

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

47th Legislative Day

April 22, 1993

Speaker McPike: "The House will come to order. The Chaplain for today is Reverend Lynn Hudson, of the General Baptist Church in Moweaqua, Illinois. Reverend Hudson is the guest of Representative Duane Noland."

Reverend Hudson: "Father, this morning we're grateful for the beautiful day that You have blessed us with. Father, we're also grateful that You allow us the privilege of democracy that we might govern ourselves as we see fit, and I pray Your blessings upon each one who is involved in the decision-making process here in the House of Representatives. Father, today we ask that You would grant us the wisdom of Solomon, that we might rightly govern the people. Father give us the courage of Moses, that we might stand up for what is right, even in the face of great opposition, and Father give us the mind of Christ, who was willing to give His very life to serve those for whom He was sent. This is our prayer Father in His name. Amen."

Speaker McPike: "Mr. Balanoff, for the Pledge of Allegiance."

Balanoff 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 McPike: "Roll Call for Attendance. Kubik."

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

Speaker McPike: "Representative Ronen, excused absences. Oh, Currie's here. All right."

Currie: "Representative LeFlore is the only excused absence."

Speaker McPike: "Thank you. One hundred and sixteen Members answering the roll call, a quorum is present. Agreed Resolutions."

Clerk Rossi: "House Resolution 512, offered by Representative

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Frederick; House Resolution 513, offered by Representative Frederick; House Resolution 514, offered by Representative Frederick; House Resolution 515, offered by Representative Roskam; House Resolution 516, offered by Representative DeJaegher; House Resolution 517, offered by Representative DeJaegher; House Resolution 518, offered by Representative DeJaegher; House Resolution 519, offered by Representative Prussing; House Resolution 520, offered by Representative Ostenburg; House Resolution 521, offered by Representative Frederick; House Resolution 523, offered by Representative Hoffman; House Resolution 524, offered by Representative Levin; House Resolution 526, offered by Representative Steczko; House Resolution 527, offered by Representative Steczko; House Resolution 528, offered by Representative Saviano; House Resolution 529, offered by Representative Bugielski; House Resolution 530, offered by Representative McAfee; House Resolution 532, offered by Representative Hoeft; House Resolution 533, offered by Representative Hoeft; House Resolution 534, offered by Representative Weller; House Resolution 535, offered by Representative Lou Jones; House Resolution 536, offered by Representative Mulligan; House Joint Resolution 22, offered by Speaker Madigan; House Joint Resolution 24, offered by Representative Rutherford; House Resolution 537, offered by Representative Lawfer; House Resolution 539, offered by Representative Ostenburg; House Resolution 540, offered by Representative Ostenburg; House Resolution 541, offered by Representative Ostenburg; House Resolution 542, offered by Representative Ostenburg; House Resolution 544, offered by Representative DeJaegher; House Resolution 545, offered by Representative DeJaegher; House Resolution 546, offered by Representative Weller; House Resolution 547, offered by

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Representative von Bergen-Wessels; House Resolution 548, offered by Representative von Bergen-Wessels; House Resolution 549, offered by Representative Weaver; House Joint Resolution 25, offered by Representative Wojcik. House Joint Resolution 26, offered by Representative Brady."

Speaker McPike: "The question is, 'Shall the Agreed'... Representative Granberg moves the adoption of the Agreed Resolutions. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Agreed Resolutions are adopted. Congratulations, Representative Granberg. Death Resolutions."

Clerk Rossi: "House Resolution 543, offered by Representative Morrow, with respect to the memory of Lottie V. Norman."

Speaker McPike: "Representative Dart, moves for the adoption of the Death Resolutions. The question is, 'Shall the Death Resolutions be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Death Resolutions are adopted. Congratulations, Mr. Dart. Mr. Granberg."

Granberg: "Thank you, Mr. Speaker. I just want to take this opportunity to congratulate Representative Hartke over the national recognition he received this morning by Charles Osgood on his bull sperm Bill."

Speaker McPike: "Representative Hartke, the question is, 'Why was Charles Osgood interested in your sperm Bill?' Representative Hartke."

Hartke: "They were just good legislation for the people."

Speaker McPike: "Mr. Lang."

Lang: "Thank you, Mr. Speaker. My understanding is in the response to a question, Mr. Hartke told Mr. Osgood the following: He said, 'If you're not gonna use it for agricultural purposes, what do you need it for?'"

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Speaker McPike: "General Resolutions."

Clerk Rossi: "House Resolution 531, offered by Representative Santiago. House Joint Resolution 23, offered by Representative Granberg."

Speaker McPike: "Committee on Assignment. Introduction and First Reading of House Bills and Senate Bills."

Clerk Rossi: "Senate Bill 1, offered by Representative Daniels, a Bill for an Act in relation to property tax extension limitations. First Reading of the Bill. Senate Bill 2, offered by Representative Parke, a Bill for an Act to repeal the Structural Work Act. First Reading of the Bill. Senate Bill 3, offered by Representative Krause, a Bill for an Act concerning civil liabilities. First Reading of the Bill. Senate Bill 51, offered by Representative Maureen Murphy, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 100, offered by Representative Kubik, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. Senate Bill 127, offered by Representative Lang, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 131, offered by Representative Curran, a Bill for an Act in relation to elections. First Reading of the Bill. Senate Bill 135, offered by Representative Burke, a Bill for an Act the School Code. First Reading of the Bill. Senate Bill 139, offered by Representative Pankau, a Bill for an Act to amend the Job Referral and Job Listing Services Consumer Protection Act. First Reading of the Bill. Senate Bill 157. offered by Representative Curran, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 159, offered by Representative Brunsvold, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 177,

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offered by Representative Hartke, a Bill for an Act to amend the Illinois Diseased Animals Act. First Reading of the Bill. Senate Bill 252, offered by Representative Steczo, a Bill for an Act to create the Private Detective, Private Alarm, and Private Security Act of 1993. First Reading of the Bill. Senate Bill 258, offered by Representative Krause, a Bill for an Act to amend the Illinois Parentage Act of 1984. First Reading of the Bill. Senate Bill 262, offered by Representative Ryder, a Bill for an Act concerning entities subject to regulation by the Department of Insurance, amending named Acts. First Reading of the Bill. Senate Bill 310, offered by Representative Kaszak, a Bill for an Act to amend the Code of Criminal Procedure of 1963. First Reading of the Bill. Senate Bill 344, offered by Representative Zickus, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. Senate Bill 357, offered by Representative Santiago, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. Senate Bill 382, offered by Representative Novak, a Bill for an Act relating to bonds for school construction. First Reading of the Bill. Senate Bill 383, offered by Representative Lang, a Bill for an Act to amend the Security Deposit Interest Act. First Reading of the Bill. Senate Bill 398, offered by Representative Granberg, a Bill for an Act concerning sexually transmitted disease. First Reading of the Bill. Senate Bill 433, offered by Representative Zickus, a Bill for an Act to amend the Illinois Human Rights Act. First Reading of the Bill. Senate Bill 436, offered by Representative Stephens, a Bill for an Act to Amend the Illinois Insurance Code. First Reading of the Bill. Senate Bill 442, offered by

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Representative Levin, a Bill for an Act concerning condominiums. First Reading of the Bill. Senate Bill 453, offered by Representative Biggert, a Bill for an Act to amend the Uniform Commercial Code. First Reading of the Bill. Senate Bill 485, offered by Representative Granberg, a Bill for an Act to amend the Illinois Banking Act. First Reading of the Bill. Senate Bill 592, offered by Representative Bugielski, a Bill for an Act authorizing the establishment and operation of scholarship schools on a pilot basis. First Reading of the Bill. Senate Bill 610, offered by Representative Novak, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 617, offered by Representative Maureen Murphy, a Bill for an Act to amend the Illinois Administrative Procedure Act. First Reading of the Bill. Senate Bill 622, offered by Representative Ryder, a Bill for an Act to amend the Official Court Reporters Act. First Reading of the Bill. Senate Bill 626, offered by Representative Tom Johnson, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 650, offered by Representative Maureen Murphy, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. Senate Bill 651, offered by Representative Black, a Bill for an Act to revise the law by combining multiple enactments and making technical corrections. First Reading of the Bill. Senate Bill 652, offered by Representative Black, a Bill for an Act to revise the law by combining multiple enactments and making technical corrections. First Reading of the Bill. Senate Bill 714, offered by Representative McAuliffe, a Bill for an Act to amend the Illinois Police Training Act. First Reading of the Bill. Senate Bill 739, offered by

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Representative McAuliffe, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. Senate Bill 756, offered by Representative Olson, a Bill for an Act to amend the Illinois Insurance Code. First Reading of the Bill. Senate Bill 759, offered by Representative Cross, a Bill for an Act in relation to sentencing hearings. First Reading of the Bill. Senate Bill 773, offered by Representative Maureen Murphy, a Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill. Senate Bill 846, offered by Representative Balanoff."

Speaker McPike: "Mr. Doorkeeper. Continue."

Clerk Rossi: "Senate Bill 893, offered by Representative Biggert, a Bill for an Act to amend the Local Governmental and Governmental Employees Tort Immunity Act. First Reading of the Bill. Senate Bill 991, offered by Representative Giglio, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1021, offered by Representative Capparelli, a Bill for an Act to amend the Illinois Housing Development Authority Act. First Reading of the Bill. Senate Bill 1085, offered by Representative Giorgi, a Bill for an Act concerning sanitary districts. First Reading of these Senate Bills"

Speaker McPike: "Mr. Black, are you feeling better? Mr. 'Clem', Children and Family Law. Call the Bills, and we're not getting back to this order. Got anything on corporal punishment? All right. Mr. Stephens. Mr. Stephens."

Stephens: "Was that the Navy hymn?"

Speaker McPike: "Yes, that was one of your heroes, Ollie North, another one of those Annapolis graduates that was convicted. Constitutional Officers, Third Reading. Mr. Phelan has a Bill, 537. Read the Bill."

Clerk Rossi: "House Bill 537, a Bill for an Act amending the

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Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Representative Granberg will handle the Bill for Mr. Phelan. Is this a technical... Is this a vehicle Bill only? Mr. Black."

Black: "Yes. I would just rise to ask the Sponsor what he intends to do with this vehicle Bill?"

Speaker McPike: "Representative Granberg, indicates that it's simply a vehicle to send to Senate in case it's needed."

Black: "I checked with Senator Philip's staff last night, and he doesn't think a lot of these Bills are needed, so I'm not sure we can vote for this Bill."

Speaker McPike: "Mr. Phelan, Representative Phelan. Mr. Phelan, here? The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all...Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 68 'ayes' and 48 'noes'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Woolard, on House Bill 913. Woolard, Woolard, where is Mr. Woolard? I guess some people thought we were going in at 10:00. Mr. Homer, Mr. Homer. He's not here either. Mr. Kubik. It seems like if you can hear the Chair everybody ought to hear the Chair, right?"

Kubik: "I was just gonna say that maybe Representative Preston has started a breakfast club or something."

Speaker McPike: "I think that's why he lost the Primary, because he would never call those Bills on Children and Family Law. Consumer Protection, Representative Schakowsky, 1017. Representative Currie, do you want to handle this Bill for Representative Schakowsky? Representative Ronen, do you

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want to handle the Bill for Representative Schakowsky? Representative Ronen, could you handle the Bill? Representative Currie refuses to do it. Representative Currie, you gonna handle this Bill? Oh, Representative Schakowsky is here. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1017, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practices Act. Third Reading of the Bill."

Speaker McPike: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker and Ladies and Gentlemen of the House. The aim of this Bill is to prevent attorneys from routinely and purposely filing consumer collection actions against debtors in counties where the lawyer knows the defendant does not live. In other words, making often poor people travel a long distance in order to appear in court, making it literally impossible for them to defend themselves. It is amended to recognize that any unintentional filing of such actions will not be punished. So we made every effort to protect attorneys who inadvertently file these actions in an improper venue, but it also is intended to protect people so that they can be tried in the community where the problem occurred, where they purchased the item, and so this, I believe, will solve that problem, and I urge your 'aye' vote."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. Mr. Wennlund did not have his light on when I called the record."

Wennlund: "Yes, I did."

Speaker McPike: "You did?"

Wennlund: "Yes, Sir. Yes, Sir."

Speaker McPike: "It was awful close."

Wennlund: "I don't lie; I did."

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Speaker McPike: "It was awful close."

Wennlund: "No, I did."

Speaker McPike: "Your microphones on, but it think it was questionable; it was very close. Your microphone's on."

Wennlund: "It's too early in the morning to argue about it."

Speaker McPike: "Have all voted? Have all voted who wish?"

Wennlund: "I intend to seek a verification. Mr. Speaker, I'm gonna request a verification of this roll call."

Speaker McPike: "Are you really?"

Wennlund: "Yes Sir."

Speaker McPike: "Maybe you can talk to Senator Philip about this Bill instead of doing a verification."

Wennlund: "No, I tell you what."

Speaker McPike: "I mean, Representative Parcells is voting for it, Representative Black is voting for it, yes. Representative Hoeft is voting for it. Representative Lawfer is voting for it. Representative Moffitt is voting for it. Representative Weaver is voting for it. There's a lot of people on your side who think this is a good Bill."

Wennlund: "Well you know..."

Speaker McPike: "And they're all here."

Wennlund: "The uninformed."

Speaker McPike: "They're all here."

Wennlund: "The uninformed."

Speaker McPike: "Representative Mulligan's voting for it."

Wennlund: "That's because they don't know what it's about."

Speaker McPike: "Representative Hughes is voting for it."

Wennlund: "That's because they don't know what it's about."

Speaker McPike: "It got 74 votes, I think it's dilatory. Dilatory."

Wennlund: "Well, I don't think there's 74 votes here."

Speaker McPike: "I don't think there's seven votes here."

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Wennlund: "I don't think there's seven people here. No, you're right. But you know, here's what it does. It's because they don't know what it does. You know..."

Speaker McPike: "Mr. Wennlund, your minute's up. This was explanation of vote here. It's an explanation of vote."

Wennlund: "But? Well, my request for a verification still stands."

Speaker McPike: "Well it's unbelievable. All the Members of your side of the aisle are voting for this."

Wennlund: "Well if I... You know, if I went to Mr. Black's hardware store and...and I charged a new stereo system or a set of tools, what he would...he would have to...he couldn't sue me where he resides and where his business was... Yeah, I mean, you better stop and think about this."

Speaker McPike: "Continue, Mr. Wennlund, maybe you could... You got Mr. Black to switch to 'present'."

Wennlund: "Yeah. Well let's take a look at this. Now it makes it an unlawful practice to sue to collect a consumer debt in a county other than the county in which the consumer resides at the time the action is brought. The county in which the consumer executed the contract or sued upon, or the county in which the real estate securing the debt, that's currently the law, if it's...if it's with regard to real estate. But...it's gonna make it tougher for businesses in this state to collect the debts that are due them, and it's really not just a merely Bill, so...maybe if we verify this, I'll get to know the Members...the new Members' names better, won't know...won't be able to know their faces because they're not here. And, maybe it will get 'em over from the Stratton Building or from their apartments."

Speaker McPike: "Representative Schakowsky."

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Schakowsky: "Representative, I think it's important that you understand that this would not apply... It says here, where the...that the venue has to be where the defendant resides or the county in which some or all of the transaction occurred. So, if someone purchased something in Representative Blacks' store, that would be an appropriate venue for that trial. This is not an effort to try and sidestep any kind of appropriate action; it's only if they're being dragged to some place that doesn't relate at all to the transaction. So, this is not an effort to... This would take into account those kinds of transactions."

Speaker McPike: "Mr. Wennlund, to..."

Wennlund: "Well, the bottom line is that I may want...I may want to file suit in Madison County because I know the jury's in Madison County..."

Speaker McPike: "Now, Mr. Wennlund, you should not pick on Madison County. Mr. Stephens is...lives in Madison County."

Wennlund: "They give higher awards there."

Speaker McPike: "No, it's not true. It's certainly not true."

Wennlund: "Oh, it isn't? All right."

Speaker McPike: "Not true. Proceed, Mr. Wennlund. But, pick another county."

Wennlund: "St. Clair. How about St. Clair?"

Speaker McPike: "Okay. All right, thanks. Jurys give higher awards in St. Clair County, so I might want to file suit in St. Clair County and still wanna...ought to have the right to do that."

Speaker McPike: "Representative Schakowsky. Schakowsky."

Schakowsky: "I just urge all those people who were voting 'aye' to continue to do so and to come back on the board. This is simply to protect people from frivolously being asked to

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go long distances. The suit must be brought where they live or if they travel and purchase something, then they're gonna have to travel and go to court again. This is a responsible Bill that protects attorneys, it protects vendors, and it protects the defendants as well."

Wennlund: "Representative what was the genesis of this legislation?"

Speaker McPike: "Mr..."

Wennlund: "Where'd this come from?"

Speaker McPike: "I'm sorry, Mr. Wennlund, we weren't able to hear that last comment. You were about a foot from your microphone."

Wennlund: "Where did this legislation come from; who proposed this?"

Speaker McPike: "Schakowsky."

Schakowsky: "This... The Legal Assistance Foundation, the State Bar Association says it's unethical to file in a venue that is inappropriate. This is a Bill to protect poor people."

Wennlund: "That's what we have courts for."

Speaker McPike: "Have all voted? All right. Mr. Wennlund has asked for a verification on this, Miss Schakowsky. Okay? You know, I've asked him to withdraw it. I've asked him four times to withdraw it, five times. I'll ask him again, but it doesn't look like he's gonna do it. I have no choice. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 64 'ayes' and 41 'noes'. Mr. Clerk, read the affirmative."

Clerk Rossi: "Those voting in the affirmative. Balanoff. Blagojevich. Brunsvold. Burke. Capparelli. Curran. Currie. Dart. Davis. DeJaegher. Dunn. Edley. Erwin. Flinn. Flowers. Frias. Gash. Giglio. Giolitto.

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Giorgi. Granberg. Hannig. Hartke. Hawkins. Hicks.
Hoffman. Homer. Jones, Lou. Jones, Shirley. Kaszak.
Kotlarz. Laurino. Levin. Lopez. Martinez. Mautino.
McAfee. McGuire. McPike. Moore, Eugene. Morrow.
Moseley. Mulligan. Murphy, H. Ostenburg. Parcels.
Phelan. Phelps. Prussing. Pugh. Ronen. Rotello.
Saltsman. Santiago. Schakowsky. Schoenberg. Sheehy.
Steczo. Stroger. Turner. von Bergen-Wessels. Woolard.
Young. and Mr. Speaker."

Speaker McPike: "All right, Mr. Wennlund, on a verification. Mr. Wennlund has not voted on this Bill."

Wennlund: "Could I be recorded as a 'no'? I've got egg on my microphone, and I couldn't see my button."

Speaker McPike: "Yes. Mr. Wennlund disliked this Bill so much he wouldn't even vote on it. Mr. Wennlund votes 'no'. On the Verification of the Affirmative, Mr. Wennlund."

Wennlund: "Thank you. Representative Hannig?"

Speaker McPike: "Mr. Hannig is here."

Wennlund: "Gee, I was picking a name out of air."

Speaker McPike: "I know."

Wennlund: "Gee, how'd I get so lucky."

Speaker McPike: "I don't know."

Wennlund: "Oh, Representative Martinez?"

Speaker McPike: "Martinez is not here, remove him from the roll."

Wennlund: "Representative Shirley Jones?"

Speaker McPike: "Shirley Jones is not here. Remove her from the roll."

Wennlund: "Representative Hoffman?"

Speaker McPike: "Who?"

Wennlund: "Hoffman."

Speaker McPike: "Hoffman."

Wennlund: "J. Hoffman."

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Speaker McPike: "Hoffman; he's not here."

Wennlund: "Representative Dart."

Speaker McPike: "9:41, Mr. Hoffman here? No. Remove him from the roll."

Wennlund: "Representative Dart?"

Speaker McPike: "Remove Mr. Hoffman from the roll."

Wennlund: "Representative Dart?"

Speaker McPike: "Mr. Dart. He was here."

Wennlund: "Representative Flowers?"

Speaker McPike: "Well, just a minute. Mr. Dart? No, he's not here. Remove him from the roll."

Wennlund: "Representative Flowers?"

Speaker McPike: "Representative Saviano just walked on the House floor. Good morning, Mr. Saviano. He'd like to vote 'no'."

Wennlund: "At 9:42."

Speaker McPike: "At 9:42. He was up with his child all night. I guess it's really tough to be with a four-day-old baby all night, isn't it Mr. Saviano? Mr. Lopez, did you...were you seeking recognition? Yes, he's here. All right. Who was the last one that you asked?"

Wennlund: "Representative Flowers?"

Speaker McPike: "Representative Flowers is not here. Remove her from the roll."

Wennlund: "Representative Davis? Monique Davis?"

Speaker McPike: "Representative Monique Davis is not here. Remove her from the roll. Representative Jones would like to be verified right here."

Wennlund: "Sure."

Speaker McPike: "Okay."

Wennlund: "Representative Morrow?"

Speaker McPike: "Representative Morrow's not here. Remove him

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from the roll."

Wennlund: "Representative Stroger?"

Speaker McPike: "Oh, wait a minute, wait a minute, just a minute, Representative Morrow's here. I thought you were Balanoff. Representative Morrow is here. Return him to the roll."

Wennlund: "Representative Stroger?"

Speaker McPike: "Stroger?"

Wennlund: "Oh, there he is. Representative Hicks?"

Speaker McPike: "Just a minute. We're looking for Stroger. Is he here? Mr. Stroger here? The Gentleman is not here. Remove him from the roll, but Mr. Dart has returned. I knew Mr. Dart was here. Put Mr. Dart back on the roll. Okay he's back."

Wennlund: "Representative Hicks?"

Speaker McPike: "Mr. Hicks is not here. Remove him from the roll."

Wennlund: "Representative Dunn?"

Speaker McPike: "Mr. Dunn is not here, remove him from the roll."

Wennlund: "Representative Levin?"

Speaker McPike: "Oh, Mr. Dunn is here. Put him back on the roll. Put him back on the roll."

Wennlund: "Representative..."

Speaker McPike: "Mr. Stroger has returned; put him on the roll. Mr. Flinn is here."

Wennlund: "Representative Levin? Ellis Levin?"

Speaker McPike: "He's here."

Wennlund: "Representative Laurino?"

Speaker McPike: "He's here."

Wennlund: "Representative Frias?"

Speaker McPike: "Representative Frias is not here. Remove him from the roll."

Wennlund: "Representative Lopez?"

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Speaker McPike: "He's here."

Wennlund: "Santiago?"

Speaker McPike: "Santiago is not here. Remove him from the roll."

Wennlund: "Capparelli?"

Speaker McPike: "Mr. Capparelli is not here. Remove him from the roll."

Wennlund: "Representative Rotello?"

Speaker McPike: "Mr. Rotello's not here. Remove him from the roll."

Wennlund: "Representative Burke?"

Speaker McPike: "He's here."

Wennlund: "Blagojevich?"

Speaker McPike: "Mr. Blagojevich is not here. Remove him from the roll."

Wennlund: "I have no further questions."

Speaker McPike: "All right. The Lady asked for Postpone Consideration. The Bill will be put on Postpone Consideration. Representative Turner, do you want to call that Bill, 1645? Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1645, a Bill for an Act in relation to hot water heaters. Third Reading of the Bill."

Speaker McPike: "Mr. Turner."

Turner: "Thank you Mr. Speaker. This Bill creates the Hot Water Safety Act, and what it does is this legislation that requires that new hot water heaters that are installed in a single family residence must be set at a minimum temperature setting, unless the owner or occupant asks that the dealer set that temperature at a higher temperature, and I move for the favorable adoption of Senate Bill...I mean House Bill 1645."

Speaker McPike: "This Bill's been agreed to now by everybody,

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right? Yes. The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Schoenberg, 'aye'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, 108 'ayes', 4 'noes'. House Bill 1645, having received the Constitutional Majority, is hereby declared passed. Representative Currie, 1928. Education, Third Reading, House Bill 658, comparable worth, on postponed consideration. Representative Currie, do you want to call this Bill? Well it's the last time we're coming to this Bill. We have pretty good attendance, Representative Currie, if you'd like to call this Bill. We've got pretty good attendance. Representative Steczo, 730. Churchill, 1089. John Dunn, 1195. John Dunn, wanna call your Bill? Mr. Morrow, 1237. Charles Morrow. Representative Phelan, 1932? Mr. Phelan. Mr. Turner. Read the Bill, Mr. Clerk, 2027. Mr. Phelan, did you want to call your Bill? Mr. Phelan, did you want to call your Bill? Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2027, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker McPike: "Mr. Turner."

Turner: "Thank you, Mr. Speaker. This is a Bill on behalf of the Chicago Board of Ed, and what it simply does, is it allows the textbook tax that's collected to be...the money that's collected from that tax also be used to purchase school supplies, and I move for the favorable adoption of House Bill 2027."

Speaker McPike: "The question is, 'Shall House Bill 2027 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 is

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113 'ayes', 113 'ayes' and 1 'no'. Mr. Wennlund, to explain his vote."

Wennlund: "I don't know how I could have been so wrong. There's 113 people here."

Speaker McPike: "Yes there is."

Wennlund: "Thank you."

