner to issue life safety bonds, and they all pay their own bank fees and attorney's fees; and when you have a consolidation, you save money in that sense. We want to encourage consolidation. This is supported by the StateWide School Management Alliance. I don't know of any opponents, and I urge your 'aye' vote."

Speaker McPike: "Representative Wennlund, on a 'do pass' Motion. The question is, 'Shall House Bill 2282 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 99 'ayes' and 7 'noes'. House Bill 2282, having received the Constitutional Majority, is hereby declared passed. Elections and State Government, Third Reading. Representative Curran, on 476. Sheehy, on 494. Mr. Saltsman, on 712. Representative

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Curran, 831. Representative Ronen, 1108. Representative Currie? 1202. Currie. Representative Kaszak, 1539. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1539, a Bill for an Act in relation to labor-management quality improvement. Third Reading of the Bill."

Speaker McPike: "Representative Kaszak."

Kaszak: "Thank you, Mr. Speaker. House Bill 1539 is a Bill which would establish labor-management councils to improve public service delivery. Currently, there is...Much is being written about the importance of combining...having both labor and management cooperating together to improve public service. Currently, the Department of Commerce and Community Affairs supervises labor-management cooperation committees to promote cooperation in the pub...in the private sector. It seems appropriate that we do the same thing in...in state government, and establish on a pilot basis, the...a labor-management council to determine ways that we can improve service delivery. The Bill would establish a labor-management council, which would consist of six members of...labor and six representatives of management presented...selected by the Governor. They would select three to five agencies as a pilot program and spend the next year or year-and-a-half coming up with suggestions as to how we might be able to improve public service and make these recommendations to the Legislature. I ask for your favorable consideration."

Speaker McPike: "Representative Lang. 'do pass' Motion."

Lang: "Thank you, Mr. Speaker. I rise in support of this Bill. This is a good Bill that will help bring labor and management together. It's exactly what it says, it's a Labor-Management Cooperation Act. And we can only improve

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

business in the State of Illinois by having more cooperative effort between labor and management. So accordingly, I would urge 'aye' votes."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative, does this apply to the private sector or simply the public sector?"

Kaszak: "We currently have a private labor-management cooperation committee, which refers to private cooperation, but this would be something where we could demonstrate within state government how labor and management could work together to improve service delivery."

Black: "Have you talked to Central Management Services as to why they...are less than thrilled about the Bill?"

Kaszak: "Yes, I've had that pleasure."

Black: "What... What is their rationale?"

Kaszak: "I think the explanation is that they felt this should have been part of a collective bargaining process. But I explained to them that this does not deal with wages, hours, working conditions, terms of employment. It has absolutely nothing to do with that. What is has to deal with is the question of how we can improve service to the public. And it seems to me, and it's been demonstrated in...in many places throughout the country, that when labor and management can sit down and come up with suggestions as to how we can improve service delivery, many times we get a...a fine product for...for the public."

Black: "Well, thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. In all due respect to Central Management Services, I've had the

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

privilege of serving on a labor-management council in the private sector. I think this is probably an outstanding idea. Anything we can do to improve communication and the process between management and labor today needs to be tried, and I stand in support of the Lady's Bill."

Speaker McPike: "The question is, 'Shall House Bill 1539 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 103 'ayes' and 6 'noes'. House Bill 1539, having received the Constitutional Majority, is hereby declared passed. House Bill 1570, Representative Giglio. Frank Giglio. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1570, a Bill for an Act amending the Fiscal Responsibility Report Card Act. Third Reading of the Bill."

Speaker McPike: "Representative Giglio."

Giglio: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is the Bill that we talked about the other day with that Amendment to allow the Comptroller to go in and audit the municipalities that fail to submit their annual report, if you recall, and then the moneys would be returned in through a revolving account with the Comptroller, so they can go in there and do the audits for these people that failed to do it. What it is it will send up a red flag to some of these municipalities who haven't been doing the right thing in spending the money the right way, and it's one way that...since they're receiving state moneys that we could go in there and probably help 'em before it really turns into a disaster, and that's what this Bill is all about, and I would ask for your favorable support."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Speaker McPike: "Question is... Representative Black, on a 'do pass' Motion."

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

Speaker McPike: "Yes, he will."