Speaker McPike: "A lot of people took a walk on that last Bill. On this Motion, 113 'ayes', 1 'no'. House Bill 2027, having received the Constitutional Majority, is hereby declared passed. House Bill 2198, Representative Hawkins. Read the Bill, Mr. Clerk. Hawkins."

Clerk Rossi: "House Bill 2198, a Bill for an Act concerning the formation of corporations by public universities. Third Reading of the Bill."

Speaker McPike: "Representative Hawkins."

Hawkins: "Mr. Chairman and Members of this committee. This Bill simply allows universities to set up a non-profit corporations to be able to market inventions and various book royalties and so forth. Currently, they have to hire outside firms to do that, and those firms, it's my understanding, get 50% of the profits from that. This Bill would eliminate that and allow the universities and faculties to ...get the money. This would be an increased amount of money to the universities and faculties."

Speaker McPike: "The question is, Shall House Bill 2198 pass? All 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's 113 'ayes' and 1 'no'. House Bill 2198, having received the Constitutional Majority, is hereby declared passed. House Bill 2249, Representative Flowers. Representative Brunsvold, 2274? Brady?"

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Brady: "Mr. Speaker, I'd like to reflect that I misvoted in the last; I intended to vote 'aye'."

Speaker McPike: "The record will so reflect. State Government, House Bill 712, Mr. Saltsman. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 712, a Bill for an Act concerning membership of the state treasurer on authorities issuing bonds. Third Reading of the Bill."

Speaker McPike: "Mr. Saltsman."

Saltsman: "Yes, thank you, Mr. Speaker. This is a similar Bill that passed out of here last year and what it does, it allows the state Treasurer or his designee, an ex-official member of the Illinois Development and Finance Authority of the Illinois Housing Development Authority, Illinois State Toll Highway Authority. The Bill also changes the numbers needed for a quorum at each...at each meeting of the authorities. Being that the Treasurer is the proctor of all of these funds through his office, where we think that it is appropriate that he be a member of these authorities."

Speaker McPike: "Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think we now found someone who has more Bills filed than both Representative Lang and Representative Dart put together; the State Treasurer, Pat Quinn. Now at the cost of \$5,000 a Bill, this guy's got to have a half a million dollars worth of Bills floating around this Capitol. There is no reason in the world that the State Treasurer should be a voting Member of the Illinois Finance Authority, but even less of the Toll Highway Authority. Now, he may think he knows, thinks he knows more about the tollway system and how it ought to be operated, and how its funds ought to be invested, but that's the only authority

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in the entire State of Illinois that's fiscally sound and has any money. If for no other reason than that, he ought to stay out of it, period, and that...we're gonna vote 'no'; and maybe we ought to verify this one too. Maybe we'll get some more Members over here; maybe the Treasurer can round some up to bring them to the House floor."

Speaker McPike: "Mr...anyone else? The question is, 'Shall House Bill 712 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 65 'ayes', 48 'noes'. House Bill 712, having received the Constitutional Majority, is hereby declared passed. Mr. Parke, for what reason do you rise?"

Parke: "I would like to have a verification of roll call."

Speaker McPike: "Well, that's not timely. Sorry, it's already been declared passed."

Parke: "Thank you, Mr. Speaker."

Speaker McPike: "Mr. Edley, on 791. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 791, a Bill for an Act requiring preparation of dedicated fund notes for certain legislation. Third Reading of the Bill."

Speaker McPike: "Mr. Edley."

Edley: "Thank you, Mr. Chairman, Ladies and Gentlemen of the General Assembly. This is a Bill that we passed out last Session. It would have a more reporting in accounting of the...hundreds of funds that we currently have in the State of Illinois. I know we talk about GRF funding and that's the one that...that has certainly the largest fund, but the state has literally hundreds of other dedicated funds and what we need...would...would have is the Economic and Fiscal Commission to prepare a dedicated fund note for any

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measure that would create or expand a dedication. We would also have the Comptroller prepare an annual review of these funds and make recommendations to the General Assembly about...about these funds; about the restrictions, the statutory authority, the revenue source, the amounts received and the beneficiaries of these funds. Almost, almost 50% of the state budget is locked up in these dedicated funds and I think that we could improve our cash flow and improve our budgeting processes by having a closer scrutiny of these dedicated funds, and I'd ask for your 'aye' vote."

Speaker McPike: "The question is, 'Shall House Bill 791 pass?' All in favor vote 'aye'; opposed vote 'no'. Mr. Ryder to explain his vote."

Ryder: "Thank you, Mr. Speaker. I rise in opposition to this although it's well-intended as far as gaining information for the General Assembly. I do have a considerable amount of problem as to what this would do to folks such as the road fund, the Illinois Department of Transportation. All of us would like to see better roads in Illinois, and the...this kind of process may not be helpful to the Department of Transportation and others on those funds. Ultimately the responsibility's with the Legislature and I don't believe that the kind of extra...bureaucratic levels that the Sponsor is creating by this is particularly helpful to that process."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 70 'ayes', 44 'noes'. House Bill 791, having received the Constitutional Majority, is hereby declared passed. Representative Ronen, 1108. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1108, a Bill for an Act amending the

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Illinois Purchasing Act. Third Reading of the Bill."

Speaker McPike: "Representative Ronen."

Ronen: "Is there? I move to...I move to leave to go back to Second Reading for an Amendment."

Speaker McPike: "Yeah. The Lady asks leave to return the Bill to Second Reading. Leave is granted. The Bill's on Second Reading. Any Amendments, Mr. Clerk?"

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

Speaker McPike: "Representative Ronen."

Ronen: "Yes, thank you, Speaker. Amendment #3 sets forth provisions for out-of-state vendors. It provides that out-of-state vendors have to adhere to the applicable provisions of the insurance laws of the state in which they are located in order to be eligible for state contracts. I move 'do pass'."

Speaker McPike: "The question is, 'Shall Amendment #3 be adopted?' Mr. Wennlund, on that Motion."

Wennlund: "Will the Sponsor yield? Can you tell us one more time what this Amendment does?"

Speaker McPike: "Yes."

Ronen: "I guess, Representative. This Amendment provides that out-of-state vendors have to adhere to the applicable provisions of the insurance clause..."

Wennlund: "Did the electrician turn her microphone on?"

Speaker McPike: "Yes, please...I mean...we could have a little more quiet than whoever is doing all their...Oh, it's Representative Wojcik."

Ronen: "Yes, Representative, Amendment 3 provides that out-of-state vendors have to adhere to the applicable provisions of the insurance laws of the state in which they are located in order to be eligible for contracts. We

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added this Amendment at the request of CMS. Previously we were asking that companies adhere to Illinois standards. If they are an out-of-state company, we are asking that they adhere to the standards of the state in which they are located."

Wennlund: "...How does this change the original Bill? Does it... With this Amendment, does the original Bill still require anybody who bids on a state contract to have employee health insurance?"

Ronen: "If...if they need to...if they have more than 50 employees and they are...they must supply, yes."

Wennlund: "So, that..."

Ronen: "And this is... I might add, this Amendment, I think, that CMS is now neutral, or not opposing this Bill anymore based on the Amendment."

Wennlund: "I understand that. That's not the question. That's not the question. The question is, 'Is that what is this going to do that we require any...any contractor...'"

Speaker McPike: "No, just...just the Amendment. Just the Amendment. We're on the Amendment, not the Bill. To the Amendment."

Wennlund: "To the Amendment. The Amendment doesn't make a bad Bill better."

Speaker McPike: "The question is, 'Shall Amendment #3 be adopted? All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Representative Currie, 1202. Mr. Edley, 1460. Mr. Edley? Edley, Edley, where did he go? Oh, news conference, press conference. Must be down with Representative Levin. Mr. Edley? Mr. Hicks? Mr. Hicks, 1704. Read the Bill, Mr. Clerk."

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Clerk Rossi: "House Bill 1704, a Bill for an Act concerning Public Aid. Third Reading of the Bill."

Speaker McPike: "Mr. Hicks."

Hicks: "Thank you, Mr. Speaker. ...Would you please take 1704 out of the record? We still have a small snag. Thank you."

Speaker McPike: "All right. Representative Prussing, 1705. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1705, a Bill for an Act amending the State Prompt Payment Act. Third Reading of the Bill."

Speaker McPike: "Representative Prussing."

Prussing: "Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1705, tries to emulate the situation we have with vendors who are owed large amounts of money and sometimes are forced into bankruptcy. This would allow the state to provide a notification of approval of payment to vendors who have \$5,000 or more in unpaid bills at their request."

Speaker McPike: "Representative Prussing, she moved 'do pass' on... Mr. Wennlund, on a 'do pass' Motion."

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

Speaker McPike: "Yes."

Wennlund: "What...what does the Bill do that...can't be done already?"

Prussing: "Well, this is officially allowing us to send a letter. It's like collateral. The Bill is endorsed by the Chamber of Commerce and the Retail Merchants Association, so apparently the businesses feel that it's a good idea."

Wennlund: "But...what is it do that we can't do already? I guess you're not going to answer my question."

Prussing: "I...I guess the answer to that is that the people who want this passed feel it's a good business Bill and the

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state agrees."

Wennlund: "...That's not the question. The question is, 'What does the Bill do that they can't do already?'"

Prussing: "Provides a formal mechanism for these letters to be issued and sets a dollar amount, so it's not if we owe \$50.00, it's if we owe \$5,000."

Wennlund: "So, what we're going to do, we're going to tell the vendors who are owed money by the state that...if they owe...the state owes them \$50.00, they can't send a letter."

Prussing: "That's right. This is for the serious situations."

Wennlund: "Well, some people \$50.00 is pretty serious."

Prussing: "Well, this is...for collateral for loans. I don't know if anybody would go get a loan if \$50.00 was owed to them, from a bank."

Wennlund: "How about \$500.00? How much is it...?"

Prussing: "This is drawn up for \$5,000."

Wennlund: "What's the administrative costs of...to the state of doing this?"

Prussing: "No one requested a fiscal analysis on this. It's my understanding that it would be minimal."

Wennlund: "Minimal?"

Prussing: "Yes."

Speaker McPike: "To the Bill...to the Bill, Mr. Wennlund. Let's go."

Wennlund: "It's \$42,009? To the Bill. The cost is not minimal; there is a fiscal note filed. Annual costs impact the State of Illinois \$42,900. It cost \$5.72 per claim with the average claims of \$7500, what we're talking about is \$42,900 a year. Just another state expense; another press release that we just don't need."

Speaker McPike: "The question is, 'Shall House Bill 1705 pass?'"

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All in favor vote 'aye'; opposed vote 'no'. Mr. Balthis, how do you want to vote? Mr. Balthis votes 'aye'. 'Aye', Mr. Balthis votes 'aye'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 81 'ayes' and 31 'noes'. House Bill 1705, having received the Constitutional Majority, is hereby declared passed. Representative Balthis, in the Chair."

Speaker Balthis: "Thank you, Mr. Speaker. I appreciate you taking the time. I have with me today a group of youngsters and the Administrative Assistant of the Vocational Industrial Club of America and I'd like to introduce Mr. Bob Graham who is the Administrative Assistant."

Graham, Bob: "Good morning, Ladies and Gentlemen. My name is Bob Graham, I'm the Administrative Assistant to the Vocational Industrial Clubs of America and I'd like to introduce Chris Sessa, who is our National Parliamentarian and he's gonna tell you what we're doing here in Springfield this weekend."

Sessa, Chris: "Good afternoon. It's indeed an honor to speak to the House of Representatives. These people you see before you, here are the state officers of the Illinois Association of VCCA, as we call it. We're here April 22, 23 and 24th at the Prairie Capital Convention Center for our annual State Skill Olympics. VCCA is a student organization for students enrolled in trade, technical, industrial and health occupations. Through this leadership and skilled competition, they'll be demonstrating their skills to compete for number one title in their state and to go on to national. I'd like to extend an invitation for everyone to come see our opening ceremonies tonight at 7

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p.m. at the Prairie Capital Convention Center and again tomorrow to witness the skilled competition at the Prairie Capital Convention Center starting at 10 a.m. tomorrow morning. Thank you."

Speaker McPike: "Representative McPike, in the Chair. Mr. Dart, 2004. Dart? Dart? Mr. Granberg, do you want to handle this for Mr. Dart? Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2004, a Bill for an Act to amend the Home Rule Note Act. Third Reading of the Bill."

Speaker McPike: "Mr. Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2004 is a shell Bill. There are no Amendments to the Bill. They're using it in discussions on the Home Rule Note Act, and I would move for its passage."

Speaker McPike: "Mr. Wennlund, on the shell Bill."

Wennlund: "Thank you. Will the Sponsor yield? What's...what's the purpose of it? I missed that, Kurt."

Granberg: "I think Representative Dart, they're...they're having negotiations with the Comptroller on the whole...Home Rule Note Act."

Wennlund: "The what?"

Granberg: "The Home...the Home Rule Note Act."

Wennlund: "Wouldn't that Bill that passed out of here yesterday do away with all of this? Why do we need it?"

Granberg: "Oh, I'm sorry, Representative...take...take it out of the record."

Speaker McPike: "No, we're going to pass the Bill. We're going to pass the Bill."

Granberg: "Okay, we're gonna...this is at Senator Philip's request."

Wennlund: "At Senator Philip's request? Yeah, thanks, Kurt."

Speaker McPike: "The question is, 'Shall House Bill 2004 pass?'

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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 65 'ayes', 47 'noes'. House Bill 2004, having received the Constitutional Majority, is hereby declared passed. House Bill 20...House Bill 2416, Mr. Edley. Mr. Edley. Mr....Mr. Edley is still at the press conference, so Mr. Ryder would like to handle the Bill. Mr. Tenhouse, what...what...why are you seeking recognition? We haven't heard from you all year. Energy and Environment, Mr. Rotello. Mr. Giorgi, would you like to handle this for Mr. Rotello? All right, read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 332, a Bill for an Act in relation to Illinois Recyclable Markets Development Advisory Council. Third Reading of the Bill.."

Speaker McPike: "All right, Representative Gash, you can handle this Bill. You're the Co-Sponsor. Representative Gash. Mr. Giorgi, do you want to handle the Bill? Go ahead Mr....give it to Miss...Miss Gash, she'll handle it. Representative Persico, for what reason do you rise?"

Persico: "Just to question the Sponsor."

Speaker McPike: "Question the Sponsor. All right."

Gash: "Okay. This is a Bill that would create the Illinois Recyclable Markets Development Act. It would provide for the creation of an advisory council. It also amends the Illinois Development Finance Authority Act. The purpose of the Bill is to make low-interest loans available to the recyclable markets businesses. Right now, we're trying to encourage recycling. Well, that's really a problem where there's nowhere for the recycling to go. This is a very common sense thing that really needs to be done."

Speaker McPike: "All right, Representative...Persico."

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Persico: "You had it right the first time, Mr. Speaker."

Speaker McPike: "I...I thought...you know, I'd try two or three different ways."

Persico: "Will the Sponsor yield?"

Speaker McPike: "Mr. Persico. Yes, she will yield."

Persico: "Representative, I'd like to ask you a few questions on this particular Bill. According to my analysis, this Bill is already duplicative of what the NR and DCCA already do...why do we...why does the State Treasurer need to guarantee loans made by the IFDA?"

Gash: "Okay, they only do direct loans. That's not the same thing."

Persico: "Is this a Bill that will guarantee that the state will be held liable up to \$18 million if these loans default?"

Gash: "This is a loan guarantee program. There's something that we need to take responsibility about and it's something we need to do. That's what we're here for."

Persico: "Well, I understand that in some regards, but...well, to the Bill. This is one of three Pat Quinn Bills that have passed out of Energy and Environment. You also have heard of a couple of Bills on other committees that I have been, and according to my estimates of just the Bills that I have heard in committee, Pat Quinn has made the state liable up to \$100 million if these loans default and if the state is already had its bond rating lowered twice in the last two years by Moodys and Standards and Poor. These bond houses consider these bonds...loans, guarantees, collateral debts and I don't think the state should be in the business of doing this and I urge my colleagues on my side to vote 'no' on this particular Bill."

Speaker McPike: "The question is, 'Shall House Bill 332 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative

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Granberg, you've not voted yet. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 70 'ayes' and 46 'noes'. House Bill 332, having received the Constitutional Majority, is hereby declared passed. Representative Shirley Jones, 544. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 544, a Bill for an Act amending the Energy Assistance Act of 1989. Third Reading of the Bill."

Speaker McPike: "Representative Jones."

Jones, S.: "House Bill 544, changed the eligibility level for energy assistance for a state rather than from 110% of the federal non-farm property level to 125% of the property level. I ask for your favorable vote. Thank you."

Speaker McPike: "The question is, 'Shall House Bill 544 pass?' Mr. Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "I couldn't hear a word that you said. I'm sorry. The noise level on the House floor, even though there's not that many people here, is unbearable. Can you tell us what this does again?"

Speaker McPike: "It's unbearable."

Wennlund: "Yeah, it is. Representative, can you tell us what this Bill does?"

Jones, S.: "Increases the income eligibility for energy assistance."

Speaker McPike: "This came out of the Public Utilities Committee with bipartisan support."

Wennlund: "How did that happen? ...What's...what's the fiscal impact?"

Jones, S.: "There's no fiscal impact."

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Wennlund: "There's no fiscal impact?"

Speaker McPike: "None."

Jones, S.: "No."

Wennlund: "Where does the money come from?"

Jones, S.: "From the federal."

Speaker McPike: "Only the federal money is available."

Jones, S.: "From the federal."

Wennlund: "Thank you."

Speaker McPike: "Mr. Skinner."

Skinner: "Yes, I wonder if the Sponsor would tell me if we are able to give all the energy assistance that those people earning up to 110% of the poverty line request?"

Speaker McPike: "Would you repeat that? They didn't hear it?"

Skinner: "Are all the people who are currently eligible receiving assistance? Or are there unmet requests at the present time?"

Jones, S.: "We don't know if all of the people have applied for assistance."

Skinner: "Well, here's my fear. If the poorest people aren't, I do not believe that everybody that is 110% of the poverty level is now receiving assistance. If that premise is correct, then raising the poverty level or raising the eligibility level, the income level, from 110% of poverty to 125% of poverty means that people who are better off...will probably end up getting money and people that are less off...less well off will end up not getting money."

Jones, S.: "Yes."

Skinner: "Why would you want to hurt the poor people?"

Jones, S.: "This is...this does not hurt the poor people. This helps the poor people."

Skinner: "Well, I guess that just assumes there is an unlimited

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flow of money coming from Washington, and I just don't think that's accurate."

Speaker McPike: "The question is, 'Shall House Bill 544 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 80 'ayes', 28 'noes'. House Bill 544, having received the Constitutional Majority, is hereby declared passed. Representative Dart, 815. Mr. Dart, you did pretty well on that last Bill. Financial Institutions, Third Reading, House Bill 1410, Representative Deuchler. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1410, a Bill for an Act concerning the use and display of names by financial aid fiduciary organizations. Third Reading of the Bill."

Speaker McPike: "Representative Deuchler."

Deuchler: "Mr. Speaker, ...leave to take this Bill back to Second for purposes of..."

Speaker McPike: "All right. The Lady asks leave to return the Bill to Second Reading. The leave is granted. The Bill's on Second. Mr. Clerk, any Amendments?"

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

Speaker McPike: "Representative Deuchler."

Deuchler: "Amendment 2 deletes the provisions amending the Corporate Fiduciary Act to provide for the confidentiality of records pertaining to a trust customer."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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Speaker McPike: "Third Reading. Health Care and... No, we're not going to hear the Bill today. It's been amended. Health Care and Human Services, Representative McGuire, 453, Second Reading. Mr. McGuire? This Bill's been read a second time previously. Mr. Granberg will handle the Bill. Are there any Amendments? Any Amendments?"

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

Speaker McPike: "Representative Gran... Are there any Amendments, Mr. Clerk?"

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

Speaker McPike: "Mr. McGuire."

McGuire: "Thank you, Mr. Speaker. I'm sorry, I was outside, and heard my name called. But House Bill 453, I think we have an Amendment that...we had filed #1. I would like to withdraw #1 and #2 becomes the Bill."

Speaker McPike: "The Gentleman withdraws #1. Further Amendments?"

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

Speaker McPike: "Mr. McGuire."

McGuire: "(Amendment) #2...excuse me...Amendment #2 becomes the...the Bill and what we're doing with House Bill 453, we're going to have a preventative physical examination demonstration program. This will be a pilot or demonstration program."

Speaker McPike: "Anyone against this Amendment? The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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Speaker McPike: "Third Reading. House Bill 1355, Representative Schakowsky. The Bill's been read a second time. Are there any Amendments?"

Clerk Rossi: "No Floor Amendments."

Speaker McPike: "No Floor Amendments? Representative Schakowsky? Out of the record. Representative Ryder, 1390. Mr. Clerk, are there any Amendments?"

Clerk Rossi: "No Floor Amendments."

Speaker McPike: "Mr. Wennlund, just leave this on Second? Move to Third? No Amendments, Third Reading. House Bill 1814, Representative Currie. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "By Representative Lawfer? Is that correct? Mr. Lawfer."

Lawfer: "Yes, I rise in support of this Amendment."

Speaker McPike: "All right. The Gentleman rises in support of the Amendment. The question is, 'Shall the Amendment be adopted?' Representative Currie. Miss Currie, where is Miss Currie? Representative Currie, do you want... Representative Currie, the Gentleman rose in support of his own Amendment. Representative Granberg. Representative Currie is here. She's here. She's right here. Miss Currie, would you like to speak from...from Representative Lawfer's desk? Rep...Representative Currie."

Currie: "I believe Representative Lawfer, that the Amendment that you're offering is already on the floor in House Bill 2008, so perhaps you'd be kind enough to withdraw the Amendment."

Speaker McPike: "Mr. Lawfer."

Lawfer: "Okay, I...I agree. I withdraw."

Speaker McPike: "The Gentleman withdraws the Amendment. Further

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Amendments?"

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

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker. This is an agreed Amendment with the Department of Public Aid and..."

Speaker McPike: "The question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted."

Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 2332, Mr. Ryder. ...Any Amendments, Mr. Clerk? Out of the record. All right. Representative Curran, 971, Third Reading. Mr. Stephens, Third Reading. Mr. Curran? Mr. Curran here? Representative Leitch, 1005. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1005, a Bill for an Act amending the Illinois Public Aid Code. Third Reading of the Bill."

Speaker McPike: "Mr. Leitch."

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1005 is a very simple Bill. What it does is permit the Division of Child Support in Public Aid to obtain information from employers via letter request as opposed to going through an administrative subpoena process. It would greatly speed up and help crack down on offenders and speed up this process, save money and I'd ask for your favorable roll call."

Speaker McPike: "On the Motion, Representative Granberg."

Granberg: "Thank you, Mr. Speaker. Representative Leitch, I just want to confirm our discussion. This Bill will not move out of the Senate unless there is an agreement between the

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Associated Managers Association; The Management Association and the Illinois State Bar Association?"

Leitch: "Yes, that's the...the commitment that I have. It will not move unless there is an agreement. There are seven Amendments that have been kicked around. We're not going to put any on here, but it won't move in the Senate without concurrence."

Granberg: "Unless there is...unless there is an agreement between the Illinois State Bar Association of trial lawyers and the Management Association of Illinois. With the Representatives a confirmation of that agreement, we have no objection."

Speaker McPike: "The question is, 'Shall House Bill 1005 pass?' All 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's 108 'ayes', 0 'nays'. House Bill 1005, having received the Constitutional Majority, is hereby declared passed. House Bill 1488, Mr. Ryder. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1488, a Bill for an Act amending the Nursing Home Care Act. Third Reading of the Bill."

Speaker McPike: "Mr. Wennlund, to handle the Bill."

Wennlund: "Thank you, Mr. Speaker. This Bill amends the Nursing Home Care Act, reduces the amount of nursing home inspections, in order to reduce the cost of operating it. The...it provides the Department of Public Health shall not be required to determine whether a facility is certified to participate in the Medicare, Medicaid program, which the government determines..."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On

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this Motion, there's 106 'ayes', 0 'nays'. House Bill 1488, having received the Constitutional Majority, is hereby declared passed. House Bill 1657, Miss Younge. Read the Bill, Mr. Clerk. Representative Clayton."

Clayton: "...Recorded as 'yes' on that last vote."

Speaker McPike: "All right. The Lady had desired to vote 'aye' on House Bill 1005. The record will so reflect. Read the Bill."

Clerk Rossi: "House Bill 1657, a Bill for an Act amending the Family Resource Development Act. Third Reading of the Bill."

Speaker McPike: "Representative Younge."

Younge: "Thank you very much, Mr. Speaker. House Bill 1657 would establish a family resource development center. ...This is similar to another Bill that went to the...Senate. The Illinois Department of Public Aid has agreed to a demonstration. We're working out the details of that. Representative Shirley Jones put an Amendment on the Bill that would call for a, subject to available appropriations, a demonstration in the...Department of Children and Family Services..."

Speaker McPike: "There's no opposition to this Bill. The question is, 'Shall this Bill 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 is 112 'ayes', 0 'nays'. House Bill 1657, having received the Constitutional Majority, is hereby declared passed. House Bill 1957. Representative Burke. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1957, a Bill for an Act to create the Illinois Acupuncture Practice Act. Third Reading of the Bill."

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Speaker McPike: "Mr. Burke."

Burke: "Mr. Speaker, would you take this out of the record for the moment."

Speaker McPike: "Yes. Representative Ronen, 1995. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1995, a Bill for an Act to amend the Illinois Health Finance Reform Act. Third Reading of the Bill."

Speaker McPike: "Representative Ronen."

Ronen: "Thank you, Speaker. Leave to return this to Second reading for an Amendment."

Speaker McPike: "The Lady asks leave to return this to Second Reading. Leave is granted. The Bill's on Second Reading. Mr. Clerk, any Amendments?"

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

Speaker McPike: "Representative Ronen."

Ronen: "Thank you, Speaker. This Amendment now becomes the Bill. This is similar to the Amendment we passed yesterday that just says a facility certified to participate in the medical assistance program must be certified with respect to all parts of the facility licensed to provide skilled or intermediate care or intermediate care for the developmentally disabled. What we're doing here is removing all other parts that are not relevant to this provision of district part certification and making this Amendment the Bill. I move 'do pass' on this Amendment."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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Speaker McPike: "Third Reading. House Bill 2048, Representative Ronen. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2048, a Bill for an Act amending the Illinois Public Aid Code. Third Reading of the Bill."

Speaker McPike: "Representative Ronen."

Ronen: "Thank you, Speaker, Ladies and Gentlemen of the House. This Bill is very simple. It's what we're trying to do is increase access to primary care to underserved areas in this state. As amended, this Bill will permit the Illinois Department of Public Aid to enroll certified nurse practitioners as primary care providers in the Healthy-Moms, Healthy-Kids Program. We feel strongly that this program is worthy and is seeking to help provide needed medical care to women and children on Medicaid, but it cannot work as currently designed. There is a very, very severe shortage of primary health care physicians in this state. This has been documented by the Illinois Department of Public Aid in their report to the Governor's Health Care Reform Task Force. It was the headline story in the Chicago Tribune today. It's a fact of life. Illinois suffers from a severe shortage of primary care physicians. While many of the medically underserved are located in urban areas of poverty, physicians have moved their practices into areas accessible to major hospitals and privately-insured patients. Rural areas also suffer from a shortage of primary care physicians. Today, the Illinois Department of Health considers 60 of 80 rural counties in Illinois to be health physician shortage areas and we heard yesterday that there are 14 contiguous counties with no health care, yet the success of the Healthy-Moms, Healthy-Kids Program depends upon the availability of primary health care providers. We think

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nurse practitioners are the answer to this very very severe problem. Forty-three other states are currently doing this. The federal government has mandated Illinois to do this. ...Soon we will be the only state not doing this. It is a tragedy. This one small step that we could take immediately could directly improve access and quality at the same or lower costs, especially for poor or rural people. Passage of this Bill will help address the serious problem. I urge 'do pass'."

Speaker McPike: "Representative Phelps, on the 'do pass' Motion."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Ladies Bill. First of all she's having a direct involvement in how to reform and offer at least some type of assistance for highly medically underserved areas. Make no mistake, these areas exist not only in rural, but also very extreme cases in urban, which this Lady represents and I represent the rural. So, the mid-level practice whether it be physician assistance, nurse practitioners, nurse midwives, is a very great, a great alternative way of offering access to primary care in manpower shortage areas in which have been proven throughout the state. There should not be a one to hesitate to support this Bill to offer some basic care where there's a great absence in areas of this state. We need your 'aye' votes."

Speaker McPike: "Representative Wennlund. Mr. Wennlund? Turn him on."

Wennlund: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative, the nurses are currently licensed under the Illinois Nursing Act; isn't that correct?"

Ronen: "That's correct."

Wennlund: "What agency administers that Act?"

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Ronen: "The Department of Regulations."

Wennlund: "The Depart... I'm sorry, the Department of Professional Regulations?"

Ronen: "Yes, Sir."

Wennlund: "What is the Nursing Act specifically prohibit when it addresses diagnosis and prescription?"

Ronen: "It is our belief that the Illinois Nursing Act does not prohibit any of the activities described in this Act. We're talking about nurses who are already certified to practice in the State of Illinois, who are providing services. All we're talking about here is enrolling them in the Medicaid Program and providing access to care and reimbursing them directly at 90% the cost that doctors receive."

Wennlund: "So, can nurses diagnose and prescribe medication currently?"

Ronen: "What we're...each nurse would be required to have a collaborative arrangement with a physician. This agreement would detail the authority of the nurse specialist and procedures for consultations and referrals. We are not asking nurses to work in any way apart from physicians..."

Wennlund: "Excuse me, one second..."

Ronen: "They would be in cooperation, Sir."

Wennlund: "Excuse me, one second. Mr. Speaker, could we have some decorum in the House? We can't hear a word."

Speaker McPike: "Yes."

Wennlund: "Thank you. Now, what this Bill provides for is that certified nurse midwives..."

Ronen: "Excuse me, Sir. Certified nurse Midwives are not a part of this Bill."

Wennlund: "Oh, they were removed?"

Ronen: "Yes, Sir."

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Wennlund: "And now we're talking about certified nurse practitioners?"

Ronen: "That's right, Representative."

Wennlund: "And will they be allowed to diagnose and prescribe medication, under this Bill?"

Ronen: "Each nurse Practitioner will have a written collaborative agreement with a physician which will detail the authority of the nurse specialist and the procedures for consultations and referrals. That would be a decision that is going to be made by that medical team of doctor and nurses."

Wennlund: "Well, currently they have to work with doctors now, don't they? They can't prescribe by themselves now?"

Speaker McPike: "All right. Representative Mulligan."

Wennlund: "Wait, she hasn't finished answering questions, Mr. Speaker."

Speaker McPike: "Oh, I thought she was finished. I'm sorry. Representative Ronen."

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

Speaker McPike: "What was the question? There's too much noise in here, Mr. Wennlund. She can't hear you."

Wennlund: "The question was, 'Will a nurse be able to prescribe medication if this becomes law?'"

Speaker McPike: "She answered that question."

Ronen: "...Again, the collaborative relationship with the physician would set forth those specifics. I don't think we in the General Assembly want to get into specifics of prescribing. That's for the doctor and the nurse to determine."

Wennlund: "So, that's not really any change from the current law, that nurses can't prescribe; the doctor still has to..."

Ronen: "No, all we're changing is that these nurse specialists

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who are already practicing, already registered, can work in cooperation with the Healthy-Moms, Healthy-Kids Program to serve areas that are not served now, that are underserved medically and work in collaboration with doctors, as authorized by federal law and be reimbursed directly at a rate of 90% of what the physicians receive."

Wennlund: "So, what you're talking about is that you want nurses to get paid the same as a doctor?"

Ronen: "No, Sir, we don't. This Bill calls for them to be reimbursed at 90% of the physicians rate."

Wennlund: "Oh, so you want these certified nurse practitioners to get paid only 90% of what the doctors make?"

Ronen: "That's what this Bill is calling for."

Wennlund: "In...in effect, it makes nurses primary care providers? Is that..."

Ronen: "That's exactly correct. Because that's what nurses are, they're primary care providers. They are doing that now. Read the Sun Times, the Tribune Article today, talking about the President's Health Care Task Force is talking about the use of nurse specialists, advanced practice Nurses, as primary care providers to meet this growing problem that we have. The health care crisis that we have in this state and throughout this country. It's acknowledged in 43 other states and they're doing it. In six other states are in the process of making this adjustment. Illinois will be the last state to do this."

Wennlund: "Thank you very much. To the Bill, Ladies and Gentlemen of the House. This Bill is not going to bring doctors, medical doctors, who are licensed to practice medicine in all those branches, to Central and Southern Illinois and to underserved medical areas. It's simply a fact that certified nurse practitioners are not doctors."

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They can not prescribe medication. They can not diagnose. It will not elevate the need for doctors, qualified medical doctors, in Central and Southern Illinois and in other medically underserved areas of Illinois. This Bill will not solve that problem, nor will it solve the growing health care crisis. Even though you're requiring 90% of what a doctor would get from reimbursement from Medicaid, this is not going to solve the problem. Certified nurse practitioners cannot practice medicine, cannot prescribe medication. They are licensed under the Nursing Act today to administer treatment and medication prescribed by a doctor. This Bill will not solve the health care crisis. It's a bad Bill, because what we're trying to do is creep into an area of medical providers and say, 'Look you don't have to be a licensed doctor anymore to prescribe medication. You don't have to be a licensed doctor anymore to administer to people. What we want to do is preserve the quality of health care in Illinois, and this is not the way to do it. The 'no' vote is a correct vote."

Speaker McPike: "Representative Ronen, to close, and we'll explain our votes. There's a lot of people that want to talk on this. Mr. Ronen, to close."

Ronen: "Thank you, Speaker. Illinois has a chance to take one small step to help to address the severe health care crisis we have in this state. Advanced practice nurses are qualified professionals who can deliver this service, who are delivering this service. All we're saying here is let's give them a chance to work in collaborative agreements with doctors, to be part of the health care team as they are now, to reimburse them at 90% of what doctor's receive, to be able to provide service in underserved areas of this state. Sixty of 90 of 85 counties are considered

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medically underserved; 10 community areas in the City of Chicago are also so designated. Advanced practice nurses can meet this need. They're qualified to do so. Forty-three states are already doing this. It's a federal mandate to do this. Six states that aren't doing it are in the process of making that change. Why should we be the last? It's time we came out of the darkness and started providing quality healthcare. This Bill will do that."

Speaker McPike: "The question is, 'Shall House Bill 2048 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Parke, to explain your vote."

Parke: "Thank you, Mr. Speaker. I would like to request a verification of roll call if this Bill passes. I sympathize with the underlying intent. I am just concerned that this Bill is too broad and that...therefore, I would request a verification if this passes."

Speaker McPike: "Representative Mulligan, to explain your vote."

Mulligan: "Thank you, Mr. Speaker. ...I'm explaining my vote, in my district, Lutheran General Hospital, north of the Kennedy is the only one that provides Medicaid services or doctors that will do OB-GYN work. I think it's very important to recognize that this is not undermining doctors. It's truly a need that we have; and, therefore, that's why I'm voting 'yes'."

Speaker McPike: "Representative Moseley."

Moseley: "Thank you, Mr. Speaker. To explain my vote. I am firmly in support of this measure because I have had a nurse practitioner. My OB-GYN has a nurse practitioner in service with him. She was the one that would see me in-between visits. She was the one that could prescribe prescriptions and the service was excellent. It's the only way we can address having limited doctors in rural areas.

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I wish for more green votes on this measure. Please think about the women on Public Aid, who cannot find a doctor to serve them. This would allow that doctor, those few limited Doctors, who can, who will serve them now to hire nurse practitioners, who can serve more people. Don't think about what the doctors are saying; think of what the people really need. Thank you."

Speaker McPike: "Representative Jones."

Jones, S: "Yes, to explain my vote. I was hoping that this...Bill and I was wondering was the nurses under the malpractice insurance coverage?"

Speaker McPike: "Representative von Bergen-Wessels."

von Bergen-Wessels: "Health care is one of the biggest issues facing our country today. Here is a Bill that will increase access and hold down costs. Isn't that what everybody is screaming about in this country? Increased access and holding down costs. This Bill does it. Please vote 'yes' on this Bill."

Speaker McPike: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker. Illinois actually stands to lose millions of dollars in Medicaid funds, because this is a federal mandate. The law is...we are required to reimburse nurse practitioners. Beyond that, we all know what's going on on this floor right now. The Medical Society is against this Bill but not for good health care reasons. They're against this Bill because of the bottom line. They are afraid that somehow these nurses are gonna cut into their funds. This is not true. This is...complimentary to the physicians; they work with the physicians. This is for health care for our citizens. There is no good reason other than just jumping into the tank with the Medical Society to vote against this Bill."

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Speaker McPike: "Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to announce a potential conflict of interest. I shall vote my conscience."

Speaker McPike: "Representative Erwin."

Erwin: "This Bill is an effort to help the Edgar Administration successfully implement Healthy Kids, Healthy Moms. We've listened to cries from the Edgar Administration about preventive medicine. There is no other practitioner that is better qualified or health care professional than a nurse practitioner. Let's use doctors in the very best capacity that they should be serving in. And let's use advanced practice nurses, where they are best fit into the health care system. We will jeopardize Medicaid dollars and jeopardize Governor Edgar and the Department of Public Aids' Healthy Kids, Healthy Moms Program. George Bush sent letters to this state issuing non-compliance notices and if we lose federal moneys, it would just be a tragedy. Please support House Bill 2048."

Speaker McPike: "Representative Phelps, I believe you spoke on debate. Is that correct? Have all voted? Have all voted who wish? Representative Ronen, to explain her vote."

Ronen: "I would just urge my colleagues to take one important step to help...help address this health care crisis. Sixty of 85 rural counties are medically underserved. The Illinois Department of Public Aid is not opposing this Bill because they understand that they have to do this. The Healthy-Moms, Healthy-Kids Program cannot work unless we enroll advanced practice nurses as primary care providers. The Healthy Moms Program, which started on April 1st, to date they have only enrolled 300 physicians in this program. Three hundred physicians to serve hundreds of

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thousands, 200,000 or more people on Medicaid. It can't work. We need your vote to help provide health care in this state. I urge an 'aye' vote."

Speaker McPike: "Have all voted? Representative Tim Johnson votes 'aye'. Representative Woolard, to explain his vote."

Woolard: "You know, I think that many times we have lots of opportunities on the floor to establish a position, and I believe that as we seek to do what we believe is right for the people that we represent, we should first and foremost be looking to those people who have less than adequate ability to accommodate those things that they want. I believe that as we address those things, we should be trying our best to help those people who have difficulty finding ways to get those services they need, but instead it seems as though many of us are doing our best to represent those people who have all kinds of abilities. I'm talking about some of those people that in the last couple of weeks have been reported to be making in excess of \$200 or \$250,000 a year. Well, I believe that there's many areas of this state and, in particular part of the area that I represent, that that isn't so. Not only do they not have the ability to pay the price and this gives the opportunity to do it in a more feasible and reasonable way, but many of them don't even have access to those kinds of people to provide basic, basic, health care services. We're going to be expanding that opportunity with a Bill such as this. I encourage everyone to vote for what we believe is right for the constituents we represent. Not for those people who have the big bucks in their pocket."

Speaker McPike: "Representative DeJaegher."

DeJaegher: "Thank you, Mr. Speaker, Members of the General Assembly. Very seldom, very seldom, do I take a position

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of support for the Governor of the State of Illinois. All of you know that he is interested in his Healthy Kids Program, one of the most outstanding pieces of legislation that he has before the General Assembly. It goes without saying that many people are doing without. I think on this particular vote, your conscience must be your guide. How you can basically deny health care for those that are in dire straights and those that are in need of. You've heard the statistics. People are not being adequately provided for in 60 counties in the State of Illinois. Perhaps it's quite possible that some of you may have relatives that live in those particular areas. Indeed some of us are quite fortunate. We have all the medical facilities that we want at our disposal, but as I say again, please let your conscience be guide...your guide on this very important piece of legislation."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 60 'ayes' and 38 'noes', and House Bill... Did you? Did you request a verification? Yes. On this Bill, there are 60 'ayes', 38 'noes'. Mr. Parke has requested a verification. Mr. Clerk, poll the affirmative."

Clerk Rossi: "A poll of those voting in the affirmative. Balanoff. Biggert. Blagojevich. Brunsvold. Curran. Currie. Dart. Davis. Deering. DeJaegher. Dunn. Edley. Erwin. Flinn. Flowers. Frederick. Gash. Giolitto. Giorgi. Hartke. Hoffman. Homer. Johnson, Tim. Johnson, Tom. Jones, Lou. Kaszak. Kotlarz. Lang. Laurino. Lawfer. Leitch. Levin. Lindner. Mautino. McGuire. McPike. Moore, Eugene. Morrow. Moseley. Mulligan. Murphy, H."

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Speaker McPike: "Yeah, Mr. Giorgi is right here and would like to be verified."

Clerk Rossi: "Noland. Novak.

Speaker McPike: "... and Mr. Lang. Thank you. Proceed."

Clerk Rossi: "Ostenburg. Phelps. Prussing. Pugh. Ronen. Rotello. Saltsman. Salvi. Schakowsky. Schoenberg. Sheehy. Stroger. Turner. von Bergen-Wessels. Woolard. Younge. Mr. Speaker."

Speaker McPike: "Mr. Parke."

Parke: "Thank you, Mr. Speaker. Representative Prussing, please? Oh she...I'm sorry, she's back."

Speaker McPike: "Yes, she's here."

Parke: "Representative Flowers?"

Speaker McPike: "Mary Flowers? Where's Mary Flowers? Representative Flowers? She was here, yesterday. The Lady's not in the chamber. Remove her from the record."

Parke: "Representative Stroger, please?"

Speaker McPike: "He's here."

Parke: "Thank you. Representative Eugene Moore?"

Speaker McPike: "Representative Moore? He's in the rear, yes. He's here."

Parke: "Thank you. Representative Kotlarz?"

Speaker McPike: "Joe Kotlarz. He's here."

Parke: "Thank you. Representative..."

Speaker McPike: "Representative Wyvetter Younge would like to be verified. She's in the middle aisle."

Parke: "That is...that's fine. Representative Edley?"

Speaker McPike: "He's here."

Parke: "Thank you, I see him. All right. Representative Schoenberg?"

Speaker McPike: "Schoenberg is...Schoenberg is here somewhere. Where...is Representative Schoenberg. Representative Dunn

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would like to be verified. He's in the middle aisle."

Parke: "That's fine."

Speaker McPike: "Mr. Schoenberg? Where's Representative Schoenberg? Mr. Schoenberg here? He's not. Representative Schoenberg is not here. Remove him from the roll call."

Parke: "Representative Hartke?"

Speaker McPike: "He's...he's here."

Parke: "Yes, he is. Represent..."

Speaker McPike: "Representative Morrow would like to be verified? He's right here."

Parke: "That's fine. Representative Dart?"

Speaker McPike: "I'm sorry. Would you repeat that?"

Parke: "Representative Dart?"

Speaker McPike: "Representative Frederick would like to be verified. She's right here."

Parke: "That's fine."

Speaker McPike: "No, Representative Frederick."

Frederick: "Mr. Speaker, could I change my vote to 'present'?"

Speaker McPike: "Representative Ronen, Representative Frederick is changing her vote to 'present'."

Parke: "And...we did verify Representative Dart is here?"

Speaker McPike: "Mr. Dart? Yes, he's here."

Parke: "All right. I see him."

Speaker McPike: "Yes, he's here."

Parke: "...I have no other requests."

Speaker McPike: "Representative Lou Jones? You weren't verified. No, no more questions. No more questions. All right. No further questions. On this Motion, there are 57 'ayes' and 38 'noes'. Representative Shirley Jones."

Jones, S: "I change my vote to 'aye'."

Speaker McPike: "Representative Jones changes her vote from

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'present' to 'aye'. Is anyone else seeking to change their vote? On this Motion... On this Motion, there are...there are...you are voting on it. On this Motion, there are 58 'ayes' and 38 'noes'. Representative Ronen."

Ronen: "I wish to put this on postponed consideration."

Speaker McPike: "Postponed consideration. House Bill 2063, Representative Currie. Mr. Homer, 2234. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2234, a Bill for an Act amending the Illinois Insurance Code. Third Reading of the Bill."

Speaker McPike: "Mr. Homer."

Homer: "Mr. Speaker, may we return this Bill to the Order of Second Reading for the purpose of an Amendment?"

Speaker McPike: "Yes, does the Gentleman have leave? Leave's granted. The Bill's on Second Reading. Any Amendments?"

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

Speaker McPike: "Mr. Homer."

Homer: "You...this Amendment was suggested by Representative Schakowsky. It deals with the issue of prosthetic devices, in particular splinting devices to clarify that. In fact, the Bill would apply and there would be coverage for using splinting devices in treating the TMJ condition."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Mr. Homer?"

Homer: "Leave to...leave for immediate consideration?"

Speaker McPike: "No, leave is not granted. Representative Kotlarz, 2287. Representative Wojcik, 2336. Read the

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Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2336, a Bill for an Act amending the Life Care Facilities Act. Third Reading of the Bill."

Speaker McPike: "Representative Wojcik."

Wojcik: "Yes, Mr. Speaker, Members of the House. House Bill 2336 requires the Department of Public Aid to develop and implement a program to ensure that children under five years of age receive AFDC and are immunized, who are receiving AFDC are immunized. It also includes provisions requested by the Christian Science Committee on publication for Illinois that exempts children from immunizations whose parent, guardian or relative with custody objects on grounds on religious tenants and practices, and it requires the DPA to provide all families with children under 18 years of age applying for financial aid with information orally by an intake worker and in writing when the application is filed about the availability and location of immunization services. It also incorporates language from Senate Bill 816 and this language is for a physician who is a constituent of Senator Topinka, and the Illinois State Medical Society supports this change. The Bill is agreed to on both sides of the aisle, and I ask for its favorable passage."

Speaker McPike: "Discussion? The question is, 'Shall House Bill 2336 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', 1 'no'. House Bill 2336, having received the Constitutional Majority, is hereby declared passed. Representative Pankau."

Pankau: "Mr. Speaker, please show me voting 'aye' on the last one."

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Speaker McPike: "Yes, the Lady would have voted 'aye' on that previous Bill, and the record will so reflect. (House Bill) 1249. The Bill's on Second Reading. Any Amendments?"

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

Speaker McPike: "Representative Novak moves the adoption of Amendment #3, a technical Amendment. The question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Representative Black withdraws his request for a fiscal note. Third Reading. This Bill... Representative Schakowsky's Bill on 1355, Second Reading on Health Care. The Bill's been read a second time. Are there any Amendments? (House Bill) 1355."

Clerk McLennand: "No Amendments."

Speaker McPike: "Put on the board, 1355. There are no Amendments on this. Do you want it moved to Third Reading? Yes, Third Reading. Do you wish to call the Bill at this time? Yes. Mr. Black. Mr. Parke, you can move to your own chair. Mr. Parke."

Parke: "I appreciate that's..."

Speaker McPike: "Mr. Parke?"

Parke: "It's more convenient..."

Speaker McPike: "Well, it is against the rules, unless your microphone is broken. It's against House rules."

Parke: "I have an inquiry of the Chair. We show that there is a Floor Amendment."

Speaker McPike: "Mr. Clerk, has Amendment #1 been adopted?"

Clerk McLennand: "Floor Amendment #1 was adopted."

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Parke: "Thank you."

Speaker McPike: "Okay. Wa...that was not adopted today. When was that adopted? When was Amendment #1 adopted?"

Clerk McLennand: "April 15."

Speaker McPike: "April 15. Representative Schakowsky, do you want this Bill read on Third...heard right now? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1355, a Bill for an Act to amend the Medical Patient Rights Act. Third Reading of this Bill."

Speaker McPike: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker. ...The Medical Patient Rights Act truly is a merely Bill. It...it merely asks hospitals to give in writing to patients what has already been in effect as law as the patient medical Bill of Rights. This is, as amended, agreed to by the Hospital Association and there is no known opposition. It is a measure of some importance to the Illinois State Bar Association, and I urge the adoption of House Bill 1355."

Speaker McPike: "The question is, 'Shall House Bill 1355 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, 111 'ayes' and 0 'nays'. House Bill 1355, having received the Constitutional Majority, is hereby declared... Representative Tom Johnson votes 'aye'. On this Motion, there's 112... Representative Biggins votes 'aye'. On this Motion, there are 113 'ayes' and 0 'nays'. House Bill 1355, having received the Constitutional Majority, is hereby declared passed. All right, the Chair is trying to clean up a few Bills on the Agreed List for today. House Bill 1148. This Bill is on Second Reading. Are there any Amendments?"

Clerk Rossi: "No Floor Amendments."

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Speaker McPike: "Third Reading. House Bill 1427. The Bill's on Second Reading. Are there any Amendments?"

Clerk Rossi: "No Floor Amendments."

Speaker McPike: "Mr. Hicks, there are no Amendments. Third Reading. Are those... That's on the Agreed Bill List. Housing, Third Reading, Representative Morrow. Got two Bills on this. (House Bill) 1238. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1238, a Bill for an Act amending the Housing Authorities Act. Third Reading of the Bill."

Speaker McPike: "Mr. Morrow."

Morrow: "...Thank you, Mr. Speaker. Do I have leave of the Body to take this back to Second Reading?"

Speaker McPike: "Yes, the Gentleman asks leave to return it to Second Reading. Leave is granted. The Bill's on Second. Any Amendments?"

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

Speaker McPike: "Mr. Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 what it does it becomes the Bill. House Bill 1238 had...was a shell Bill, but Amendment #1 now becomes the Bill. It requires the Department of Human Rights to conduct an audit of 5% of all public contracts to which the affirmative action requirements and the relevant sections of this Act apply. The...Human Rights Department will then shall submit a report to the General Assembly and to the Governor that names all contractors that do not comply with the requirements of the underlying Act. I'll be glad to answer any questions."

Speaker McPike: "And, on that Motion, Mr. Parke."

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

Speaker McPike: "Yes."

Parke: "Representative Morrow, why do you think we need to do this?"

Morrow: "Why do you think we need to do this, because even though we have a affirmative action clause dealing with all state agencies, we don't have any teeth in that Act to make these agencies comply with affirmative action language that they're supposed to be doing."