Black: "Representative, I just had one of these audits in my district. A municipality hadn't filed in some three or four years, and the report was just released, I don't know, a week or two ago. The meat of your Bill is to say that if the state has to go out and hire an auditor to audit books when, in fact, they should be auditing or sending an audit of their own volition, then we can go to the municipality and say, 'You owe us some money.' Is that what you're after?"

Giglio: "Well, the municipality has to pay for the audit already, if they get audited. What we're saying is the money go into the comptrollers office to have a revolving account so that money could stay there and they could go out and do more audits for some of these people like we have now, there's over a hundred municipalities who have failed to comply with their reporting to let the Comptroller's office know that they're doing what they're supposed to be doing."

Black: "Well, then is it...is it your understanding that this money would go into a revolving account but could only be used for audits, because it's my understanding that it could accumulate, and there could be quite a bit of money in that account. It could only be used for audit expense?"

Giglio: "That's correct, and right now, truthfully, there's such a shortage there, and I believe, Representative, somebody put a request for a fiscal note, and it came back only \$1300."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Black: "Okay. I guess the only other question I need...there's some people that are concerned that it is a diversion of GRF. Do you consider it to be a substantial diversion from the General Revenue Fund?"

Giglio: "No way, because the last...I think the last report that I had that was only something like \$30,000."

Black: "All right. Thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. I have no problems with this. I've seen it work in my own district. For those of you that are concerned about some of the things that happen around here, you are diverting General Revenue Funds, so you have to vote your conscience. I intend to vote 'aye'."

Speaker McPike: "The question is, 'Shall House Bill 1570 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 90 'ayes' and 18 'noes'. House Bill 1570, having received the Constitutional Majority, is hereby declared passed. House Bill 1704, Representative Hicks. (House Bill) 1704. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1704, a Bill for an Act concerning public aid. Third Reading of the Bill."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1704 amends the State Comptroller's Act, provides for prompt payment of money going to nursing homes in the State of Illinois. It takes out in Amendment #1 the ability..."

Speaker McPike: "Mr. Hicks."

Hicks: "...the payment of interest of less than 25%..."

Speaker McPike: "There's...I understanding there's a meeting on

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

this on Wednesday, and there's request to take it out of the record. Are you familiar with this?"

Hicks: "I'm not aware of it, Sir, but I'd be happy to accommodate. I'd be happy..."

Speaker McPike: "All right. Take it out of the record, and we can get to it tomorrow, if you want to. Representative Prussing, 1705. Representative Ronen, 1717. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1717, a Bill for an Act amending the Illinois Public Aid Code. Third Reading of the Bill."

Speaker McPike: "Representative Ronen."

Ronen: "Thank you, Speaker. House Bill 1717 requires the Illinois Department of Public Aid to collect and publish information about its employment programs. This information will enable this General Assembly to better assess program outcomes for participants and, therefore, the impact on the state budget. We're doing this because we think making IDPA collect and publish specific data on its employment and training programs will give the General Assembly the information it needs to determine what works and what doesn't. Current data collection by IDPA is insufficient to judge the success or failure of programs such as Project Chance and Project Opportunities. This Bill then corrects that problem. Most of this information is already collected by IDPA, although it is not in a readily accessible or usable format. Therefore, other than minimal start up costs, this Bill is fiscally neutral, and to the extent collection of this data helps structure better welfare-to-work programs. We think it will save the state money. The Illinois Department of Public Aid supports this Bill. There's no opposition as far as I understand right now. I urge a favorable roll call."

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Speaker McPike: "Representative Black, on a 'do pass' Motion."

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

Speaker McPike: "Yes."

Black: "Has Floor Amendment #1 been adopted to the Bill?"

Speaker McPike: "Mr. Clerk?"

Clerk Rossi: "Floor Amendment #1 has been adopted to the Bill."

Black: "Thank you very much. Mr. Speaker, will the Lady yield for just one question?"

Speaker McPike: "Yes."

Black: "Representative, it's my understanding that Floor Amendment #1 becomes the Bill; is that correct?"

Ronan: "Yes. Yes, that's correct, Sir."

Black: "And that this is an Agreed Amendment now with the department, they have no problems with the Bill."

Ronan: "Yes it is, Representative."

Black: "Thank you very much. Vote 'aye'."

Speaker McPike: "The question is, 'Shall House Bill 1717 pass? All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 110 'ayes' and 0 'nays'. House Bill 1717, having received the Constitutional Majority, is hereby declared passed. Special Call, Economic Development Incentives, page 13 of the Calendar, appears House Bill 1038. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1038, a Bill for an Act amending the Illinois Income Tax Act. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Kubik."

Speaker McPike: "Representative Kubik. Mr. Kubik here? Mr. Black, would you like to handle the Amendment for Mr. Kubik? Mr. Wennlund will handle the Amendment for Mr.

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

Kubik. Mr. Wennlund asks leave to handle the Amendment for Mr. Kubik. Leave is granted. Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Floor Amendment #1 creates a 5% working family earned income tax credit for individuals who qualify for the federal earned income tax credit. The cost to state government is \$17.3 million. The federal earned income tax credit helps low income working families that have at least one dependent and is adjusted for family size."

Speaker McPike: "Anything further, Mr. Wennlund? Question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

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

Speaker McPike: "Representative Currie, on Amendment #2."

Currie: "Thank you, Speaker and Members of the House. The proposal here includes the...the recommendations from Speaker Madigan's jobs summit; and, in fact, these are the Speakers' proposals. First, the Bill would include the contents of Senate Bill 551, which defines further what counts as qualified property in respect to the personal property tax replacement tax and also the investment tax credit, and defines qualified property in terms of the use of the property...the user of the property rather than how the property is used. Secondly, it would propose a research and development credit for manufacturers. It would also provide a tech-prep credit in House Bill 1321 by Representative Rotello. Manufacturers would be entitled to a credit equal to 20% of their expenditures for youth vocational programs. As well, there would be a \$300 credit for new workers hired by owners of businesses of 50 or

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

April 19, 1993

fewer employees and for manufacturers a credit equal to 5% of new expenditures if they too are under 50 in number. That's House Bill 1467. Representative Frederick's, House Bill 722, which provides for a credit for on site day-care is also included. A Utility Tax Credit against income taxes is included from manufacturers equal to 50% of their expenditures, and there is a credit for sales taxes for manufacturers with respect to those sales tax items that are not currently included. I would appreciate your support for adoption of the Amendment."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Representative Granberg moves that the House stands adjourned until tomorrow at the hour of 9 a.m. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the House stands adjourned."

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

APRIL 19, 1993

HB-0129	SECOND READING	PAGE	66
HB-0129	HELD ON SECOND	PAGE	68
HB-0129	MOTION	PAGE	87
HB-0141	SECOND READING	PAGE	32
HB-0141	OUT OF RECORD	PAGE	38
HB-0144	THIRD READING	PAGE	80
HB-0165	SECOND READING	PAGE	69
HB-0165	OUT OF RECORD	PAGE	69
HB-0176	THIRD READING	PAGE	84
HB-0177	SECOND READING	PAGE	22
HB-0208	SECOND READING	PAGE	13
HB-0343	THIRD READING	PAGE	85
HB-0343	OUT OF RECORD	PAGE	87
HB-0343	OTHER	PAGE	88
HB-0365	SECOND READING	PAGE	64
HB-0365	OUT OF RECORD	PAGE	64
HB-0394	THIRD READING	PAGE	70
HB-0429	SECOND READING	PAGE	22
HB-0429	OUT OF RECORD	PAGE	31
HB-0436	RECALLED	PAGE	59
HB-0457	SECOND READING	PAGE	14
HB-0458	SECOND READING	PAGE	16
HB-0458	OUT OF RECORD	PAGE	21
HB-0458	OTHER	PAGE	62
HB-0474	THIRD READING	PAGE	79
HB-0539	SECOND READING	PAGE	14
HB-0549	SECOND READING	PAGE	69
HB-0549	HELD ON SECOND	PAGE	69
HB-0610	SECOND READING	PAGE	51
HB-0648	SECOND READING	PAGE	12
HB-0757	THIRD READING	PAGE	117
HB-0822	SECOND READING	PAGE	51
HB-0832	SECOND READING	PAGE	8
HB-0832	OUT OF RECORD	PAGE	10
HB-0935	SECOND READING	PAGE	38
HB-0935	SECOND READING	PAGE	48
HB-0935	OUT OF RECORD	PAGE	39
HB-0971	SECOND READING	PAGE	60
HB-0979	THIRD READING	PAGE	89
HB-1038	SECOND READING	PAGE	126
HB-1053	SECOND READING	PAGE	70
HB-1053	HELD ON SECOND	PAGE	70
HB-1113	SECOND READING	PAGE	21
HB-1147	SECOND READING	PAGE	60
HB-1164	THIRD READING	PAGE	90
HB-1195	THIRD READING	PAGE	118
HB-1203	SECOND READING	PAGE	39
HB-1228	SECOND READING	PAGE	58
HB-1228	OUT OF RECORD	PAGE	58
HB-1235	SECOND READING	PAGE	43
HB-1259	SECOND READING	PAGE	62
HB-1277	SECOND READING	PAGE	64
HB-1281	THIRD READING	PAGE	93
HB-1341	SECOND READING	PAGE	10
HB-1364	THIRD READING	PAGE	94
HB-1364	OUT OF RECORD	PAGE	97
HB-1391	SECOND READING	PAGE	45
HB-1450	SECOND READING	PAGE	10
HB-1478	SECOND READING	PAGE	57
HB-1524	THIRD READING	PAGE	97
HB-1539	THIRD READING	PAGE	120
HB-1539	MOTION	PAGE	120
HB-1569	THIRD READING	PAGE	99
HB-1570	THIRD READING	PAGE	122