Parke: "I don't understand. What do you mean you don't? Why don't you just take it and...take it to the Attorney General, if they are not complying within the current agencies that we have and file a complaint. I mean do you...do you personally have a lot of complaints on this?"

Morrow: "Yes. I personally do get a lot of complaints and..."

Parke: "In writing, that you could present to some of the Attorney General, so that he can maybe look at it and see if there's something that's out of compliance?"

Morrow: "I think they have enough work. I don't think we need to give any more work to lawyers. We wouldn't have to go to the AG's office, if these state agencies were in compliance all along with the law that we passed several years ago."

Parke: "How much do you think this is going to cost? If you don't want to give business to lawyers, now you want to give the business to the Department of Human Rights, which we have cut their budget in the first place (as we've cut almost all agencies). Where is, how much is it going to cost and where is the money going to come from?"

Morrow: "Well, Representative Parke, I don't have a fiscal note on House Bill 1238. We just came up with the language for this Bill Monday. I haven't heard from anyone from the De...Department of Human Rights yet staying...saying that

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there are...that they're for or against this Amendment so..."

Parke: "Thank you, Representative."

Morrow: "Until I hear from 'em."

Parke: "Mr. Speaker, to the Bill. I am going to ask the Body to vote 'no' on this Amendment. I don't think that it's something that's necessary. We do not have the money or the manpower to do this, and I would like to have a roll call on this Amendment please."

Speaker McPike: "Mr. Parke, this is just an Amendment. Perhaps, we could do this on Third Reading. You know. The question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. This can be debated on Third Reading, really. And there's a request for a fiscal note, so the Bill stays on Second Reading. Mr. Morrow, the Bill stays on Second Reading. House Bill 1239, Representative Morrow. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1239, a Bill for an Act amending the Housing Authorities Act. Third Reading of the Bill."

Speaker McPike: "Mr. Morrow."

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What House Bill 1239 does. It only deals with the CHA (the Chicago Housing Authority). We passed the Bill three years ago, that increased the number of commissioners on the board from seven to ten. The vacancies were supposed to be filled by the Mayor. The Mayor has yet to fill the vacancies; and, because of that, the board has not been able to have a quorum and what this Bill would allow them to do is to conduct the business of the CHA by basing the quorum on the number of members that are at the board meeting. I urge a green vote on House

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Bill 1239. This is only for the City of Chicago, only."

Speaker McPike: "Representative Skinner."

Skinner: "The problem here is that the Mayor of Chicago hasn't made appointments and the...it's hard to get a quorum on the Chicago Housing Board. I don't see anything wrong with the idea."

Speaker McPike: "Mr. Parke."

Parke: "Thank you, Mr. Speaker. Just a quick question of the Sponsor. Is this been agreed upon by the all the parties that are involved?"

Morrow: "The parties that I'm aware of, which is the CHA..."

Parke: "This only affects Chicago?"

Morrow: "Only affects Chicago, Representative."

Parke: "Thank you. We have no problem."

Morrow: "Only Chicago."

Parke: "We have no problem, Repre...Representative."

Speaker McPike: "Mr. Johnson."

Johnson, Tom: "Yes, Mr. Speaker, to the Bill. This Bill really bothers me. I understand that it might be necessary, but it bothers me that we have to pass statutes in Springfield because the Mayor of Chicago can't make his appointments in a timely fashion. We just fill our statute books with more and more law just to take care of people who can't carry out their responsibilities, and I've got serious problems with this Bill."

Speaker McPike: "The question... Representative Jones, Lou Jones."

Jones, L: "Thank you, Mr. Speaker and Members of the House. In response to the previous speaker, that is not the case with this Bill. The original Bill, if you can...if some of you can remember, was my Bill last year that was passed and signed into law by the Governor. The problem is it's not

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that they cannot take care of the business in Chicago, is that they're trying to work out the details to hold the election and in the meantime, there was no provision in that Bill to let them do business as usual and they cannot have a quorum because of the dates of the previous Bill, and all this does is allow them to continue to work and has nothing to do about the Mayor of Chicago not being able to perform his duties or anything. I just wanted to make that clear."

Speaker McPike: "The question is, 'Shall House Bill 1239 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative Morrow. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there is 114 'ayes', 0 'nays'. House Bill 1239, having received the Constitutional Majority, is hereby declared passed. On Insurance, Third Reading, House Bill 655, Mr. Mautino. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 655, a Bill for an Act amending the Illinois Insurance Code. Third Reading of the Bill."

Speaker McPike: "Mr. Mautino."

Mautino: "Thank you, Mr. Speaker, Members of the House. (House Bill) 655 is the no-frills insurance. This Bill was put into place in past years. At that time, there was an exception set in which required businesses to go without insurance for a full year before being qualified to purchase this policy. The 655 removes the one year exclusion. Ladies and Gentlemen, health care..."

Speaker McPike: "Any discussion? The question is, 'Shall House Bill 655 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted? Representative Schakowsky, to explain her vote."

Schakowsky: "I want to point out... Thank you, Speaker and Ladies

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and Gentlemen of the House. I want to point out that this is a Bill that labor organizations for good reasons are strenuously opposing because this provides an opportunity for employers who currently provide health insurance to seriously reduce their level of coverage. This is a kind of stripped-down health insurance that doesn't necessarily provide mammograms for women. It provides really a sub-minimum package of benefits and will reduce, in fact, the level of coverage for many, many workers in this state. I urge everyone who cares about the quality of health insurance for our citizens to vote 'no' on this legislation. This is a Bill that is important to organized labor, and I urge a 'no' vote."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk will take the record. Representative Balanoff, for what reason do you arise?"

Balanoff: "If this receives the requisite number of votes, I'd like to do a verification."

Speaker McPike: "On this Motion, there are 62 'ayes' and 43 'noes'. Gentleman asks for a verification. Mr. Clerk, poll the affirmative."

Clerk Rossi: "Poll of those voting in the affirmative. Ackerman. Balthis. Biggert. Biggins. Black. Brady. Churchill. Clayton. Cowlshaw. Cross. Daniels. Deuchler. Dunn. Erwin. Flinn. Frederick. Granberg. Hartke. Hassert. Hicks. Hoeft. Homer. Hughes. Johnson, Tim. Johnson, Tom. Krause. Kubik. Lawfer. Leitch. Lindner. Mautino. McAfee. McAuliffe. Meyer. Moffitt. Moore, Andrea. Murphy, M. Noland. Novak. Olson. Pankau. Parcels. Parke. Persico. Phelps. Pugh. Roskam. Rutherford. Ryder. Salvi. Saviano. Skinner. Stephens. Tenhouse.

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von Bergen-Wessels. Walsh. Weaver. Weller. Wennlund.
Wirsing. Wojcik. Zickus."

Speaker McPike: "Representative Mautino, for what reason do you arise?"

Mautino: "Thank you, Mr. Speaker. I'm rising to first of all correct a misstatement by the Representative. Mammography is covered in this."

Speaker McPike: "Representative, it's a little too late to explain your vote. We're on a verification."

Mautino: "Well, I stood ready on this Bill to have it verified. I've been here to call it. I just find it ironic that at this point in time it's being challenged. I hope would that some of those green votes would return. We're talking about..."

Speaker McPike: "Mr. Mautino, now, Mautino, this is too late to explain your vote now. All right. Representative Balanoff, questions of the affirmative."

Balanoff: "Representative Wojcik?"

Speaker McPike: "She's here. Representative Skinner would like to be verified and he's been verified. Representative Roskam would like to be verified and he is verified."

Balanoff: "Representative Black."

Speaker McPike: "That's two. Those two have been verified, and Mr. Hartke has been verified. That's three. If the Parliamentarian could write those three names down. Roskam, Hartke and who was the third one? Who was the third one? Skinner. Thank you. Skinner. Representative Zickus wants to be verified. And the last one was Zickus."

Balanoff: "Representative Black?"

Speaker McPike: "Mr. Black. He's here."

Balanoff: "Representative Churchill?"

Speaker McPike: "Representative Parcels was verified."

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Representative Olson. Just a minute. Mr. Olson wants to be verified. Mr. Churchill? Churchill? Gentleman's not here. Remove him from the record."

Balanoff: "Representative Ryder?"

Speaker McPike: "Mr. Ryder. Gentleman is not here. Remove him from the roll. Representative Tim Johnson wants to be verified. Yes. He's right here. Proceed, Mr. Balanoff. Mr. Woolard is going to be verified, yes. Proceed. Pardon me?"

Balanoff: "Roger McAuliffe?"

Speaker McPike: "He's here."

Balanoff: "Representative Lindner?"

Speaker McPike: "She's here."

Balanoff: "Representative Biggert?"

Speaker McPike: "Who?"

Balanoff: "Biggins?"

Speaker McPike: "Representative Biggins. Biggins. He's here. Mr. Churchill has returned. Return Mr. Churchill to the roll."

Balanoff: "Representative Walsh?"

Speaker McPike: "Walsh. Mr. Walsh here? Representative Walsh? Not here. Remove Representative Walsh from the roll."

Balanoff: "Representative John Dunn?"

Speaker McPike: "Representative John Dunn is not here. Remove him from the roll."

Balanoff: "Representative Cross?"

Speaker McPike: "Representative Cross. Representative Cross. Representative Cross here? Remove Representative Cross from the roll. Representative Mulligan."

Mulligan: "Mr. Speaker, I'd like to change my vote to 'yes'."

Speaker McPike: "Representative Mulligan changes from 'no' to 'aye'."

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Balanoff: "Representative Pugh?"

Speaker McPike: "Representative Pugh is voting 'aye'.
Representative Pugh is here. Mr. Ryder has returned.
Return Mr. Ryder to the roll call."

Balanoff: "How 'bout Representative Erwin?"

Speaker McPike: "Representative Erwin is... Representative Erwin
is here. Anything further?"

Balanoff: "Nothing further, Mr. Speaker."

Speaker McPike: "Nothing further. On this Motion, there are 60
'ayes', 42 'noes'. House Bill 655, having received the
Constitutional Majority, is hereby declared passed.
Representative Hicks, 1067. Out of the record.
Representative Laurino, 1229. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1229, a Bill for an Act amending the
Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Mr. Laurino."

Laurino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the
House. House Bill 1229 merely enhances the situation in
the City of Chicago and probably a lot of other
municipalities have in relation to minor traffic violations
and parking tickets. Parking tickets now are handled by
the Administrative Adjudication System, and we're just
putting this type of situation so that we can unclog the
court system in the City of Chicago, and I move for the
adoption of House Bill 1229."

Speaker McPike: "The question is, 'Shall House Bill 1229 pass?'
All in favor vote 'aye'; opposed vote 'no'. Have all
voted? Have all voted who wish? Clerk will take the
record. On this Motion, there is 114 'ayes', 1 'no'.
House Bill 1229, having received the Constitutional
Majority, is hereby declared passed. House Bill 1798,
Representative Laurino. Read the Bill, Mr. Clerk."

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Clerk Rossi: "House Bill 1798, a Bill for an Act in relation to mandatory insurance. Third Reading of the Bill."

Speaker McPike: "Representative Laurino."

Laurino: "House Bill 1798 merely addresses the situation we have with a law that's currently on the books that has reached the sunset provision stage, and we're going to make the law permanent, and it...and I move for the adoption of the Bill."

Speaker McPike: "Mr. Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "Is this the one that's been agreed to by everybody, Secretary of State and IDOT and the insurance companies?"

Speaker McPike: "Mr. Laurino, has this been agreed to by Secretary of State, Transportation, et cetera?"

Laurino: "Yes. Yes it has."

Speaker McPike: "Yes. The question is, 'Shall House Bill 1798 pass? All 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 113 'ayes', no 'nays'. House Bill 1798, having received the Constitutional Majority, is hereby declared passed. House Bill 1829, Mr. Hicks. Larry Hicks. Representative Ryder, 2330. Mr. Wennlund will handle the Bill. Read the Bill."

Clerk Rossi: "House Bill 2330, a Bill for an Act amending the Illinois Insurance Code. Third Reading of the Bill."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. This is a cleanup Bill asked for by the Department of Insurance and just makes some minor technical changes and corrections. Appreciate your support."

Speaker McPike: "The question is, 'Shall House Bill 2330 pass?'"

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All 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 113 'ayes', 0 'nays'. House Bill
2330, having received the Constitutional Majority, is
hereby declared passed. House Bill 2353, Mr. Granberg.
Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2353, a Bill for an Act amending the
Illinois Insurance Code. Third Reading of the Bill."

Speaker McPike: "Mr. Granberg. No. Local Government, Third
Reading, House Bill 109, Representative McAfee. Mr. Black,
344. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 344, a Bill for an Act amending the
Counties Code. Third Reading of the Bill."

Speaker McPike: "Mr. Wennlund, are you going to handle this Bill
for Mr. Black?"

Wennlund: "Thank you, Mr. Speaker. This Bill creates an
Amendment to the Counties Code when a person dies while in
custody and, if the death is the result of documented
natural disease process, eliminates all the problems for
coroners."

Speaker McPike: "The question is, 'Shall House Bill 344 pass?'
All in favor vote 'aye'; opposed vote 'no'. Representative
Homer."

Homer: "I realize this is explanation of vote, but Representative
Black, maybe you could tell us...a lot of us are looking at
your name...Black, present or death and no autopsy...I
don't have the Bill in front of me, but this sounds pretty
morbid, and I wondered if you could explain your vote."

Black: "This is a good law and order Bill. It's tough on crime,
so I...actually, in all due respect, Mr. Speaker, to the
Bill. This came about as a result of my local coroner. We
have a prison in my district, and when the prisoner dies

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under the care of a physician in the correctional center, the department was forcing him to do an autopsy on those prisoners, and since they died under the care of a physician, my local coroner thought that this was an unnecessary expense that had to be borne by the county. I will tell you this: There are still some problems with this Bill, and I assure you that we will work it out in the Senate or it won't advance. The Coroner's Association has their annual meeting April 26th, and I would assume they'd get all their difficulties worked out at that meeting, but I can't wait until the 26th to send it to the Senate."

Speaker McPike: "Representative Jones."

Jones, Shirley: "Mr. Black, if the prisoner dies in the bed and the family wants an autopsy on him, why can't the family have a autopsy to find out what caused his death? I don't care if his family pays for it or whoever pays for it."

Speaker McPike: "Mr. Black."

Black: "If the family so requests, there will be an autopsy. All this does is give the coroner the option if the prisoner dies under the care of a physician at the prison infirmary and the family does not request an autopsy, then the coroner will not have to go to county expense of autopsy and that inmate who died under a physician's care at a state institution. If the family requests it, yes, that has to be done."

Jones, Shirley: "Will the state pay for it? You're saying the county, what about the state?"

Black: "That is the bone of contention. Some people say the state will or may or shall pay for it. My coroner, who was a past president of the Coroner's Association, says the state does not pay for it, and he simply does not have the budget to do this, but if the family requests it, there's

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no question, an autopsy has to be performed."

Jones, Shirley: "Thank you."

Speaker McPike: "Representative Davis."

Davis: "Thank you Mr. Speaker. To explain my vote, you know, many times shenanigans occur in a prison, and that prison doctor may not want to reveal exactly what happened, and I'm sure that's why the law has it's...at this time so that the coroner from whichever district that prison is located in, who's reaping the benefits of those jobs in that prison, I think that's why they have the outside coroner do an autopsy, and I really think it's much too serious for us to just state whatever the prison doctor says should be acceptable. As a taxpayer and a Legislator, I would feel much more comfortable in knowing that someone else is going to do an autopsy on a person who dies in prison, be it a guard or a prisoner. Thank you."

Speaker McPike: "Mr. Skinner."

Skinner: "Mr. Speaker, I was originally voting 'yes' because I thought we were talking about autopsies after the death penalty was administered, but this is a little broader than that; in fact, it's a lot broader than that. I've been watching the Department of Corrections cover up the AIDS epidemic in our prison system for about four years. There are 1,200 prisoners in the Illinois prison system that are infected with HIV. Now, if they're dying of HIV, I think the public ought to know they're dying of HIV. Skinner: "We might even release the study which the CDC has been covering up for three years. You've had your minute."

Speaker McPike: "Mr. Skinner, the Chair will give you an additional minute if you wish."

Skinner: "I thank you, but I don't want to cause any disruption

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on the Republican side of the aisle."

Speaker McPike: "Mr. Granberg."

Granberg: "Thank you, Mr. Speaker. Representative Black has indicated that he's going to work with the Coroner's Association and others, so I think we ought to give him that opportunity and we'll bring this back...we'll revisit this Bill."

Speaker McPike: "Mr. Pugh."

Pugh: "Mr. Speaker and Ladies and Gentlemen of the House. I think it's important that we as Legislators lend the same rights to prisoners as we do to individuals that are not incarcerated. Just because the Bill, in its contents, stated 'prisoner death, no autopsy', everybody felt that it was okay. Because he's a prisoner, it's okay. So what do we do? We don't bury them either? I think that we should rethink our votes and allow these individuals the decency to die like human beings. We're talking about human rights. We're not talking about this...civil rights have been taken away once they're incarcerated. Are we also going to lay judgment and take away an individual's human rights?"

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. You know, if you people would read the Bill or read the analysis or listen, there's nothing in this Bill... Let me quote from the Bill: 'If a person dies while in the custody of a law enforcement entity and if the death is the result of a documented natural disease process for which the person was attended by a physician, the coroner shall promptly be informed of the facts and circumstances concerning that death, but the county coroner may, in his or her discretion, certify the death without causing an autopsy to be performed'. Most

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autopsies will be performed if the physician is not present, if an inmate dies in his or her cell at night, an autopsy has to be performed, this simply is an attempt to remove the county from liability of autopsy every death that occurs in a state correctional institution, even when the death occurs in the prison hospital under the care of a doctor."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Motion, there are 88 'ayes' and 7 'noes'. House Bill 344, having received the Constitutional Majority, is hereby declared passed. Mr. McAfee, do you want to call 109? Mr. Saltsman, 609? Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 609, a Bill for an Act amending the Illinois Municipal Budget Law. Third Reading of the Bill."

Speaker McPike: "Mr. Saltsman."

Saltsman: "Yes. Thank you, Mr. Speaker. What this does is specifically authorizes a non-home rule municipality with populations between 20,000 and 25,000, which has established a sales tax increment financing district prior to January 1st of 1987 and has issued bonds and incurred an indebtedness to pay for TIF costs in excess of \$5 million. This would allow them to levy a 1/4% sales tax. I ask for its passage."

Speaker McPike: "Mr. Balthis."

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

Speaker McPike: "Yes."

Balthis: "It's my understanding that this Amendment was requested by the Department of Revenue. Thank you."

Speaker McPike: "The question is, 'Shall House Bill 609 pass?' Representative Wennlund."

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

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Speaker McPike: "Yes."

Wennlund: "As amended, Representative Saltsman, this would authorize non-home rule municipalities with populations between 20,000 and 25,000 to impose a sales tax? That have a TIF?"

Saltsman: "This really affects one city, and it's a city that went under because we didn't put enough money into the tax system. They should have arriving in about \$850,000 from tax increment financing. With our cuts, we've knocked that back to about \$350,000. It's a very small municipality that redid their whole loop, and without this, they'll be in the same position Rockford is. They'll be able to, with a backdoor referendum, eliminate it if not feasible."

Wennlund: "Thank you very much."

Speaker McPike: "The question is, 'Shall House Bill 609 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 67 'ayes'...68 'ayes', 44 'noes'. House Bill 609, having received the Constitutional Majority, is hereby declared passed. Representative Wojcik, 630. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 630, a Bill for an Act amending the Township Law of 1874. Third Reading of the Bill."

Speaker McPike: "Representative Wojcik."

Wojcik: "Yes, Mr. Speaker and Members of the House. House Bill 630 is a technical cleanup Bill for various subject matter under the Township Section 139. It's been agreed to by both sides of the aisle, the Amendment states what the Bill does, and I just ask for its favorable passage."

Speaker McPike: "We have a special guest here."

Wojcik: "I see that. Welcome. Welcome."

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Speaker McPike: "Phil Rock. And, on the Motion, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. I stand in support of the legislation, and it is the cleanup language for the township officials and so forth, it's part of their agenda and they're in support of the legislation. I urge 114...118 'aye' votes."

Speaker McPike: "The question is, 'Shall House Bill 630 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion, there are 110 'ayes' and 1 'no'. House Bill 630, having received the Constitutional Majority, is hereby declared passed. House Bill 703, Mr. Ryder. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 703..."

Speaker McPike: "Out of the record. Representative Steczo, 911. (House Bill) 1236. Steczo. Steczo. Mr. Dart, 1266. Santiago, 1279. Miguel Santiago. Read the Bill."

Clerk Rossi: "House Bill 1279..."

Speaker McPike: "Out of the record. How 'bout 1282? Mr. Turner, 1724. Call the Bill. Read the Bill."

Clerk Rossi: "House Bill 1724, a Bill for an Act amending the Metropolitan Water Reclamation District Act. Third Reading of the Bill."

Speaker McPike: "Representative Turner."

Turner: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. This Bill amends the Water Reclamation District Act to allow the Board of Commissioners to impose a fine in the amount per day for each type of prohibited discharge. Currently a fine is only imposed for each day of the discharge, and it deletes the provision which authorizes the reduction of a fine if the violation occurs for the

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entry of an order by the board. I move for the favorable adoption of House Bill 1724."

Speaker McPike: "The question is, 'Shall House Bill 1724 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion, there is 115 'ayes', 0 'nays'. House Bill 1724, having received the Constitutional Majority, is hereby declared passed. House Bill 1922, Mr. Dart, 2003. Representative Erwin, 2240. Erwin. Representative Erwin. Mr. Mautino, 2311. Professional Regulations, Third Reading, Mr. Hicks, 208. Hicks. Representative Phelps, 213. Representative Lou Jones, 214. (House Bill) 215. Does anyone want to handle 324 for Mr. LeFlore? Mr. Pugh will. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 324, a Bill for an Act concerning the regulation the practice of respiratory care. Third Reading of this Bill."

Speaker McPike: "Mr. Pugh."

Pugh: "Yes, Sir, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 324 creates the Respiratory Care Practice Act. It provides for the regulation of the practice of respiratory care by the Department of Professional Regulation. It establishes requirements in registration procedures for refusal to issue or renew, revocation or suspension of a registration. This is a Bill that Representative Bob LeFlore's been carrying for a number of years, and I move 'do passage', and I'm available to answer any questions."

Speaker McPike: "And, on a 'do pass' Motion, Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. What this really does is number one, it creates additional licensing which costs the Department of

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Professional Regulations about \$100,000 in start- up money without any cost. It reduces cross-training of health care personnel and actually creates shortages of available respiratory personnel and increases labor costs. The Illinois Hospital Association is opposed to this because regulation of respiratory therapy is really not necessary. RT's do not practice independently. They are assigned to their tasks and trained and supervised by health care professionals, such as doctors and nurses who are, in fact, licensed and regulated. All you're doing is creating another layer of licensure. Pretty soon, the State of Illinois will be licensing almost every profession including maybe the man that takes out the garbage in the morning. Maybe we ought to license him because he deals with health issues. That's what it's going to end up at, and it's simply another cost the State of Illinois can't afford. A 'no' vote is a correct vote. We don't need another layer."

Speaker McPike: "Representative Hicks. I thought you were seeking recognition."

Hicks: "No."

Speaker McPike: "Mr. Skinner."

Skinner: "Well, last week it was geologists; this week it's going to be respiratory therapists. Representative Wennlund is absolutely correct; we are on the way to licensing every individual in the State of Illinois that provides any productive work. I mean, we already register the unemployed, so I guess we don't have to worry about them. Those that are on Public Aid are also registered. Let's register everyone. Now, obviously the presenter of this Bill is not the originator of this Bill, so I hope he does not take any of my remarks personally. What this Bill is

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all about is increasing health care costs. If you want to vote 'yes', I guarantee you, your hospital costs will go up. There is absolutely no doubt whatsoever. The respiratory therapists who are seeking this Bill so that they can go and say, 'Well, you have to have a respiratory therapist on your staff. They have to be registered. That means you have to pay me more'. Well, I would suggest collective bargaining is the best way to raise respiratory therapists' salaries, and I would prefer that they do it without a state license."

Speaker McPike: "The question is, 'Shall House Bill 324 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative Roskam."

Roskam: "Thank you, Mr. Speaker. I rise in opposition, as well. This Bill should have failed in committee, and I think it's important to note that the proponents of the Bill, by their own admission, said that there's no health care crisis, there's no baby that was born with two heads that we're dealing with or some huge problem. This is just an aggravating problem that will increase health care costs, and I urge a 'no' vote."

Speaker McPike: "Representative Pugh."

Pugh: "Yes, Mr. Speaker. This particular Bill...there's over 5500 respiratory therapists right now that are unlicensed. An individual can walk...can seek employment at McDonalds, leave McDonalds and become a respiratory therapist. These individuals...they are working in an allied health professional care profession involved in life-saving and life-sustaining areas. They're...they're working with lung disease, all kind of intricate maladies that are...that require some type of medical knowledge. For an individual to work in McDonalds flipping hamburgers and then go in and

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claim to be a respiratory therapist is very, very dangerous. I think that the cost of saving lives cannot be put into terms of dollars. I request 'do passage'."

Speaker McPike: "Have all voted? Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. The question is... On this Motion, there are 53 'ayes' and 54 'noes'. The Gentleman requests postponed consideration. The Bill will be placed on that order. Mr. Hicks, on 208. Mr. Hicks, should...could you come... Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 208, a Bill for an Act to amend the Real Estate License Act of 1983. Third Reading of this Bill."

Speaker McPike: "Mr. Hicks."

Hicks: "Thank you, Mr. Speaker. I'd like the Bill...leave of the House to take the Bill back to Second for purposes of an Amendment."

Speaker McPike: "All right. The Gentleman has leave. The Bill's on Second Reading. Any Amendments?"

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

Speaker McPike: "Mr. Hicks."

Hicks: "Withdraw please."

Speaker McPike: "Gentleman withdraws the Amendment. Further Amendments?"

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

Speaker McPike: "Mr. Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 is a technical change to the Commercial Real Estate Broker's Lien Act that we passed last year. It's simply a cleanup piece of legislation.

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There's no substantive change to the purpose of the Bill."

Speaker McPike: "The question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Representative Steczo, we passed over a number of your Bills. Do you want them called? Yes. (House Bill) 911. (House Bill) 911, Mr. Steczo. What? (House Bill) 911, yes or no? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 911, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of this Bill."

Speaker McPike: "Mr. Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 911 is a Bill that addresses a request that's come from some local municipalities in the south suburban area, and they feel that it would be an important thing for other municipalities to have as well. There are situations where the villages would like to have the ability to be able to examine at no cost the common areas of apartment buildings so as to determine, you know, whether there is any violations of the public health statute. So this Bill is intending to do that. So for the areas of public...public health and safety, they're asking for this ability, and Mr. Speaker, that's what the Bill does. I would ask for a 'yes' vote."

Speaker McPike: "Mr. Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "Representative, it's my understanding that the Illinois Association of Realtors is opposed to this

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measure. Is that true?"

Steczo: "Mr. Wennlund, we are working on the language of this Bill. The realtors problem is they feel that this Bill should not be used as a revenue generator, and I agree with that, so we are working on language to make this more acceptable."

Wennlund: "Second question. Does it apply to condominiums?"

Steczo: "Strictly says apartment buildings of four units or more."

Wennlund: "That...we're going to have to work on the definition too."

Steczo: "Is a condominium an apartment? I don't know. You're the lawyer."

Wennlund: "...because that could be a condo, as you know. Pardon?"

Steczo: "It says...if it says 'dwellings', apartment buildings containing four units or more. I don't know where condominiums fit in and Representative Levin's not here."

Wennlund: "Yeah, right. But I think it could apply to both, but it's your intention to..."

Steczo: "Keep in mind, this is common areas. This is not private residences; this is common areas."

Wennlund: "Right. Well, condominiums have common areas also."

Steczo: "That's correct, but even should it apply to condominiums, then common areas would be the only things under consideration."

Wennlund: "It's your intention to work with the realtors though as this goes through the process?"

Steczo: "Yes, Representative, it is."

Wennlund: "All right. Thank you."

Steczo: "We've already had discussion..."

Wennlund: "Thank you very much."

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Speaker McPike: "Representative Davis."

Davis: "Thank you very much, Mr. Speaker. Representative...will he yield for questions? Yes, he will. Steczko, exactly what are they looking to do?"

Steczko: "Representative Davis, for public health and safety reasons, the municipalities would like the opportunity as they currently have with commercial and industrial buildings, to be able to go into those common areas of apartment buildings and inspect those for any public health and safety violations."

Davis: "For example, public health and safety? Give me an example."

Steczko: "Let's say in the hallway of an apartment building there's garbage stacked up. That would be a public...a public health violation, I would think."

Davis: "In Chicago, don't we already have say building and zoning codes, that would protect the tenants in a building?"

Steczko: "They're evidently...Representative Davis, some question whether or not the municipalities have the ability to be able to inspect those common areas inside the buildings."

Davis: "Let me ask you this. Would it include Chicago Housing Authority projects?"

Steczko: "It affects the Municipal Code, so I don't know whether or not that affects the CHA or not."

Davis: "You know, I just have real problems with the government constantly creeping up your back. I think if there's a problem in a building, a tenant can make a complaint. If it's against a city code, they can make a complaint to the Housing Authority, and I just think that this, in my estimation, is just another...it gives another example of giving the government an opportunity to infringe upon private ownership. If a person owns an apartment building

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and they want to have it rented, surely they're going to keep garbage out of the hall. Hopefully they would do those things that would entice tenants to live there, and if they're not doing things up to city code, then the city or municipality already has an opportunity to come in and ask the owner to make some correction? I really think this is going to lead to a number of violations to the rights of people who own buildings. It might be very well-intended, but it truly causes me some concern. This looks like something that might have come out of old Russia."

Speaker McPike: "Representative Steczo, to close, briefly."

Steczko: "Thank you, Mr. Speaker, Members of the House. As I indicated to Representative Wennlund, the Illinois Realtors and I are still engaged in discussion as to how this Bill could be made better, and the agreement is if it's not made better, it will not go any further, so I would ask for your 'yes' vote."

Speaker McPike: "The question is, 'Shall House Bill 911 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Zickus."

Zickus: "I'd like to explain my vote. I feel that this is something that should be handled on a local level with your individual municipalities, and I really don't see any reason to have a state law to address it. Thank you."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are '78' ayes, 29 'noes'. House Bill 911, having received the Constitutional Majority, is... Representative Saviano changes from 'no' to 'aye'. Representative Davis, 'no'. On this Motion, there are 79 'ayes'; 29 'noes'. House Bill 911, having received the Constitutional Majority, is hereby declared passed. House

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Bill 611 on Second Reading. Any Amendments, Mr. Clerk?
Mr. Steczo, I'm going to get right back to on two or three
more Bills."

Clerk McLennand: "Floor Amendment #1, offered by Representative
Balanoff."

Speaker McPike: "Mr. Balanoff."

Balanoff: "What Amendment?"

Speaker McPike: "One."

Balanoff: "This proposal permits a city to designate a specific
neighborhood for targeted tension of non-profit
organizations to establish day-care centers, job counseling
and training programs, domestic violence shelters, and
other needed services of the cities choosing for special
tax consideration. Once an area is designated and a city
specifies what types of services it's trying to attract,
property owning businesses and individuals can have some of
their own property taxes based on sites elsewhere in that
city."

Speaker McPike: "The question is, 'Shall House Amendment #1 be
adopted?' All in favor say 'aye'; opposed, 'no'. The
'ayes' have it. The Amendment is adopted. Further
Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Representative Steczo, on 2307.
Mr. Clerk, are there any Amendments?"

Clerk McLennand: "No Amendments."

Speaker McPike: "Third Reading. (House Bill) 1236,
Representative Steczo. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1236, a Bill for an Act to amend the
Illinois Municipal Code. Third Reading of this Bill."

Speaker McPike: "Mr. Steczo."

Steczko: "Thank you, Mr. Speaker..."

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Speaker McPike: "Mr. Laurino, in the Chair."

Steczo: "House Bill 1236 is a Bill that provides that...for purposes of civil action by a municipality against an occupant or user of real estate to recover money due for sewer services, the occupant or user includes the owner of the real estate and any person receiving a direct or indirect benefit from the provision of the sewage services to the real estate. This Bill is intended to provide these...the municipality or the...person providing these services the same language as is currently in the law as it relates to a sanitary district. So the intent of House Bill 1236 is to clearly define what occupant or user is so recovering actions...can be done by those people providing sewer services. I would ask, Mr. Speaker, for a 'yes' vote. I would answer any questions that individuals might have."

Speaker Laurino: "Representative Laurino, in the Chair. Representative Steczo, would you take this out of the record for a moment?"

Steczo: "Yes, Mr. Speaker."

Speaker Laurino: "Representative Steczo, we'd like to proceed back to House Bill 2307. Would you like to call this Bill? Out of the record. House Bill 1266, Representative Dart. Out of the record. House Bill 1279, Representative Santiago. House Bill 1922, Representative Steczo. Out of the record. House Bill 2240, Representative Erwin. Out of the record. House Bill 2311, Representative Mautino. Is Representative Mautino in the chamber? Out of the record. All right. We'll go down to Professional Regulation, Second Reading. House Bill 1532, Representative Steczo. Second Reading. House Bill 1532. Out of the record. House Bill 1554, Representative Deering. Representative

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Terry Deering in the chamber? Out of the record. House Bill 2316, Representative Lou Jones. Out of the record. Third Reading, Professional Regulations. House Bill 208, Representative Hicks. House Bill 213, Representative Phelps. Out of the record. House Bill 214, Representative Lou Jones. Out of the record. House Bill 324, Representative LeFlore. Anybody want to handle this Bill for Representative LeFlore? House Bill 412, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 412, a Bill for an Act to create the Private Detective Private Alarm and Private Security Act of 1993. Third Reading of this Bill."

Speaker Laurino: "Representative Steczo, on House Bill 412."

Steczko: "Thank you, Mr. Speaker and Members of the House. House Bill 412 is the sunset legislation for the private detectives and the security individuals in the State of Illinois. As I indicated to Mr. Black, I believe yesterday, there's still a few items in this Bill that are being discussed, especially with the Department of State Police. However, about 99% of the items contained herein are agreed to by the Department of Professional Regulation, by the profession and by others. So, it would be our intention, Mr. Speaker, to...Representative Saviano and I to move this Bill over to the Senate and clear up any problems, any of the few remaining problems over there. So Mr. Speaker, I would answer any questions and I would ask for an affirmative vote."

Speaker Laurino: "Further discussion? Representative Saviano."

Saviano: "Thank you, Mr. Speaker. I concur with Representative Steczo. We're working very closely with this and we...Representative Steczo and I have just picked up the Senate version of it, and we're working closely with the

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industry and the agency. Thank you."

Speaker Laurino: "Further discussion? Representative Skinner."

Skinner: "Mr. Speaker, the last line of the description of House Amendment #1 reads 'prohibits direct alarm connection to a governmentally operated police or fire dispatch system', and I wonder why that is in the Bill. If the local municipality...if the local municipality is willing to accept direct connection from an alarm system, why would we want to prohibit?"

Steczo: "Where are you referring, to the digest?"

Skinner: "The last line...the description of House Amendment #1."

Steczo: "In your digest?"

Skinner: "Yes."

Steczo: "Well, Mr. Skinner, let me...let me find that real quick. I believe that was an Amendment that was offered by a Member of your side of the aisle, Mr. Skinner; Mr. Churchill I believe. I would..."

Skinner: "I'm just asking a philosophical question."

Steczo: "And I would just...Mr.. Churchill is on the floor. Perhaps I can defer to him, but if not, I will be happy to get the answer for you. If there's a problem, we'll be happy to clear it up."

Speaker Laurino: "Representative Churchill. Representative Churchill. Do you wish to respond? He'll meet you in the center aisle at the crossroads."

Skinner: "Answer has been provided. Thank you very much."

Speaker Laurino: "Representative Skinner, your question has been answered? You want to turn Mr. Skinner's mike off? Representative Steczo, do you wish to close?"

Steczo: "Thank you, Mr. Speaker. Just to indicate too, what I believe Representative Skinner was informed that that section is a provision that is required by federal law."

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Other than that, as Representative Saviano said, we are continuing to work to make this Bill agreeable to everybody. I just move for its passage."

Speaker Laurino: "The question is, 'Shall House Bill 412 pass?' All those in favor indicate by voting 'aye'; opposed, 'nay'. The vote is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill, having received 112 'ayes', 1 voting 'nay', 0 voting 'present', having received the required Constitutional Majority, is hereby declared passed. We'll go back to House Bill 1532, Professional Regulations, Second Reading, Representative Steczko. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1532, a Bill for an Act regulating the practice of industrial hygiene. The Bill's been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Steczko."

Speaker Laurino: "Further discussion? Seeing none, the Gentleman moves for... Representative Steczko?"

Steczko: "I just move for the adoption of the Amendment, Mr. Speaker."

Speaker Laurino: "Moves for the adoption of Amendment #1 to House Bill 1532. All those in favor indicate by... Representative Wennlund."

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

Speaker Laurino: "Indicates he will."

Wennlund: "Representative, what...how does this Amendment affect the original Bill? Does the original Bill create the Hygiene Licensing Act?"

Speaker Laurino: "Mr. Wennlund, please repeat your question."

Wennlund: "How does this Amendment affect the original Bill? Didn't it create the Industrial Hygiene Licensing Act?"

Steczko: "It creates the Industrial Hygiene Licensing Act. The

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Amendment provides for the up-front money for the Act as is required, we've done from other professions that have sought to be licensed or have title protection, and it also provides a section that the EPA is very interested, in as well."

Wennlund: "Okay. So there's really not going to be a fiscal impact on DPR 'cause it requires up-front money..."

Steczo: "We're going to require the up-front money, absolutely."

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

Speaker Laurino: "Further discussion? Seeing none, all those in favor indicate by... Well, the Gentleman moves for the adoption of Amendment #1 to House Bill 1532. All those in favor indicate by saying 'aye'; opposed, 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Laurino: "Third Reading. The Chair wishes to go back to Health Care and Human Services, Third Reading. House Bill 1957, Representative Burke. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1957, a Bill for an Act to create the Illinois Acupuncture Practice Act. Third Reading of this Bill."

Speaker Laurino: "Representative Burke."

Burke: "Thank you, Mr. Speaker. House Bill 1957 is a Bill to license acupuncturists in the State of Illinois. We're talking about qualified people who have an average of five years of training, including both clinical experience and academic study. Illinois, Ladies and Gentlemen, is in the minority. The majority of states in the nation (30 including California, New York, Wisconsin, et cetera) license acupuncture and have for the past 20 years. In the states where acupuncture is licensed, acupuncturists have an excellent safety record. House Bill 1957 would

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guarantee referral by a licensed physician before any acupuncturist could treat a patient. House Bill 1957 would not prohibit nor restrict other health care professionals from practicing acupuncture, if their current license permits. Chiropractors in this state strongly encourage the passage of this Bill. Acupuncture brings relief to thousands who suffer from chronic conditions with no certain established medical treatments, such as migraine headaches, backaches, arthritis and assorted other ailments. If acupuncture can bring relief where there is no cure, why not offer it to our citizens in Illinois. Acupuncture has effectively treated substance addiction through detoxification, and many of my constituents, unfortunately, have been addicted to crack cocaine in the Englewood community. People will continue to seek treatment whether acupuncturists are licensed or not. In order to prevent the spread of highly communicable diseases, such as HIV, hepatitis, it only makes sense to license acupuncturists to insure that sterile single use disposable needles will be used. Certainly, it doesn't make much sense to me that, in Illinois, one needs a license to decorate a house or paint fingernails but to insert needles in patients for alleviation of pain cannot be licensed. Illinois needs to keep up with national trends and license acupuncturists, and I'd be very happy to answer any questions on the Bill."

Speaker Laurino: "Further discussion? Representative Wennlund."

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

Speaker Laurino: "He indicates he will."

Wennlund: "Currently, the...the only people that could...lawfully practice acupuncture in Illinois are those that are licensed under the Medical Practice Act; is that...is that

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correct?"

Burke: "Representative, there is no provision for the practice of acupuncture, currently. There is no provision in state statutes to permit acupuncturists to practice. Licensed physicians, I presume, could insert needles. I don't know if they would call it acupuncture. I don't know that they would be trained in the oriental form of medicine that acupuncturists...promote."

Wennlund: "Now, as I understand it, there...this Bill allows them to diagnose?"

Burke: "This Bill does not allow acupuncturists to diagnose any physical condition. This Bill will command an acupuncturist who is licensed to only treat a patient who is referred to them by a medical doctor."

Wennlund: "Oh. So...so, what the... The acupuncturist could only treat someone on a referral from a licensed doctor?"

Burke: "Exclusively. There must be a medical doctor referral before any acupuncturist could treat a patient."

Wennlund: "Okay. Thank you. And...and does...does this Bill have the same type of thing that...Representative Steczo's Bill had with respect to...industrial hygienists licensing where...where the money comes in up front to the Department of Professional Regulations?"

Burke: "That is correct. The amount of the license will be similar to the Naprapath Bill that we passed last year. The fee is \$250."

Wennlund: "Okay. Well, thank you. That's a good concept, incidentally, and...if...if more of these licensure Bills had that in it, it'd make it a lot easier for the state and the Department of Professional Regulations to license these professions, but I appreciate your answers. Thank you very much. It clears up a lot of misconceptions...on the Bill;

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and...and, as a result of that, ...the Medical Society is not opposed to it either, as I understand it."

Burke: "No, ...after several...hours and days and weeks of negotiation with the Illinois State Medical Society, they have today relinquished their objection."

Wennlund: "Thank you very much."

Speaker Laurino: "Representative Levin."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House. You know, we sit on this floor and sometimes it's pretty boring...to listen to what's going on and sometimes the debate is fairly exciting and sometimes we get on the telephone and we talk to constituents. A couple weeks ago, I had a call from a constituent as I sat at this desk in which that constituent indicated to me that he had...tested HIV-positive for AIDS. That was a pretty big shock to me because I knew the individual for the last 15 years. But what he had, specifically, called to tell me was that we should support House Bill 1957 because he...he told me something I had no idea and that is acupuncture is something that is very, very beneficial as a treatment to AIDS, as well as various other terminal diseases. And it's done wonders for him, and I had the opportunity to meet the acupuncturist who treats him, and you know, I've always supported this legislation going back to when Representative Greiman had it. I thought it made sense. I liked it, but it really didn't have the kind of personal importance that it's had since I got that phone call sitting at this desk two weeks ago. So, I think this is an important Bill, and I'm glad that the problems have been worked out with the Medical Society, because I strongly urge the passage of House Bill 1957."

Speaker Laurino: "Further discussion? Representative Saviano."

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Saviano: "Mr. Speaker, ...as Minority Spokesperson, REGIS and REG, we've worked very closely with the Medical Society on this. At this point in time, it is not an agreed Bill, but we're gonna allow it out so it could be worked on in the Senate, and I would ask for an 'aye' vote'. Thank you."

Speaker Laurino: "Further discussion? Representative Hughes."

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

Speaker Laurino: "Indicates he will."

Hughes: "Would this Bill, as it's amended, preclude a citizen from seeking treatment from an acupuncturist without a physician referral?"

Burke: "Representative, according to the Bill, it would indeed preclude a citizen from visiting an acupuncturist without a prior physician's diagnosis and a prior referral."

Hughes: "Thank you."

Speaker Laurino: "Further discussion? Representative Burke, to close."

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen. I suppose there has been many misconceptions about this particular modality. There is, indeed, a distinct difference between the practice of oriental medicine versus the practice of western medicine. But who are we, that sit in this Body as lawmakers, to say to our constituents and citizens of Illinois, 'You can't go somewhere where you might get some relief'? As you've heard insisted by the Minority Spokesman for the committee that heard this Bill, the Illinois State Medical Society is no longer adamantly opposed. I believe that their position is such that it would...allow a medical doctor to consider the benefits that acupuncture could provide a patient of theirs, depending on the particular ailment. All I'm asking you here this afternoon to do is permit your neighbors, your

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friends, your constituents the opportunity to get relief where otherwise they wouldn't find it. Please vote 'aye' on this Bill and help relieve the pain. Thank you."

Speaker Laurino: "Question is, 'Shall House Bill 1957 pass?' All those in favor will indicate by voting 'aye'; opposed, 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill, having received 104 'ayes', 12 'nays', 0 voting 'present', having received the required Constitutional Majority, is hereby declared passed. Returning to Professional Regulations, Third Reading, House Bill 2114, Representative Curran. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2114, a Bill for an Act to amend the Barber, Cosmetology, Esthetics and Technology Act of 1985. Third Reading of this Bill."

Speaker Laurino: "Representative Curran."

Curran: "What this agreed Bill does now, as amended, it allows the Department of Professional Regulation to investigate with their normal, I think, annual or semi-annual license renewal the whole subject of continuing education for cosmetologists. I don't think there's any opposition since the department wrote the Amendment to change the Bill. Be glad to answer any questions."

Speaker Laurino: "Further discussion? Representative Saviano."

Saviano: "Thank you, Mr. Speaker. I'll concur with Representative Curran, and I'd ask for an 'aye' vote. Thank you."

Speaker Laurino: "Further discussion? Representative Wennlund."

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

Speaker Laurino: "Indicates he will."

Wennlund: "They want...It that my understanding is, they want to

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impose continuing education upon themselves. Is that what it is, Representative?"

Curran: "Are you asking me if the cosmetologists want that?"

Wennlund: "Yes."

Curran: "The... I would say that the substantial majority of them in my district do not; however, that is not necessarily the subject...it is not the subject of this Bill. What this Bill asks the department to do, is to ask certain questions of cosmetologists relating to that continuing education requirement, and they will do that at almost no cost when they send out the...I think their renewal licenses, renewal notices in July."

Wennlund: "Okay. You're just going to ask them. Thank you."

Speaker Laurino: "Representative Zickus."

Zickus: "Thank you, Mr. Speaker. Will the Sponsor yield? When the survey is completed, will we be able to get some changes, perhaps, in the continuing ed classes that are taking place right now? I understand some of them are lasting for eight hours with 400 and 500 people and that the attendees are not getting very much out of it. They're spending a lot of time and money. Will we be able to make some changes on it?"

Curran: "You make an excellent point. That problem that you have faced or the constituents of yours have faced, is a problem constituents of mine and others have faced, and that is that they feel that these tests aren't doing them any good...these continuing education requirement isn't doing them any good; however, in order to be fair to the people who a few years ago asked for the continuing education requirement, I thought it would be best to ask a broad-based sample. When they report back, then we'll know if that is truly the wish of the overwhelming majority of

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cosmetologists."

Zickus: "I would like to see something done where the continuing education programs are at least beneficial if they're going to continue to be required. Thank you."

Curran: "Thank you."

Speaker Laurino: "Further discussion? Representative Curran, to close."

Curran: "Just ask for an 'aye' vote."

Speaker Laurino: "The question is, 'Shall House Bill 2114 pass?' All those in favor indicate by voting 'aye'; opposed, 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill, having received 114 'ayes', 0 voting 'nay', 0 voting 'present', having received the required Constitutional Majority, is hereby declared passed. We'll go to Public Utilities, Third Reading, House Bill 184, Representative Hicks. Out of the record. House Bill 479, Representative Woolard. Larry Woolard on the floor? Out of the record. House Bill 1591, Representative Brunsvold. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1591, a Bill for an Act to amend the Emergency Telephone Systems Act. Third Reading of this Bill."

Speaker Laurino: "Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill does really six things. At a meeting in the spring, we discussed this. We put the Amendment on and we came to an agreement on a number of items; one that the 911 shall be the only emergency number used and we also designated that for cellular phones when that system is up and running; added some definitions that we needed to add to the section on 911' addressed the problem we're having

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with advertising of other numbers along with 911; also a fourth item was dealing with signage in counties that do not have the proper signage up so emergency vehicles can find the locations; a fifth thing it dealt with centrex's and pbx's, and by January 1 of 1995, any new systems that go on-line will be required to identify the site of the call; and number six, struck the word 'temporary' as far as help in initiating the system. I don't...I know of really no opposition to the Bill and would ask for your support and ask for the passage of House Bill 1591."

Speaker Laurino: "Further discussion? Seeing none, the question is, 'Shall House Bill 1591 pass?' All those in favor will indicate by voting 'aye'; opposed, 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Representative Wennlund, for what reason do you arise, Sir?"

Wennlund: "If the Sponsor could just nod. It's my understanding that Representative Brunsvold is working on... With respect to signage, does this take care of some problem that Representative Black had? Yes. Thank you."

Speaker Laurino: "I heard him nod all the way up here. Take the record, Mr. Clerk. This Bill, having received 114 'ayes', 0 voting 'nay', 0 voting 'present', having received the required Constitutional Majority, is hereby declared passed. We'll return to House Bill 184, Representative Hicks. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 184, a Bill for an Act to amend the Public Utilities Act. Third Reading of this Bill."

Speaker Laurino: "Representative Hicks."

Hicks: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 184 would set forth the rules and regulations and regulate third-party providers of telephone

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service throughout the State of Illinois. They currently are unregulated, and we've seen...numerous complaints concerning the owner-operator alternative operator services provided here in Illinois. I'd be happy to answer any questions on the Bill."

Speaker Laurino: "Any discussion? Seeing none, the Gentleman asks for... The question is, 'Shall House Bill 184 pass?' All those in favor indicate by voting 'aye'; opposed, 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill, having received 113 'ayes', 0 'nays', 0 voting 'present', having received the required Constitutional Majority, is hereby declared passed. House Bill 1771, Representative Wirsing. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1771, a Bill for an Act to amend the Public Utilities Act. Third Reading of this Bill."

Speaker Laurino: "Representative Wirsing."

Wirsing: "Yes, Mr. Speaker. This Bill would amend Section 8-402 of the Illinois Public Utilities Act to delete references to natural gas services. This Bill would remove the unnecessary oversight of planning for natural gas companies which has caused rate payers millions of dollars. Planning procedures in Illinois, pursuant to the revised section of 8-402, would focus solely on electric utilities. The gas industry is fundamentally different from the electric industry; unlike electric utilities, gas companies do not have to invest in large scale projects such as base-load power plants, so that there is significantly less potential for cost reduction from a least-cost planning process, and I would move for the passage of this."

Speaker Laurino: "Further discussion? Representative Saviano."