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

APRIL 19, 1993

HB-1570 MOTION	PAGE	123
HB-1623 SECOND READING	PAGE	51
HB-1691 SECOND READING	PAGE	49
HB-1704 THIRD READING	PAGE	124
HB-1704 OUT OF RECORD	PAGE	125
HB-1717 THIRD READING	PAGE	125
HB-1717 MOTION	PAGE	126
HB-1778 SECOND READING	PAGE	22
HB-1940 SECOND READING	PAGE	45
HB-1940 HELD ON SECOND	PAGE	45
HB-2024 THIRD READING	PAGE	101
HB-2053 SECOND READING	PAGE	69
HB-2053 HELD ON SECOND	PAGE	69
HB-2060 THIRD READING	PAGE	108
HB-2060 OUT OF RECORD	PAGE	109
HB-2105 THIRD READING	PAGE	118
HB-2105 OUT OF RECORD	PAGE	119
HB-2114 SECOND READING	PAGE	14
HB-2155 SECOND READING	PAGE	51
HB-2163 SECOND READING	PAGE	48
HB-2171 SECOND READING	PAGE	69
HB-2171 HELD ON SECOND	PAGE	70
HB-2173 THIRD READING	PAGE	115
HB-2195 THIRD READING	PAGE	109
HB-2198 SECOND READING	PAGE	6
HB-2198 HELD ON SECOND	PAGE	7
HB-2230 SECOND READING	PAGE	2
HB-2242 SECOND READING	PAGE	12
HB-2245 THIRD READING	PAGE	115
HB-2245 MOTION	PAGE	116
HB-2282 THIRD READING	PAGE	119
HB-2282 MOTION	PAGE	119
HB-2308 SECOND READING	PAGE	16
HB-2308 HELD ON SECOND	PAGE	16
HB-2330 SECOND READING	PAGE	31
HB-2330 OUT OF RECORD	PAGE	32
HB-2407 SECOND READING	PAGE	46
HB-2423 SECOND READING	PAGE	46
HB-2424 SECOND READING	PAGE	46
HB-2427 SECOND READING	PAGE	47
HB-2427 OUT OF RECORD	PAGE	48
HJR-0015 ADOPTED	PAGE	117
HJR-0015 RESOLUTION OFFERED	PAGE	117

SUBJECT MATTER

HOUSE TO ORDER - REPRESENTATIVE GIGLIO	PAGE	1
PRAYER - REVEREND MCCANTS	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1
REPRESENTATIVE STECZO IN CHAIR	PAGE	49
COMMITTEE REPORTS	PAGE	69
REPRESENTATIVE MCPIKE IN CHAIR	PAGE	112
ADJOURNMENT	PAGE	128