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Saviano: "Thank you, Mr. Speaker. Representative Wirsing, is there any cost involved in this?"

Wirsing: "No, there would not; in fact, there would be a savings."

Saviano: "Thank you."

Speaker Laurino: "Further discussion? Representative Schakowsky."

Schakowsky: "This is bad consumer legislation. By what least-cost planning does, and that's what's eliminated in this Bill, is to help the utility company and the Illinois Commerce Commission to plan to provide for new gas technologies. What least cost planning does is examine a utilities plan over a 20-year planning horizon. It is the only way that we can require utility companies to implement energy efficiency measures. So this is a bad environmental vote. This is a bad consumer vote. This is not good for public policy to eliminate the requirement that they look at least-cost planning, and I urge a 'no' vote."

Speaker Laurino: "Further discussion? Representative Olson."

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

Speaker Laurino: "Indicates he will."

Olson: "Representative Wirsing, is this information available anywhere else?"

Wirsing: "Yes, it is."

Olson: "Is it going to save money?"

Wirsing: "Well, that's one of the...to me one of the exciting things about this, is that it saves money for rate payers potentially, and that...that's very important. I think I would also say that the review of ongoing gas purchases can be accomplished more expediently through annual purchase gas costs, reconciliation proceeding, which is an ongoing process and really is the reason for this change or cleanup

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of the existing law."

Olson: "Thank you, Representative. Ladies and Gentlemen, I urge you support this Bill."

Speaker Laurino: "Further discussion? Representative Lang."

Lang: "Thank you, Mr. Speaker. I rise in opposition to House Bill 1771. I agree with Representative Schakowsky on this Bill. The least-cost planning process is the only way the utilities are now required by law to implement energy efficiency. Without this, they won't have to implement any energy efficiency. Further, it examines the utilities plan over a 20-year future planning, but if they only use rate cases, they're only focusing around a year or two, around a test year. That's not adequate to plan for future needs, for energy efficiency or for future technologies. I would recommend a 'no' vote."

Speaker Laurino: "Further discussion? Representative Wirsing, to close."

Wirsing: "I would ask for support on this Bill. As I've already indicated, it's a dollar savings and it's still the process for review that is in place...is there to...for the users of the product on a least-cost basis; therefore, I would ask for your support on this Bill."

Speaker Laurino: "The question is, 'Shall House Bill 1771 pass?' All those in favor indicate by voting 'aye'; opposed, 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill, having received 81 'ayes', 32 'nays', 0 voting 'present'... Representative Leitch, for what reason do you arise?"

Leitch: "I hit the wrong switch, intended to be up on that Bill."

Speaker Laurino: "I didn't hear you, Sir."

Leitch: "I hit the wrong switch, and I'd appreciate it if the

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record would show that I'm voting 'yes' on this Bill."

Speaker Laurino: "It does now. This Bill, having received 82 votes 'aye', 31 'nay', 0 voting 'present', having received the required Constitutional Majority, is hereby declared passed. House Bill 1844, Representative Schakowsky. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1844, a Bill for an Act to amend the Public Utilities Act. Third Reading of this Bill."

Speaker Laurino: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker and Ladies and Gentlemen of the House. This is a piece of utility legislation that is designed to help the environment and to help consumers. It has three main parts to it, and let me briefly describe them. The first part says that when the utility company engages in energy-efficiency measures, such as home weatherization, that expenses incurred on doing that should be allowed to be included in the rate-base just as the same as they can include building a new power plant in the rate-base. So this is a way to make a level playing field for energy conservation and energy efficiency measures, which is only common sense for us to be doing rather than to be encouraging the building of more power plants. The second portion of the legislation adds language that prohibits the Illinois Commerce Commission from increasing consumers rates when there is already an order to rebate to the consumers what they are owed by a court order; and the third part would say that the Illinois Commerce Commission must see that some of the portion of money that is owed to consumers must be paid to those who are no longer customers of the utility; that is, if someone moves out of town, they've been owed money by the utility company, they will have an opportunity if there are moneys left in the fund to

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recoup some of the moneys that they are owed by the utility company. These are all good for your utility consumers (and that's everybody in your district) and also good for the economy and the environment in Illinois, and I would urge an 'aye' vote."

Speaker Laurino: "Further discussion? Representative Shirley Jones."

Jones, Shirley: "Yes, Mr. Speaker, I rise in opposition of this Bill. They had something similar to this in my committee which failed and also Lang had an Amendment that was in my committee and failed. This Bill...the utilities was cost during a lengthy rate case seeking a general rate increase to recover costs for mandated demand side management and energy efficiency programs. As this Bill requires, would force utilities to absorb costs until the filing of the next rate case. Utilities could be forced to carry these costs for several years despite the fact that timely cost recovery is an important instrument in encouraging active participants and energy-efficiency programs. The ICC case resolution would be dramatically slowed. When the court overturns an ICC decision the case is often appealed to a higher court. This Bill puts on hold all new cases, even the most ordinary routine matters until all courts appeal have been exhausted in the previous case. Not only would this dramatically slow the process, but it unfairly penalizes utilities. For example, a utility could not even take action on simple matters, such as paying municipal taxes. until a reserve or remain case was completely resolved. I'm opposition of this Bill, and I wish everybody would vote 'no'. Thank you."

Speaker Laurino: "Further discussion? Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker and Ladies and Gentlemen of the

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House. I hope the Members of the House heard the Chairman of the Public Utilities when she stated that both of these Amendments were attempted to be run in committee and both of these Amendments failed, and she stated a good reason. Two good reasons why this Bill should fail. Number one, I don't think many Members of the House realize what the appeals process is like. When you go from an administrative hearing to the circuit court and the circuit court after a lengthy trial, expensive costly litigation, makes a verdict one way or another, it then goes up on appeal to the Appellate Court, and then it goes up on appeal to the Supreme Court, and you could be talking easily seven or eight years of appeals. And that's the reason that Representative Jones just mentioned that this Bill should be defeated. We're talking about a lengthy and costly process, and to tell them that they can't even go to the Commerce Commission for the simplest of matters, the simplest of matters, not necessarily rate increase during this period of seven or eight years during which the appeals will be pending, is just wrong. That's why both these measures failed in committee, and they should fail on this Third Reading."

Speaker Laurino: "Further discussion? Representative Lang."

Lang: "Thank you, Mr. Speaker. I rise in support of this legislation. The previous speaker was incorrect as he characterized one of the Amendments that's on this Bill. The Bill...the section of the Bill dealing with piggybacks of rate increases on top of illegal rate increases only relates to reversals by an appellate or the Supreme Court. So the lengthy appeals process that the speaker was referring to is not relevant here. It certainly is a lengthy appeals process, but this only kicks in if the

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Appellate Court or Supreme Court has ruled that the rate increase is illegal, so we're not talking about seven or eight years. Further, the Bill, the Bill only relates to situations where they're asking for a rate increase, not any other minor matter as the previous speaker was talking about. So, this is good legislation. It protects consumers in a situation where a high court has held the rate increase illegal. Why should the rate payers be paying a new rate that's based on a rate increase previously held to be illegal? That makes no sense at all. I recommend an 'aye' vote."

Speaker Laurino: "Further discussion? Representative von Bergen-Wessels."

von Bergen-Wessels: "Thank you, Speaker. Speaking to the second Amendment, this is simply a fundamental fairness Amendment. The people who have paid an illegal rate should have the opportunity and the right to share in the refund. This Amendment to the major Bill would allow that to happen. The utility companies were neutral on this, and I reiterate once again what I said earlier when I spoke specifically to the Amendment, that this was the last vote taken on the last day of committee; some of our members were absent, but we did have bi-partisan support, and it only lost by one vote because some of our members were absent. So, I would urge a 'yes' vote. Thank you."

Speaker Laurino: "Further discussion? Representative Schakowsky to close. Hold on. Representative Ackerman."

Ackerman: "Thank you, Mr. Speaker. Both of the provisions in this Bill that were amended to it got fair hearings in the committee, and they both lost in committee. So I don't think we should 'em support on the floor at this time. One of the reasons the Bill that Representative Lang referred

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to, the issues that could be ruled upon there could be two different issues entirely, which have nothing to do with each other, so there's no reason to pass this Bill because it couldn't... The second thing that has nothing to do with the first issue would be held up and there's no reason for it. I think we should defeat this. Thank you."

Speaker Laurino: "Representative Schakowsky, to close."

Schakowsky: "Thank you, Speaker and Ladies and Gentlemen of the House. All of these pieces relate to each other because all of them protect utility consumers and protect and address the questions of environmental concern here. Provide the right incentives to utility companies and protect our consumers. So, the issue really is when you're voting on House Bill 1844, is if you want to vote with utility consumers or you want to vote for the utility companies. I want to tell you something, there's not a lot of popularity out there for many good reasons for the utilities companies, and I urge you to vote with your consumers. I urge an 'aye' vote. Thank you."

Speaker Laurino: "The question is, 'Shall House Bill 1844 pass?' All those in favor indicate by voting 'aye'; opposed, 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill, having received 46 'aye' votes, 60 'nay' votes, 8 voting 'present', fails. Would the Members of the Rules Committee proceed back to the Speaker's Conference room. There is a Rules Committee meeting; it will be a brief one at...immediately, immediately. All Members of the Rules Committee proceed back to the Speaker's Conference room. There will be a meeting of the Rules Committee immediately. House Bill 1938, Davis. Read the Bill, Mr. Clerk."

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Clerk McLennand: "House Bill 1938, a Bill for an Act to amend the Public Utilities Act. Third Reading of this Bill."

Speaker Laurino: "Davis."

Davis: "This is just a technical Bill that's going over to the Senate for..."

Speaker Laurino: "Hold on a second, it's 1938. Proceed Representative."

Davis: "Thank you very much, Mr...Mr. Chairman...Speaker. This is a technical Bill and the language will be put on on the Senate, and because of time, we were hoping it would get on over there."

Speaker Laurino: "Further discussion? Representative Wennlund."

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

Speaker Laurino: "Indicates."

Wennlund: "What kind of a technical Bill is this, Representative?"

Davis: "It's a technical public utility Bill. It would be agreed, you know, they'll all agree on the language."

Wennlund: "What is they...who is they?"

Davis: "Who is they? Both sides of this aisle."

Wennlund: "Now, what's the purpose of the Bill, can you tell us? Do we know?"

Davis: "I really, I don't want to say let's say there's some technical things that it doesn't make vast changes in the law. There is some technical language to clean up some other Bill."

Wennlund: "Well, you know, I think before Members of this House vote on a Bill, they ought to know what the purpose of the vehicle is, I mean is there an intention to solve a problem, or..."

Davis: "It's intention to solve a language problem that exists in another Bill, but if you want me to take it out the record,

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I'll do it. I'll take it out of the record."

Wennlund: "Yeah, and then we'll talk. Thank you."

Davis: "Sir, take it out of the record."

Speaker Laurino: "Out of the record. House Bill 1993, Shirley Jones. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1993, a Bill for an Act to amend the Public Utilities Act. Third Reading of the Bill."

Speaker Laurino: "Representative Jones."

Jones, S.: "House Bill 1993 is just a shell Bill. Can you take this out of the record?"

Speaker Laurino: "Out of the record. Second Reading, House Bill 410, Representative Steczko. Out of the record. House Bill 2371, Representative Ryder. Out of the record. House Bill 410, Representative Steczko. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 410, a Bill for an Act to amend the Revenue Act of 1939. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Kubik."

Speaker Laurino: "Representative Kubik, on Amendment #1 to House Bill 410."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment 1 to House Bill 410 would add language to provide that senior citizens qualifying for the Circuit Breaker Program are allowed a property tax exemption equal to the difference between the current EAV and the EAV in 1993, or a subsequent year in which the taxpayer turned 65 and occupied the residence, or \$2,000, whichever is greater. Essentially what this does is to provide for a inflationary index for homestead exemption, I'd appreciate your support, and would call for a Roll Call Vote on Floor Amendment #1."

Speaker Laurino: "Representative Steczko."

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Steczo: "Thank you, Mr. Speaker. I'll accept the Amendment."

Speaker Laurino: "The Gentleman moves for the adoption of Amendment #1 to House Bill 410. All those in favor indicate by saying 'aye'; opposed, 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

Speaker Laurino: "Representative Steczo."

Steczo: "Thank you, Mr. Speaker, Members of the House. Amendment 2 is an Amendment that would freeze the homestead exemption for senior citizens who are 65 and over with a household income of \$35,000 or less. This is an attempt to actually provide those senior citizens who are threatened with losing their homes due to the high property assessments in their areas from being able to maintain their homes by having their property taxes frozen at the time they reach 65, if their income is \$35,000 or less. Mr. Speaker, I would move for the adoption of Amendment #2."

Speaker Laurino: "Further discussion? Representative Kubik."

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

Speaker Laurino: "He indicates he will."

Kubik: "Representative, maybe I didn't correctly hear your statement. You said it freezes the homestead exemption?"

Steczo: "It would freeze their property taxes, I'm sorry Representative Kubik, if I misstated the intention of the Amendment. It would freeze the property taxes for those senior citizens 65 and over with a household income of \$35,000 or less."

Kubik: "So in other words, it is very similar to the previous Amendment, which I offered."

Steczo: "Correct."

Kubik: "Except that if you a...if you're a senior citizen and you

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have a pension or household income over \$35,000, there would be no...this particular exemption would not apply."

Steczo: "If you have a household income under \$35,000, your property taxes would be frozen. Over \$35,000 they would not."

Kubik: "Okay. So if a senior citizen who has saved his money or her money for a long, long period of time and is able to provide for themselves in their old age of being able to generate \$35,000 worth of pension income and income from investments, they would not be eligible for this freezing of the exemption...freezing of the equalized assessed evaluation on their home; is that correct?"

Steczo: "Well, Mr. Kubik, if you think it should be higher, we're certainly willing to look at that, but the thought was that \$35,000 was a reasonable level over which we feel that there would be...it would be proper to be able to institute this freeze. If I'm correct, and your other Amendment talked about circuit breaker levels only, and that circuit breaker level is only \$14,000, that's not realistic in terms of the average senior citizen in the State of Illinois."

Kubik: "What is the... How did we arrive at a \$35,000 income on this Amendment?"

Steczo: "We approximately took the \$14,000 circuit breaker level, and multiplied that by about two and a half."

Kubik: "This have any thing to do with any activity on a national level with respect to a how we're setting income guidelines for taxing social security benefits?"

Steczo: "Representative Kubik, no. Actually this was a...this was an arbitrary number, quite frankly. An arbitrary number based on what we expected to be reasonable in terms of being able to afford increases in property taxes."

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Kubik: "Okay. Well I...You know frankly, I wouldn't quibble over the number, I would frankly not like to see a cap on this, personally. But it's a good start to me. I would support the Amendment but, you know, I think that we're making a mistake if we believe that people who are, you know, making \$35,000 a year in pension income or even regular income are...should be excluded from this. Now, while I realize there is very little sympathy in some places for people who live in places like Dupage and Kane and Lake and those kinds of counties, where they started out living there a long time ago, they build the house and at that time a house was, you know, worth not a whole lot and unfortunately due to the growth around them, their property taxes and their property values have escalated and they are now in a position where they can't afford the property taxes and, you know, in many cases we're talking about property taxes of \$6,000; it's not uncommon for that to happen."

Steczo: "Okay."

Kubik: "So, I would support your Amendment, but certainly would ask that you consider looking at that income level and seeing if we might make some adjustments."

Steczo: "Mr. Kubik, I appreciate your support, and...and I believe there should not be an income level. We're trying to start some place and I believe that that should be looked at and perhaps if it needs to be adjusted upward, that's fine."

Kubik: "Thank you."

Speaker Laurino: "Further discussion? Representative Biggins."

Biggins: "Thank you, Mr. Speaker. Representative Steczo, may I ask a point of clarification? It's been mentioned in the last few minutes that it's a freeze on assessments and then

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a freeze on taxes. Is it...I think it's a freeze on assessments isn't it, not a freeze on the tax paid?"

Steczo: "Well, well if the... The way the language works, I believe Representative Biggins, is that it ultimately turns out to be a freeze, a tax freeze for those senior citizens."

Biggins: "A tax freeze on the assessments or on the taxes?"

Steczo: "It turns out to be a tax freeze."

Biggins: "Okay, yes. Thank you. I support the Bill and the Amendment and anything that can encourage our seniors to remain in their homes is a very valuable piece of legislation. I will vote 'yes'."

Speaker Laurino: "Further discussion? Representative Murphy, Maureen Murphy."

Murphy, M.: "Yes. Thank you Mr. Speaker. I'd like... Would the Sponsor yield for a question? Yes. Representative Steczo, understanding that our Amendment to your Bill is something that was barely discussed in the Revenue Committee, I can understand the popularity of this. But I feel compelled to ask if you know what the fiscal impact would be to our local units of government. So, while we're being very generous, we must keep seniors in their homes and come up with a definitive way of doing so, I do want to point out to the Members of the General Assembly how costly this could be. Do you have any idea on the cost to local governments?"

Steczo: "We are currently, Representative, trying to determine exactly what that cost impact would be. However, I think it's just as important, when...especially when those times when those final tax bills come out to hear the hue and the cry from those senior citizens, especially in the category we're speaking about here, who have the \$4,000 and \$5,000 a

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year tax bills, and have to spend a disproportionate share of their income to pay those property tax bills. That's even, to me, more significant."

Murphy, M.: "Thank you."

Speaker Laurino: "Further discussion? Representative Skinner."

Skinner: "Mr. Speaker, this language sounds suspiciously like the language that state Representative Klemm introduced unsuccessfully several times in the Illinois House in years past. I think the \$35,000 level is a rational level, and I think it's a rational level because if you go back to the circuit level level the circuit breaker level that was set under Governor Ogilvie's administration and index it to the CPI, you will find it is somewhere in the \$35,000 range. You might want to have your staff do those numbers, because I think it would give you an intellectual foundation to the level that you seem to have arbitrarily picked. I do have one concern (and I must admit it's a personal concern), on page 2, line 5 of the Amendment it says that 'This exemption does not kick in until the youngest person in the household reaches 65'. Now that's real interesting. In my personal case, I'll be 77 before I'll be able to get this little tax break, and it seems to me that it is somewhat unreasonable if the primary...if the older person is the primary income source of the household and that person would like to retire toward the middle of his or her 60's that your language forced that person not to have a tax break until a decade later. I...I would ask the Gentleman to comment on that minor objection to his Bill."

Speaker Laurino: "Representative Steczko."

Steczko: "Representative Skinner, I think you bring up a valid point, and the intention is not...not to diminish the ability of the primary income source in the household from

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being able to qualify. I think in the drafting probably what happened was that the individuals felt that, that there might be an income source from a younger individual, a younger spouse living in the house which would...which would...you know, allow for the...for that consideration on those property taxes to be paid. However, you know, I believe as you do that we should not penalize a situation such as you addressed; and, therefore, as this Bill winds its way through the Legislature certainly we would wanna find some way for that individual, such as yourself, who would be in his late 60's or mid-70's or early 70's from being able to take advantage of this program. Because the intention, the intention is to keep seniors in their houses. We don't want to penalize somebody in a situation like that, because there's overly restrictive language."

Skinner: "Thank you very much."

Speaker Laurino: "Representative Hoffman."

Hoffman: "Yes Speaker, will the Sponsor yield?"

Speaker Laurino: "He indicates he will."

Hoffman: "Representative Steczko, is this...is this Amendment the same as my Bill which was in Revenue, do you recall we talked about that, with freezing the assessment at age 65 and then you take the difference...or the senior can then make a determination as to which benefit they want to take, either the exemption on the Homestead Act or the benefit by freezing the exemption...or the assessment?"

Steczko: "This is a strictly would freeze...would freeze the taxes for senior citizens at age 65 with the \$35,000 household income or less."

Hoffman: "This won't have any type of impact on what we did yesterday?"

Steczko: "I believe not."

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Hoffman: "So that they will get additional benefits under this provision?"

Steczo: "To the extent that they would qualify for the freeze, but if the assessments and things are frozen at age 65, then in some ways, it would be...the homestead exemption sometimes would be...would not...would not have much impact."

Hoffman: "Mr. Speaker, real briefly to the Amendment. This is the type of property tax reform that we should be looking at. This is real property tax reform to the people who need it. What we're talking about here, is we're talking about encouraging seniors to allow them to stay in their own home and not have to move out simply by virtue of living in a neighborhood which has increased and escalated property values. This is a good Bill. I've been carrying something similar to this since I've been in the Legislature, and I want to...I'm gonna recommend an 'aye' vote on the Amendment."

Speaker Laurino: "Gentleman moves for the adoption of Amendment #2 to House Bill 410. All those in favor indicate by saying 'aye'; opposed, 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Laurino: "Third Reading. Committee reports, Mr. Clerk."

Clerk McLennand: "Committee report from the Rules Committee pursuant to Rule 14. The Committee on Rules has met, and pursuant to Rule 14-A6, rules referred pursuant to Rule 27, the following Bills were reported to the Order of Second Reading: House Bill 954, and House Bill 2207. Offered by Chairman on Committee on Rules, Frank Giglio."

Speaker Laurino: "Representative Turner, in the chair."

Speaker Turner: "Representative Davis, on House Bill 1938, Public

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Utilities, Third Reading. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1938, a Bill for an Act to amend the Public Utilities Act. Third Reading of this Bill."

Speaker Turner: "Representative Davis."

Davis: "Thank you very much. It's a technical Amendment, and it'll be finalized in the Senate, and I just ask for a favorable vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 1938 pass?' All those in favor should vote 'aye'; those opposed vote 'no'. Voting is now open. Have all voted who wish? Representative Younger, 'aye'. Have all voted who wish? The Clerk shall take the record. On this question, there are 115 'ayes', 0 'noes', 0 'presents'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Jones, on House Bill 1938. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1938, a Bill for an Act to amend the Public Utilities Act. Third Reading of this Bill."

Speaker Turner: "Representative Jones."

Jones, S.: "Mr. Speaker, on House Bill 1938, amends the Public Utility Act. Adds a section caption to the section regarding cost of fuel and makes a technical change. This is a Bill... I encourage an 'aye' vote."

Speaker Turner: "On this question, Representative... The Gentleman from Will, Representative Wennlund."

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

Speaker Turner: "She indicates she will."

Wennlund: "Thank you. Representative Davis, I understand that there was an agreement on the prior Bill, and I understand what the purpose of it is, but can you tell us what the background of this Bill is and what the reason for it is?"

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Jones, S.: "Mr. Speaker, I thought we were on my Bill. We're on Representative Davis' Bill or my Bill?"

Speaker Turner: "We're on Representatives Jones' Bill, 1993. I believe the question is directed to you, Representative."

Wennlund: "Oh, yes. I'm sorry. Yes, can you tell us what the purpose of the...this vehicle is?"

Jones, S.: "Right now, I don't have a purpose for it."

Wennlund: "Pardon?"

Jones, S.: "Right now I don't have a purpose for it."

Wennlund: "There's no purpose for it at this point in time?"

Jones, S.: "I just want this vehicle out."

Wennlund: "I'm sorry, I didn't hear."

Speaker Turner: "Representative, he claimed he didn't hear the answer."

Wennlund: "All right. Thank you very much, Representative.

Ladies and Gentlemen of the House, let me tell you what this process can do to you, particularly the new Members in the House. What it could end up being as strictly as a vehicle this could end up being the Commonwealth Edison package, and you might be voting for something and it might come back to haunt ya', because if you vote for a vehicle Bill like this and it ends up being the Commonwealth Edison package, allowing them to engage in other activities and that might be a bad vote for you back home or might cause...or might be perceived to cause an increase in utility rates, it can come back to haunt ya' next November, because what may end up in this package when it gets over to the Senate and comes back to you, it will string you out on a Roll Call Vote that may be perceived as being pro-utility and anti-consumer. So you better be careful when you make votes on strictly vehicle Bills that amend the Public Utilities Act. Consumer groups, or CUB in

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particular, will come back and label you as anti-consumer and pro-utility as a result of a 'yes' vote on a pure vehicle Bill like this. This is a dangerous precedent. It can come back to haunt ya', and ya' better be careful on how ya' vote, particularly new Members. You get strung out on a vote like this and it'll come back to haunt ya' in your next campaign, I guarantee you."

Speaker Turner: "The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. I rise in opposition to House Bill 1993, and I agree with the prior speaker. The previous Bill...the previous Bill, although it was a vehicle Bill, there was an agreement and we trust the Sponsor at her word that there's an agreement, and that's all that's gonna be on that Bill. There's no agreement on this Bill. The Sponsor's not even sure what the Bill is going to be used for, but I need to remind the Body that the Sponsor of this Bill is the same Sponsor of House Bill 2014, which is that Commonwealth Edison Bill that many on this floor are prepared to vote against. And it occurs to me that one of the reasons this Bill may be moving out of here is so the very provisions that are in that Bill that doesn't seem to be moving right now can come back from the Senate in that same form. So, those of you who are concerned about that measure, I would take a very careful look at this Bill, because you don't know what it's going to look like when it comes back. You would rather not be, I don't think, in the position of concurring on a Senate Amendment to this Bill that looks like that 2014. I think it's a bad approach, and I think until the Sponsor can tell us what her plans are for this Bill, this is not a Bill we should pass out of this House, and I would recommend 'no' or 'present' votes."

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Speaker Laurino: "Representative Jones, to close."

Jones, S.: "Mr. Speaker, the last speaker was talkin' on the wrong Bill. (House Bill) 1993 is just a vehicle Bill. (House Bill) 2014 is a different Bill, and I urge an 'aye' vote on this. This is just a vehicle Bill. Thank you."

Speaker Laurino: "The question is, 'Shall House Bill 1993 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? On this question... Close the roll call, Mr. Clerk. On this question, there are 17 'yes', 94 'noes', 4 'presents', and this Bill fails. On the Order of Revenue, Third Reading, we have House Bill 699, Representative McGuire. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 699, a Bill for an Act concerning civic centers. Third Reading of the Bill."

Speaker Turner: "Representative McGuire."

McGuire: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have House Bill 699 which is the civic center Bill. We had this Bill last year, and it passed through the House 118 to zero, but fell by the wayside. This is what I would call a merely Bill. It merely gives civic centers the authority to use the funds that they have for maintenance and repairs. It's a bipartisan effort. We have bipartisan support, and I'd appreciate your vote. Thank you."

Speaker Turner: "Seeing no questions on this issue, the question is, 'Shall House Bill 699 pass?' All those in favor should vote 'aye'; those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 98 'ayes', 11 'noes' and 3 'presents'. This Bill, having received the Constitutional Majority, is hereby

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declared passed. House Calendar Supplemental #1 is being distributed. Representative Steczko, on House Bill 808. Out of the record. Representative Murphy, on House Bill 1125. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1125, a Bill for an Act to amend the Retailers Occupation Tax Act. Third Reading of the Bill."

Speaker Turner: "Representative Murphy."

Murphy, M.: "Mr. Speaker, I would like leave to move this back to Second Reading for an Amendment that's been prepared and is on file."

Speaker Turner: "The Lady asks leave to bring the Bill back to Second. All those in favor say 'aye'. The 'ayes' have it. Leave is granted."

Murphy, M.: "All right. Amendment #2 has been filed and becomes the Bill. The first Amendment was a Committee Amendment making it a vehicle Bill. It now will be amended to read as follows: 'This is a Bill that has been worked on by the Revenue Committee. Myself and Representative Currie are the Sponsors of this Amendment. We have bipartisan support on this Representative Kubik, Representative Granberg are...also have been very instrumental in helping. What this does is help to clarify with the Department of Revenue and certain installers and engineers in maintenance of voice data, video, security, and telecommunication systems as to what does or does not constitute the methodology that they will use to compute retail tax. This was a Bill that took a lot of effort from both sides of the aisle, Members of the Revenue Committee, and I would urge your adoption of this Amendment."

Speaker Turner: "On this Amendment...on this question, Representative... The Gentleman from Cook, Representative Levin."

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Levin: "Would the Sponsor yield?"

Speaker Turner: "She indicates she will."

Levin: "Okay. Representative Murphy, just for purposes of legislative intent, it's my understanding that what this Amendment does is to codify the existing rules of the Department of Revenue, and to further my understanding that the way that they...the procedure works now, if a telecommunications consultant comes in with one Bill for both services and equipment, that's not...that's exempt in terms of this tax, but if they were to come in, this is where the confusion has come in with some of the people in this industry, if they specifically itemized their Bill and separated out the equipment, then that, that's taxable. So this codifies what has been the Department of Revenue policy so that everybody knows and hopefully it'll clarify for the future so that telecommunication consultants will not run into this kind of problem again. Is that, am I correct in what I'm saying?"

Murphy, M.: "If I might answer at this time. Yes, this clarifies some troublesome area of the code between the installers and the Department of Revenue. The Chamber of Commerce Management Association of Illinois, and again, all the Members of the Revenue Committee worked very diligently to get this consensus Amendment. And I again...it's a simple clarification and it's timely, and I would encourage your approval of this."

Speaker Turner: "Seeing no further questions, the question is 'Shall Amendment #2 be adopted to House Bill 1125?' All those in favor say 'aye'; all those opposed say 'no'. The 'ayes' have it, in the opinion of the Chair. Amendment #2 is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

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Speaker Turner: "Third Reading. Representative Hartke, on House Bill 1542. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1542, a Bill for an Act to amend the Service Occupation Tax Act. Third Reading of the Bill."

Speaker Turner: "The Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. I'd like leave of the Body to take this back to Second for the purpose of an Amendment."

Speaker Turner: "The Gentleman asks leave to bring the Bill back to Second for purposes of Amendment. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Second Reading. Are there any Amendments?"

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

Speaker Turner: "Amendment #2, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. Amendment #2 narrows the Bill somewhat. The Amendment was prepared for...me by the Department of Revenue and it simply affects, I hope, one printing establishment in southern Illinois to help out a problem that we have. I would appreciate your support for this legislation."

Speaker Turner: "On this question, the Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker. Representative, I understand that this...an Amendment that was prepared by the Department of Revenue, meets with...it narrows the Bill significantly. I think it's a good Amendment, and we oughta support it."

Speaker Turner: "No further questions? The question is, 'Shall Amendment #2 be adopted to House Bill 1542?' All those in

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favor say 'aye'; all those opposed say 'no.' In the opinion of the Chair, the 'ayes' have it. Amendment #2 is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Turner: "Third Reading. Representative Hicks, on House Bill 1711. Out of the record. Representative Currie, on House Bill 1749. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1749, a Bill for an Act to amend the Casual Deficit Act. Third Reading of this Bill."

Speaker Turner: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is a Bill that amends the Casual Deficit Act. The first but not the only thing that the Bill does, is to change that title to the Short Term Borrowing Reform Act, getting us out of the business of casual deficits, a business in which we do not belong. More seriously, what the Bill does is to reform the way we do two kinds of short-term borrowing, that is borrowing in anticipation of revenues and borrowing that is necessary because of a revenue failure. Revenue anticipation borrowing under this Bill cannot exceed 5% of the appropriation for that fiscal year. There are no public notice restraints. Borrowing because of revenue failures would not exceed 15% of appropriations for that fiscal year and again there are established various conditions for the borrowing. The measure would not change the current statute, which requires the approval of the Governor, the Comptroller and the State Treasurer for any of these borrowings. It is our view that a statute that was first drafted in the 1800's is probably due for a little overhaul. It is as well our contention that with this...with these tools available to us, we would be able, in fact, to save money in the borrowings that we do. I'd

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be happy to answer your questions and would appreciate your support for this measure."

Speaker Turner: "On this question, the Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I want to congratulate the Treasurer on his 106th legislative initiative. You know, however, however, the Bill anticipates borrowing on a short-term quick basis to make up casual deficits. However, the provisions of the Bill require unanimous agreement, unanimous agreement by the Governor, the Treasurer and the Comptroller. I'm wondering when the last time that all those three, all potential gubernatorial candidates agreed on the time of day even. The process is so complicated it simply will not work, and what it's gonna do is it's gonna bog down into disagreement over what type of borrowing, what term of borrowing, how much, and interest rates, and it simply will bog the process down to the point where nothing can be borrowed because all three were not in unanimity and did not have a unanimous agreement as to how to solve the emergency cash flow situations, and it would limit the Governor's ability - no matter which Governor it was, no matter what party the Governor was in - his ability to respond to emergency situations when a cash flow is needed quickly. And you gotta remember, Ladies and Gentlemen of the House on both side of the aisle, that this cuts both ways. Whoever sets and resides at that Governor's mansion will be bogged down in the same fashion as this Governor would be if this Bill passes. It cuts both ways, regardless of who is in power. So, if you think you're not affected by it, you've got a different think coming. And you know, I know that there's Members on your side of the

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aisle who are gonna be working in different primaries come next year, and if you're gonna continue to push out Quinn initiatives, you're gonna get locked into a situation of supporting only one gubernatorial candidate, at the risk of offending maybe two or three others who are gonna be running. And I don't know why you continue to want to push out Quinn initiatives and give Mr. Quinn another, yet another press release to circulate throughout the State of Illinois. What you're doing is you're getting yourselves locked in on a potential Gubernatorial candidate at the expense of others, whom I know are friends of yours, a former Member of this House and of the Senate for instance, the Comptroller. It's a bad precedent, and even you should stay off of these issues and stay off of giving the Treasurer yet another campaign platform."

Speaker Turner: "Representative Currie, to close."

Currie: "Thank you, Speaker. The previous speaker made a wonderful speech against the current statute, what he's describing as a measure in this Bill is already current law, that is to say the Governor, the Comptroller, and the State Treasurer in current statute must agree if borrowing is to happen, and I'm...just to ease all of your minds (including the mind of the previous speaker), you should know that never has the Governor requested the authority to borrow and been denied by the Comptroller and the Treasurer. There has always been unanimous agreement. The point of this Bill, is to clean up the Act under which those approvals will still be required, but providing, for example, the opportunity for variable rate interests in borrowing could have saved us \$155 million in interest costs had this statute been in operation during the current year. So, I would advise those of you who want to save

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money, who understand the current statutory requirements to borrow, I would urge you to support this proposal, which will clean up that Act and save the taxpayers millions of dollars in interest costs. I urge your 'aye' votes."

Speaker Turner: "The question is, 'Shall House Bill 1749 pass?' All those in favor should vote 'aye'; those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 65 'yes', 50 'noes'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Moseley, on House Bill 2148. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2148, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of this Bill."

Speaker Turner: "The Lady from Sangamon, Representative Moseley."

Moseley: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. This Bill, although it's kind of confusing from the description on the board, simply says that after the purchase of site M, the 25 square miles of land in Cass County, that the department will continue the same lease/tenant agreements with the farmers currently farming that land that currently exist with Commonwealth Edison. This Amendment has been drafted by the Farm Bureau, and they are strongly in support of this. This Amendment would simply say that the moneys collected from the lease fees would be put into the treasury, that the property taxes that the county would be losing would be reimbursed to the County of Cass, and the remainder of the lease fees would go for the development of this site. I ask for your favorable consideration."

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Speaker Turner: "On this question, the Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Let me begin by saying that the Sponsor has worked very hard on this Bill, and I know that she is working very hard for this particular site. I think that we should take a very, very close look at this Bill, because this Bill has some, some rather broad implications contained in it. First of all, this legislation is special legislation. I'm not sure that it's constitutional, because I think it does, because of the nature of the legislation, I think it does violate Section 13, Article 4 of the Illinois Constitution. Furthermore, what this Bill does, is it sets a precedent (a very important precedent I might add), and that is that for the first time in a long time the State of Illinois will be the collector of property taxes. They will collect the property taxes and then distribute them back to local government. Now for those of you who are concerned about encroaching state government on local interests, this is a major change in public policy, a major change in public policy. It...Normally as you know, property taxes would be collected by the locals and distributed. While I recognize this is a special case, the fact of the matter is this creates a very crucial precedent in Illinois law. And we, the State of Illinois, will now be collecting property taxes and distributing them back. So for any of you who are concerned about local control and/or the distribution back of revenues from the state, this is a very crucial Bill. I might point out that I think that the Bill has also...also has some problems, which include the fact that it does not amend certain parts of the Revenue Act which would actually make it possible that the farmers who are on

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this land could be taxed twice. The Bill does not amend the Revenue Act, and it is possible and certainly probable that farmers would be liable for taxes both to the county and to the State of Illinois, so this...I think the Bill is flawed in that regard. Again, I applaud the Sponsor; she's working very hard. I think that she...her heart is in the right place, but I think that this Bill, due to precedent alone, as to what it does in terms of changing public policy as to how we collect taxes, property taxes, an extremely sensitive issue, should be an extremely sensitive issue to all of you whether you're on the right or left side of the aisle. This is a major change in revenue policy. In addition to that, I think that the people that the Representative seeks to help may inadvertently through the misdrafting of this Bill, be actually hurt by this proposal, and be subject to double taxation. So, I would stand in opposition to this Bill. I'd encourage all of my colleagues to look very carefully at this Bill, it has some extremely important implications, and I would hope that upon examination that you would oppose House Bill 2148."

Speaker Turner: "The Gentleman from Cook, Representative... I mean the Gentleman from Rock Island, Representative Brunsvold."

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

Speaker Turner: "She indicates she will."

Brunsvold: "Representative, right behind ya'. Representative, how long will the leases on the farm land exist?"

Moseley: "It's my understanding with the department that these leases would be for one year at a time, and they will be bid each year."

Brunsvold: "And this money will be used to go back into the...back into the...development of site M?"

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Moseley: "The way the Bill is currently drafted in 2148, the money would stay with the the site, so it would be used to develop and maintain the site. Currently there is no provision to keep that money with the site, under current law."

Brunsvold: "Has the tax...Has the tax problem that you identified there been resolved by you and the department?"

Moseley: "The tax problem would be resolved by this legislation. The proposal the department has given to the county is one of performance bonds on the tenants, and this is...unacceptable to the Farm Bureau and it's really unacceptable to the County Board as well; it does not guarantee the full repayment of the lost revenues."

Brunsvold: "Thank you. To the Bill, Mr. Speaker. I would, you know, applaud the Lady for what she's trying to do with her area. I think she's done a good job of identifying a problem and trying to address the problem of taxation, loss of tax moneys to her area, and I want to applaud her on that. However, I'd like to say that, you know, site M is probably gonna be one of the premier conservation areas in this state. Once it is developed, it will be a real tax generator for that area, and that area will see a lot of businesses develop around that site eventually that will make that a very nice economic development tool for her area. I would not want to tie the hands of conservation. I think they're gonna try to develop this as quickly as possible. We are setting new paths here as far as this legislation is concerned, and I'm sure conservation, my discussions with them, they've indicated that, you know, this is probably one of the most important sites they're going to have, and they are going to develop it. They're gonna have contracts with farmers around there. They need

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that money to generate money for the development of that area; plus, frankly, some of the other areas around the state. If this can generate money, then it's for parks all over the state. It's only in that vein that I would stand reluctantly to oppose the Lady's Bill and say to consider it carefully, because this is the restricting of the operation of the Department of Conservation's dealing with not only this park, but all parks. Thank you."

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

Murphy, M.: "Yes. I would like the Sponsor to yield for a question or two?"

Speaker Turner: "She indicates she will."

Murphy, M.: "Yes. What the problem is, is the definition of 'revenue loss' that we are asking the state to make up. We need to define how severe an impact this is. I was wondering if you have any idea 'A' of how much or if the amount in the special fund does not meet the requirements, will this make necessary an appropriation?"

Moseley: "First of all to address the first question, it is approximately \$70,000 that stands to be lost from the county, and the Bill addresses that if the amount of money in the special tax fund is not sufficient to cover the revenues lost by the county, that the remainder should be made up from the income fund. In other words, we're not going to...this addresses the issue that was raised by Representative Kubik, when he said that he felt there might be a double taxation on the farmers. What we're saying is that farmers should only pay what property taxes they would ordinarily be required to pay, but since we are taking part of the land out of production, the department will make up the remainder of those property taxes from the income they receive off the lease fees."

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Murphy, M.: "And aren't we concerned about the dangerous precedent of having the Department of Conservation be responsible for payment of property taxes? You know, I'm talking about the... The idea of your Bill I understand, Representative, I sincerely do, but we are very concerned about the precedent and about having units of government higher up being responsible to pay the taxes, and I was wondering if you addressed that concern?"

Moseley: "Yes I would. First of all, I would like to point out that this isn't paying property taxes; it is reimbursing a county for lost revenues. Secondly, I would like to point out that we are already setting a very definite precedent in the fact that the State of Illinois will now own, totally own, at least 5,000 acres of prime farm land. The Farm Bureau has raised the issue on a number of occasions, that they are very uncomfortable with the State of Illinois going into farming as a business, and this addresses their concerns. They have a great many concerns at the way the farmers will be dealt with on that site, and the issuance of performance bonds was unacceptable to the Farm Bureau. So we've got a lot of things going on here. This is the largest tract of land the land has ever acquired, and because of that, it's going to require some special legislation, and I feel that this legislation adequately addresses your concerns."

Murphy, M.: "My last question. We know the Department of Revenue is in opposition. What about the Department of Conservation? Have we worked something out, or do you have some consensus?"

Moseley: "I have not heard from the department as to whether they are opposed to this or in favor of this. I know only from the Farm Bureau's discussions that the Farm Bureau is very

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supportive of the measure."

Murphy, M.: "Thank you, Representative."

Speaker Turner: "The Gentleman from Cook, Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill was considered and supported in the Revenue Committee. It is not that complicated a Bill. It does not set bad precedent. It does not involve state subsidy of property taxes. It does not impose restrictions on the use of the property; all of the concerns that have been raised here. Let me...very briefly go through what it does. This is a piece of property that was previously owned by Commonwealth Edison, and it has tenant farmers on it, and under law there is...as part of the rent that's paid, the tenant farmer also pays their lease hold tax. Previously they paid it to Commonwealth Edison, and Commonwealth Edison then turned around and paid it to the county; in this case, Cass. Well the state is acquiring this property; the state is going to be the landlord. So what this Bill says is that the state, in this case the Department of Conservation, should do exactly the same thing that the previous owner did with the farmer lease hold...leases, and that is to collect the rent and to collect the lease hold assessment and to pass it on to the county of Cass. It's not terribly radical a proposal. It is unique that the state has tenants, but it makes sense in this particular context. In addition, there was concern about placing restrictions on how the Department of Conservation would use the land. This Bill doesn't place any restrictions, it simply deals with the question of collection of these property tax assessments, in effect, passing them on to the county. It doesn't impose any restrictions at all on how the land is to be used. You

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know, as far as the issue of does this involve any state subsidy? There is no state subsidy here. The money is collected from the tenant farmers, and it's passed on. The only potential cost to the state is picking up the money and passing it on to the county. It's a unique situation certainly, but it's not a situation that warrants all of this debate. It's a good Bill. It was well considered by the House Revenue Committee. It was reported out favorably. We urge your support for Representative Moseley's Bill."

Speaker Turner: "The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. To the Bill. Representative Brunsvold was correct. In the first place, we're not dealing with Commonwealth Edison, whom everybody loves to know and hate. We are dealing with an agency in state government, the Department of Conservation, which is now the owner of one of the most premier sites in the entire State of Illinois and the entire midwest. What this is, is an attempt to control and limit the hands and the use of the funds created by the tenant farming tax. The Department of Conservation has already agreed to hold the county essentially harmless and to make those payments to the county so that they don't lose tax revenues. To limit and create another, yet another, special fund into which these moneys are going to be deposited is merely an insult to the Department of Conservation. You're saying that you trusted Commonwealth Edison, but you're not gonna trust our own Department of Conservation, and that's simply wrong. And the 'no' vote is the correct vote."

Speaker Turner: "The Gentleman from McDonough, Representative Edley."

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Edley: "Thank you Mr. Speaker, Ladies and Gentlemen of the General Assembly. The previous speaker, I'm afraid, is in error. There is no guarantee to this county. It's one of the smallest counties in our state. The Department of Conservation is...will own over 10% of the land mass of that county, and has not given them any guarantee that they will be held harmless. That's the problem; that's the impetus for this Bill, and while none of us would like to have the state come in there and consume that large of our private property holdings, I think the state has a responsibility to be a good neighbor, and all this legislation does is codify a good neighbor policy for the State of Illinois and the citizens of Illinois and the citizens of Cass County."

Speaker Turner: "The Lady from Sangamon, Representative Moseley, to close."

Moseley: "Thank you Mr. Speaker, Ladies and Gentlemen of the Assembly. I want to impress upon you exactly what Representative Edley just said. This site, the purchase of site M means that the State of Illinois now owns 10% of Cass County. Think about that for just one moment. Imagine having any state agency whether you love them or hate them, walk into your county and buy up 10% of the land. Naturally the citizens are going to be concerned. There is a real question here as to where that money from the lease hold fees are going to go. It is a concern of Cass County that the money would be siphoned off this site and used everywhere throughout this state. That is not what would help those people. They are... They have been promised economic development. They have been promised revenue reimbursement. They have not been given anything in writing. They have not been guaranteed anything."

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Imagine each one of your counties being put into a position where they stand to lose a substantial amount of the moneys they need for two districts that are already on the watch list, for local governments that are already hard pressed with all the mandates that the state has placed on them. Please consider that this is simply to use the normal tenant/lease arrangement that we have in common law. It is not an undue precedent. The purchase of the site may have been an undue precedent, but all this says is that the money from this site would be used to make that site a premier park and one of the premier recreational places in this state. I ask for your favorable consideration."

Speaker Turner: "The question is, 'Shall House Bill 2148 pass?' All those in favor should vote 'aye'; those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 69 voting 'yes', 45 voting 'no, 1 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 2197, Representative Phelan. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2197, a Bill for an Act to amend the School Code. Third Reading of this Bill."

Speaker Turner: "Out of the record. The Gentleman from Livingston, Representative Rutherford, for what reason do you rise?"

Rutherford: "Mr. Speaker, I rise on point of personal privilege. One of the fastest growing cities in the State of Illinois is Bloomington, with population and business. Many of you drive through or by the City of Bloomington on your way here to Springfield. My colleague, Representative Brady, has the pleasure to represent most of Bloomington, but I

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have the distinct pleasure to represent the part of Bloomington that Jessie Smart, the Mayor, lives in. I'd ask the House of Representatives to welcome from the City of Bloomington to the House of Representatives, Mayor Jessie Smart."

Speaker Turner: "Going back on the Order of Revenue, Representative Hicks, on House Bill 1711. Out of the record. House Bill 1736. Out of the record. Under the Order of Law, page 34, we have House Bill 2397, Representative Dart. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2397, a Bill for an Act in relation to abused or neglected children. Third Reading of this Bill."

Speaker Turner: "Representative Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. House Bill 2397 is a necessary Bill of the highest level...the highest order. Kids lives are in the balance with this Bill. I apologized yesterday for having to suspend rules to get this Bill heard; but as we well know, if a Bill is not heard in the next two days it will not get to the Senate in time. This Bill involves childrens' lives; it's about life and death. This is what is important, and this is why this Bill must be passed. What we have right now, is we have a situation where the family first program is administered by the children...the Department of Children and Family Services where they make determinations about a \$20 million pot of money. They determine with state money to give that money to people who abuse and neglect their children. What my Bill does simply put, is it says that if you beat your child, if you rape your child, before we're gonna give ya' state money, we want you to come into a court where the child and parent will all have representatives to determine

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whether or not we are gonna spend this money on you, we are gonna give you money. This money is used for chauffeur service, for housekeeping, for rent. It's an incredible outlay of money we're talking here, and we believe not only fiscal responsibility but moral responsibility demands that this Bill get passed. This Bill is supported by numerous groups, and there's also some degree of concern about opposition. I have been asked questions about numerous different groups, different groups on either side of this thing, depending on what their angle is on this. The bottom line is though, we're talking about kids and kids' lives here. This is a program the Department and Family Services has been administering and not doing a very good job at it. In Cook County alone, we have had three children in the past year who have shown up dead; they've been killed. They were killed by the people we were givin money to. What we are are saying here, is we want a court in there. We want a court to look at it. This is also the same program that the Department of Children and Family Services has asked a study to be done. A study was done on this program, and their study was shown that this program does not work, that this program spends a lot of money with no results that are positive as a result of it. It, furthermore, said if we could narrow the program, it might work better. That's exactly why we did this. That is why I stand amazed as to why DCFS and how they can oppose this Bill amazes me. I welcome any questions, and I encourage a favorable vote."

Speaker Turner: "The Lady from Dupage, Representative Biggert."

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

Speaker Turner: "He indicates he will."

Biggert: "For a question. Is the Illinois State Bar Association

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in favor of this Bill?"

Dart: "No, I'm glad you asked that, too. There was a list circulating saying they opposed this Bill. I've talked to their lobbyist today, who says that they have no position on this Bill. So the letter going around listing them as an opponent, much like numerous other people on this list of opponents, it's not true."

Biggert: "What about the judges? Have you spoken to any judges in Cook County or in the City of Chicago?"

Dart: "Yes, and I appreciate you asking that question too, because one of them... The only concern that it had any merit that I heard what this Bill was gonna cause...courts to be clogged up. Well, the one courtroom that's gonna get the brunt of these cases, the most cases, is Cook County. Well over 50% are gonna go there. I personally talked to the person who administers those court, the Chief Judge, Commerford, who thought...in his words, 'This is a fine idea. Court screening is a good idea, we should do this'."

Biggert: "Thank you. Yesterday, we did have a fiscal note, although it was not on the amended...the Amendment. But it...it says that there'll be...put in jeopardy could be \$121 million. Now this says in 'jeopardy'. Does that mean that a this program will cost \$121 million?"

Dart: "No. As a matter of fact, Representative, this money will cost nothing in that sense. As a matter of fact, what it's gonna do it's gonna ensure that this limited pot of money is gonna go to families that need it and deserve it, not the families that are raping and beating their children. This is gonna make it so there's more scrutiny so the families that truly deserve the state money will be getting the money, and the fiscal cost that DCFS threw on this is also outrageous. They once again...They did the fiscal

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note. They're the ones opposed to the Bill, and their fiscal note basically said we're in jeopardy of losing money. They, of course, only quoted to part of the federal statute which they said was the reason we're gonna lose money. The rest of the statute, if they cared to include it, would have shown that we are in no jeopardy of losing this money; as a matter of fact, the State of Florida has almost an identical Bill, they have not lost federal money."

Biggert: "Thank you. To the Bill, Mr. Speaker. I support this Bill. I think that the Sponsor has put a lot of work into into it; has really done his homework. I think that...we have to put the child first, and I've heard comments that perhaps we should have a task force. Certainly with all the Bills that we had in the Judiciary I Committee concerning children, there was a lot of input, a lot of time spent on all of these Bills. These are difficult Bills; there is a lot of material to absorb here. But I think the Sponsor has done his homework. If a task force is needed to study, maybe that can be done in the future, but right now we have to protect the lives of the children. I urge your support."

Speaker Turner: "The Lady from Kane, Representative Lindner."

Lindner: "Thank you, Mr. Speaker. I would like to speak in favor of this Bill. I think that this is something that happens routinely in the collar county courts now, and I would urge Cook County to be brought into what I feel is a good practice. As a former practitioner in the juvenile court system, this is a very simple concept. When there is a neglect situation that is not serious, DCFS goes in and provides the child welfare services without bringing the case to court, but when there is a serious situation of

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abuse (physical or sexual), this case should be taken to court. That is routinely done in the courts in which I practice, and I would ask that you support this Bill so that it would be done in all courts. Thank you."

Speaker Turner: "The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As many of you already know, this Bill arises out of a case in Chicago dealing with Joseph Lee of the south side, who was returned on February 16th by Judge Allen Goldberg. Returned Joseph and Joshua to their mother, Amanda Wallace. It was not the Department of Children and Family Services that returned this child to the foster parents; it was the court that returned it and, in fact, Patrick Murphy, the public guardian says in his quote in the Tribune yesterday as saying, 'Murphy's office agreed with Goldberg's decision to return the boy to their mother'. But then, Murphy has said his office would have opposed returning the boys if it had known of Lee's allegations. So it's not the Department of Children and Family Services that returned it, and it is not the policy. In fact, the bottom line here is really placing in jeopardy \$121 million in federal money that currently goes to the department to fund its programs, and we're talking about the welfare of a lot of poor and innocent children that this \$121 million would help protect. That's why this Bill oughta be defeated. It's an emotional knee-jerk to a problem that doesn't exist. It assumes the Department of Children and Family Services returns the kids; that's not true. It's the court that returns the kids to the foster parents. One hundred and twenty one million dollars; now if you want to have that on your conscience, then vote

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'yes'; otherwise, vote 'no', which is the responsible vote."

Speaker Turner: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I rise in reluctant opposition to this Bill. I know that the legislation is well-intended, but I can't tell exactly what the fiscal impact will be were we to pass this Bill. I can tell you that the affect would be to clog the courts and prevent the Department of Children and Family Services from providing any services to an intact family when there is a possibility that sexual or physical abuse has occurred. Yes, the families first program is controversial, but this Bill is not about families first, it's about all the services that the Department of Children and Family Services provides. I don't think it makes sense to wait for a court determination on that question before we begin providing some help to abused and neglected youngsters. Further, I can't tell exactly how many children are going to end up in court. The Sponsor tells us some 600, but the department tells me that the total indicated physical abuse cases numbered in fiscal year 1992 nearly 5,000. The total indicated sexual abuse cases were well over 7,000. I don't think that 12,500 is anything like 600; and if we're talking 12,500, we're not talking about a Bill that will not clog the courts. The Bill is drafted in a way that it's hard to know whether you wait for the determination that sexual or physical abuse has occurred before you go to court. If you don't wait for that, then you could be talking about the 18,000 reports of physical abuse, 18,000 cases in court, the 16,000 reports of sexual abuse. I don't think that this Bill works to achieve the goals that it sets. I think it will prevent caseworkers from doing

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the jobs we hire them to do; and finally it will not solve the problem of instances in which caseworkers do not appropriately define the kind of abuse that, in fact, has occurred. So, while this is certainly well-intentioned, I agree with the department that we risk the loss of substantial federal dollars. I do not think that it achieves its goal, a goal that we all share, as does the Sponsor of this Bill, a goal of making sure that all of our children are secure and are safe. I would urge a 'no' vote."

Speaker Turner: "The Gentleman from Lake, Representative Salvi."

Salvi: "Thank you, Mr. Speaker. The fact is, that DCFS has diverted family first services and money to undeserving individuals who physically or sexually injure their children. Strangers perpetrating similar abuse would get prison sentences instead of getting chauffeurs, homemakers, and financial assistance and other services. This Bill would simply compel DCFS to bring to the court and seek approval of the court for use of family first funds and services only in those cases where a parent or parents are accused of having sexually or physically abused his or her children. This is a very reasonable Bill, and I'm gonna vote 'yes'."

Speaker Turner: "The Lady from Cook, Representative Mulligan."

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

Speaker Turner: "He indicates he will."

Mulligan: "Representative Dart, I was in committee the day this was presented, and I asked you this question off the floor, and I still would like an answer on the record. The Public Defender from Cook County, Patrick Murphy, and the department told me on that day that the money for covering

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the court costs for this would come out of the family first funds. Later in questioning the members of Patrick Murphys' staff, they told me it would come out of the county funds. Depending on the significant number of cases, this may gut the family first funding, and I am curious to know exactly where the funding for this will come from, who'll cover the Cook County defenders' costs in this?"

Dart: "Thank you. The money will not be coming out of the family first program. That goes to, as Representative Salvi mentioned, goes to chauffeur service, it goes to housekeepers, it goes to cash supplements of up to \$500 to parents who have abused their kids."

Speaker Turner: "Turn on Representative Dart."

Dart: "That money...that money's set aside for that. As far as the court costs, that would be absorbed by the county. But these are people who are already in the courtroom, in Cook County especially, where the impact will be there. These are people who are physically in the courtroom, the judges who will be administering this, who would be the ones who would be most upset you would think about something like this, the one who administers this says it's a fine idea; he's in favor of it. The thing here is that you can't lose sight of, is that people randomly like to throw around these numbers. The estimates that we've gotten is this would mean maybe 600 cases we're talkin' about, not 18,000. Eighteen thousand are how many phone calls they get about people doing these things, it's not the number that's gonna be affected here. So the numbers are being blown way out of proportion for starters, and the money will not come out of the family first program, they will come out of the court costs, so we are not...the court having to hear this

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case, you're not taking away money from family first that way."

Speaker McPike: "Representative McPike, in the Chair. Was that the first opponent? All right, Mr. Leitch."

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It seems like there is a great deal of confusion about the family first program. It is an exceptionally well run and well functioning program in downstate. It is not about a couple of housekeepers and not about the kind of trivial duties that were described by the Gentleman who is proposing this Bill. As a matter of fact, passage of this Bill will reek a tremendous hardship, even crippling hardship to the Department of Children and Family Services. In 1992 there were 497 cases of physically abused children which would have had to go into an already overcrowded court system. In 1992 there were 7,400 that would have had to go into already overcrowded court system. Everyone sees this tragedy; everyone understands these problems, but swamping the department and putting at risk federal funds does not in any way help us reach a closer solution to the problem. I would be very curious to know how many more judges would be required because of this legislation, what the position of the circuit courts, especially in Cook County would be on this issue; and above all, I would urge our Members to look very closely at this legislation, because it would truly damage the system we now have and are struggling together to try and improve. I'd strongly urge a 'no' vote."

Speaker McPike: "Mr. Dart, to close, and then we can explain votes."

Dart: "Thank you, Mr. Speaker. I appreciate the compliments from different people, but some people were terribly misled."

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DCFS's own study, if they care to read it, says the program does not work. They commissioned a study. The study says this program doesn't work, it's a waste of money. They say if we could somehow bring it in, to narrow it, it might work better. That's what this Bill is doin'; their own study says that. As far as the federal money being in jeopardy, that is a farce. That has been something DCFS has thrown out there to try to get people to think this is gonna cost money. It's not gonna cost money, it's gonna ensure that money is sent to the people that deserve it, not people who are raping and beating up their children. And they talk about no service to intact families, that's not the case. This Bill specifically allows for services to be given to people. It just says if you rape the kid, if you beat the kid, you've gotta come into court first before we're gonna give ya' this money. That is what this is about. It's not gonna clog the court system, and it's not gonna prevent caseworkers from doing their job. The caseworkers we're talking about were not the ones that Representative mentioned over there, who's was in the paper yesterday, we talkin' about a Somonauk case where a young girl about six years old was put on family first, DCFS worker said, 'we'll just give 'em the money and they'll go away'. And what happens, the day they're celebrating the woman going off family first the baby shows up at the morgue raped and killed. This Bill has got to be passed, and I'd appreciate a favorable vote."

Speaker McPike: "The question is, 'Shall House Bill 2397 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House. This Bill is designed to give children their right to due

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process. Sexual abuse and physically abused kids must be seen or their cases must be reviewed by a judge. DCFS will have its day in court. The mothers, the fathers or whomever will have their day in court, and the state shall have its day in court; but most importantly, Ladies and Gentlemen, the children will have their day in court. I would appreciate more 'aye' votes. Thank you."

Speaker McPike: "Mr. Hicks."

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I stand in opposition to the Gentleman's Bill. Currently, we have some 43,000 cases in limbo in the State of Illinois. In order to get these before a court, you're gonna be in serious jeopardy of having people that don't get taken care of, kids. We're talkin' about kids who don't get taken care of because the court certainly cannot address the problems involved in this, so I would urge more 'red' votes."

Speaker McPike: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What Representative Dart referred to was the B. H. vs Suter Consent Decree study by the Illinois Department of Children and Family Services. In that analysis, their own findings state that the program does not work. The intensive service programs have not had the impact on placement prevention that was intended, not statistically significant. The program doesn't work, and what are we talking about? We talking about trying to protect people that can't be protected. We're trying to help kids who can't protect themselves, and isn't that what we're all about, trying to help people that can't protect themselves? This is a good Bill. It attempts to address that problem, and I would urge an 'aye' vote."

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Speaker McPike: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I rise in opposition to the Bill. It seems somewhat strange to me that in order to protect kids we're putting in another layer of administration. I don't understand how that affects children. What we need are direct careworkers, not more bureaucrats. I can play some tapes of the Democratic side of the aisle, in which they are suggesting just that scenario on a dozen other issues, but now for some reason that they believe this extra layer of administration is going to help the children, when it will...indeed it will not, and lots of folks recognize it. I have before me a letter from the Catholic Charities of the Archdiocese of Chicago, indicating that we ask you to vote against this Bill now to defeat it before it further depletes the resources of an already overburdened juvenile court. That makes sense to me. Voting in favor of this does not."

Speaker McPike: "Representative Hoffman."

Hoffman: "Thank you, Speaker and Ladies and Gentlemen of the House. How many children in this state must die? How many must be abused? How many must be crippled? How many must be burned? How many must be tortured? How many of 'em have to go through hell? What are we doing in this House? What are we doing? This is a good Bill. How many people in this House have been on the front lines, have worked as an assistant state's attorney and seen what goes on? Has seen what DCFS does? How many people in this House have worked in probation and seen what DCFS does? There are good workers out there. All we're asking for is oversight. What do they have to hide? It's time we do something right for the kids. Vote 'aye'."

Speaker McPike: "Representative Brady."

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Brady: "Thank you, Mr. Speaker. To explain my vote. With all due respect to the Sponsor, the investigation that I found...even if this doesn't cost us \$120 million, which it seems it most likely could, this would not be two cases a day, but over 5000 court cases a year I'm told, and I think that just causes too much bureaucracy and too much backlog. Thank you."

Speaker McPike: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. To explain my vote. I sat on Human Services and Appropriation, and I am very concerned about the money that's involved here. I'm also concerned of the general indictment of DCFS. I don't think that's entirely fair. I am concerned for these children and I do think something needs to be in place, but I don't think this Bill is actually doing it, I think it's just adding another layer of bureaucracy and we're not addressing the problem correctly."

Speaker McPike: "Ma'am, if you spoke in debate, you're not allowed to explain your vote. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 68 'ayes', 31 'noes'. House Bill 2397, having received the Constitutional Majority, is hereby... Mr. Edley votes 'aye'. Schoenberg, 'aye'. Representative McPike, in the Chair. On this Motion, there are 70 'ayes' and 31 'noes'. House Bill 2397, having received the Constitutional Majority, is hereby declared passed. House Bill 1459. House Bill 1459. Bill's on Second Reading. Are there any Amendments?"

Clerk Rossi: "Amendment #1, offered by Representative Edley."

Speaker McPike: "Mr. Edley."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. Amendment 1 makes a...a couple of

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technical changes that we agreed to make on the House floor in committee. It...provides for a freedom of choice of the health care provider and provides that...those serving on this...commission be covered by the...be providers as covered by the...Social Security Act. They have no material impact on the...on the intention of the Bill."

Speaker McPike: "On the Amendment, Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative, the purpose of your Amendment simply to put what I think the federal government is already more or less agreed to, in the language that would be a choice of doctors in the plan?"

Edley: "Choice. Yeah..., we've included the choice of doctors and...defined the providers under the...Social Security Act."

Black: "All right. To...to the Amendment. Is all of this legislation really necessary in light of what we expect to hear from the federal government with sometime in the month of May?"

Edley: "Well, I think specifically to the Amendment, we're just getting the Bill into the format where we can debate the...the merits of the Bill on Third Reading, but..."

Black: "All right. So, ...so the Amendment...the Amendment is called the 'Freedom of Choice' Amendment. Is that correct?"

Edley: "Well, it provides for the freedom of choice of the health care provider in...in the directives to the commission."

Black: "You're right. You're right. All right. Thank you very much, Representative. I'll...we'll probably visit on Third Reading. Thank you."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye'; opposed, 'no'. The

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'ayes' have it, and the Amendment is adopted."

Clerk Rossi: "No further Amendments."

Speaker McPike: "All right. There's a request for a fiscal note, as amended. Mr. Edley."

Edley: "All notes have been filed for this..."

Speaker McPike: "There's a request for a fiscal note, as amended. The Bill has now been amended."

Edley: "Well, I would move that that's in...inapplicable."

Speaker McPike: "Either one."

Edley: "Inapplicable."

Speaker McPike: "If you support the Gentleman's Motion, vote 'aye'; if you oppose it, vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 58 'ayes', 51 'noes', and the Motion prevails. Third Reading. Third Reading. Read the Bill, Mr. Clerk. Yes, same Bill. Read the Bill."

Clerk Rossi: "House Bill 1459, a Bill for an Act concerning public health. Third Reading of the Bill."

Speaker McPike: "Mr. Edley."

Edley: "Thank you, Mr. Speaker and Ladies and Gentlemen of the General Assembly. House Bill 1459 would create a bipartisan commission with specific dates for reporting back to the Governor and to the General Assembly with...with a...specific recommendations for a health care reform package for the citizens of our...our state. I think that we are...we are all aware of what is happening in Washington with the Clinton Administration Task Force. He has promised to pass major health care reform legislation in Washington, and we need a structure, a bipartisan structure, set up in this state ready to accept that reform and craft it...into the best interest...for the best interest of our constituents. This legislation

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provides and directs to the...task force to provide a health care system that provides universal access to a full range of...of health care services. This...reform maintains and improves the quality of health care services offered to our residents, provides for portability of coverage, regardless of job...job status; that is: If you move from one job to the next, that your health care insurance goes with you. So, many of our citizens are what are called in jobs that are 'job-locked'. They may wanna move jobs and move to a new job, they may wanna go back to school to upgrade their skills, but because of their health insurance and of a health care problem that they may have or that their spouse may have or a dependent may have, they can't change jobs because they would risk losing their health insurance. So, we have in this a directive to the commission to insure that there is portability of coverage, regardless of job status. It provides uniform benefits for all of our residents, that it encourages regional and local consumer participation in...in decisions about health care...delivery and financing, that it controls capital and overall expenditures, that it provides for all...that it avoids unnecessary duplication of...of development of health care facilities; and that there is a mechanism for implementation of the results of research to evaluate the effectiveness of the health care services that we're providing in this state. This is truly a bipartisan commission, with its Members being selected by the...cau...the President of the Senate and the Minority Leader in the Senate, by the...Speaker of the House and the Minority Leader in the House, and so I...I can't really...see why anyone who wants to do something about health care would be opposed to this. There's no taxes

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involved, there's no financing mechanism...recommended. It simply provides a...a structure for the...for...the State of Illinois to determine what is in the best interest of our citizens and their health. And I would urge an 'aye' vote."

Speaker McPike: "Representative Weller."

Weller: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker McPike: "Yes."

Weller: "Representative Edley, this proposal seems fairly similar to legislation we considered last year. Is this identical to former Representative Anthony Young's Amendment that failed in the House last year?"

Edley: "I don't think it's identical to that, no. It certainly isn't identical in...in how we apportion the Members to this bipartisan commission."

Weller: "But, if it's not identical then in how we apportion commissioners, pretty much it's identical once you get beyond that?"

Edley: "I...I wouldn't say that. It's similar, but it's not identical."

Weller: "It's similar, and then language by statute we commit the State of Illinois by law to universal health care in Illinois. Is that correct?"

Edley: "It requires the state to make...it requires this commission to make recommendations to the General Assembly by certain dates and then...it is upon us to act upon those recommendations. I think part of the problem that we have in the General Assembly is that...is that special interest groups on both sides give us data and quantify spending that is suspect, and I think that what we need is a bipartisan commission to go through and analyze the data

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and make recommendations back to this Assembly that...that we can have confidences of our..."

Weller: "Well, Representative...Representative, I'm just trying to understand the detail, and you've been very kind about sharing the detail in your Bill presentation. My understanding of the detail is this Bill does commit Illinois to universal health care, I think, by 1996. Now, universal health care, essentially, that's pretty much the Canadian concept, isn't it, Representative?"

Edley: "I didn't...I didn't catch that last comment."

Weller: "I said that...we're committing ourselves by..., if we pass this Bill, to universal health care by 1996, according to the language as I understand it. Now, universal health care, that concept is similar to what we have in Canada?"

Edley: "Well, I think it's similar to what any...what the current polling is..indicates, that people want a universal access, that they believe that every...American citizen deserves the right to see a doctor. I think that's what the term means."

Weller: "But, it would be a government-sponsored health care program, wouldn't it, Representative?"

Edley: "Not necessar...not necessarily, so. No."

Weller: "It would be government-managed, wouldn't it, Representative? When you have some big bureaucracy managing this health care program for us, like the post office?"

Edley: "Well, let me read to you directly from the Bill. It says, 'The commission shall not be limited to funding concepts described in the preceding sentence. The commission may, also, consider alternative funding mechanisms and make recommendations it deems appropriate'. So, they aren't limited to either a single payor,

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multi-payor, Canadian, German, Japanese, voucher system. What we're saying is we're cutting through the baloney. We want...we want action. We wanna do something, and we wanna set specific guidelines up so that this task force doesn't end up like that school...finance task force that meets for two-and-a-half years, submits a budget and then nothing...then nothing happens with it."

Weller: "Well, Representative, everyone of those systems that you suggested should be adopted as part of the universal health care commitment that's made by your commission is all government-sponsored in every one of those countries, Representative."

Speaker McPike: "To the Bill."

Weller: "To the Bill. According to the Illinois Public Action Council, which is the chief initiator of this legislation, this initiative would be funded by four funding sources, and that means a 3.4% increase in the dedicated income tax. That's 113% higher than it is now. That suggests that the cost of universal health care is \$26.8 billion. Now, those are last year's figures, Ladies and Gentlemen, so they're gonna be higher this year. That's almost what we pay now in our state budget. Doubling state cigarette and liquor taxes, quarter contributions would go up 34%; and then, of course, we would hope that the Clinton Administration would come through with full funding of the federal government share. Ladies and Gentlemen, if you want the government to run our health care system, if you want a system that is, frankly, as efficient as the post office, as sensitive as the IRS (and all at Pentagon prices), then you'll wanna vote 'yes'. The best vote on this legislation is a 'no' vote. We have health care reform initiatives that we have passed out of this House of Representatives, initiatives

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that streamline paperwork, initiatives that have preventive efforts to immunize our kids. We were making progress, but let's not turn our health care system over to the government bureaucrats. If you want the government to take over our system, vote 'yes'. If you want to keep the private, free-enterprise system working, we're working to fine-tune it, then vote 'no'."

Speaker McPike: "Mr. Edley, to close."

Edley: "Thank you, Mr. Speaker. Let me first say that all of those tax numbers that my...that the previous speaker eluded to, none of that's contained...contained in this Bill, and it's part of the reason why we need a bipartisan task force so that we can get good numbers, not some numbers that..., for whatever reason, are being banned about. Some of us here, I think, are under the misconception that...that President Bush won the election last November. President Clinton won last November, and he won on a platform of health care reform, that he was going to do something to provide universal access to every American citizen. That's what he promised, that's what he's gonna do. The question is, 'Are we gonna sit here in Springfield twiddling our thumbs while they come up with a reform package in Washington; and, when that package is passed, we have to spend six, seven months, a year coming up with a...a program for our citizens. I think that that...that the proper thing to do is to be prepared. To already have a bipartisan commission of...of both Republicans and Democrats...formulating a plan for the citizens of Illinois that can be...be...part of the Clinton proposal in Washington. The debate, I think, was very clear last November. I think the verdict was that the voters wanted change, they want universal access, they want

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health care, and the only question is, 'Are you gonna vote 'yes' for change or are you gonna vote 'no' for the status quo?' That's the whole question with this Bill. You aren't voting on a Canadian system, you aren't voting on a German system, you aren't voting on a multi-payor system; you're simply voting to say, 'We are going to make fundamental changes'. That's all this Bill is about, and I would urge my colleagues who wanna respond to constituents throughout this state (the small business people, the senior citizens, to the disabled, to the young) to vote 'yes'."

Speaker McPike: "The question is, ..."

Edley: "Health care is a fundamental right. Ninety percent of the citizens of our country recognize it as a fundamental right, and yet we have 37 million people in America who can't see a doctor when they're sick or receive modern medical treatment from a hospital of their choice. That's a tragedy. Every other industrialized country in the world provides health care or some level of health care to their citizens. The Citizens of Illinois deserve no less. I would urge an 'aye' vote."

Speaker McPike: "The question is, 'Shall House Bill 1459 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I have a great deal of respect for the Sponsor of this Bill. In fact, we often have breakfast together in the morning in the luxurious cafeteria in the basement of the Stratton building. I just ask you to consider a few things in your vote. I...in all due respect to the Sponsor, I think that perhaps this is more of a politicized vote than it is a vote really to overhaul the

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health care delivery system in the State of Illinois. Those of you that read any newspapers at all, we're getting a look at the President's health plan now. A recent article in the Tribune, recent article in the New York times, which can hardly be considered a Republican-oriented paper. Ladies and Gentlemen of the House, in the New York Times article, it is quoted that 'the Clinton administration will finance their health plan by asking Congress to impose new taxes amounting to hundreds of dollars a year, even for middle-income families, including those who already get health insurance through their employers'. I would further call your attention to a member of Mr. Clinton's staff, who's the manager of the task force on health care reform, said in a memorandum, 'Universal access could mean \$90 billion of additional annual expenditures by the government in 1997'. The only thing I'm saying to you is this: You have a President in the White House who said sometime in the month of May he will unveil his plan. All I'm saying to you is that this vote is premature. Let's see what the federal plan is. Let's see what we are asked to do as individual states to sign on to the national plan that, surely, will be before us in a matter of three or four weeks. In all due respect to the Sponsor, I think this is a politicized vote, more so designed to get you on the roll call than to make any meaningful changes in a health care plan that will be changed dramatically by federal action. Let's not get Illinois out too far in front on this matter. Let's wait and see what the federal government wants us to do and how we're gonna finance it and who it's gonna to cover. And, at this point, a vote on this issue is simply premature. I vote 'no'."

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Speaker McPike: "Representative Phelps, one minute to explain your vote."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I urge all those to join us in the green votes because, contrary to what the previous speaker said, I sure in no way mean this to be a political vote because I believe that we are at a very critical stage, and if how we reform health care (certainly on a national basis), but most of you know the Feds many times look to us to feed them information and responses in the...from the grass-roots level of what needs to be done. Most of us know, the day has come that the health care situation that faces us now needs to be behind us. The only way we can rectify that is major reform. This is a pretty mild Bill compared to what we voted on the last couple years. It asks for a bipartisan commission to look into a structure that we can have in place and agree upon; and, if the federals do pass legislation that's appropriate, we can plug into that. This is a good...good Bill. We should vote for it."

Speaker McPike: "Representative Krause."

Krause: "Mr. Speaker, and just briefly to...on my vote, which is a 'no' vote, and that is the concern of access which is faced if there is a universal health care plan. Looking at the Canadian system, which does point out to the long waiting list for surgical and diagnostical procedures and also in 1989 the number of people that just could not even get into an operating room and that there are closures of hospital beds under the Canadian system, to remain within the budget. That is not the type of approaches that should be taken on health care, and I urge a 'no' vote."

Speaker McPike: "Representative Schoenberg."

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Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm voting in opposition to this measure for two primary reasons. The first is a lot of references have been made that this is a process similar to the State of Vermont. I've spoken with the Governor's staff in the State of Vermont, and it's not...that process by which we...they emerged at some health care program, was not as inherently skewed as the process proposed under House Bill 1459. Moreover, I think we have to take a serious look as to whether or not artificial price controls work. They didn't work when President Nixon imposed artificial price controls in the 1970's. I'm not so convinced that they would work now."

Speaker McPike: "Representative Davis."

Davis: "Thank you, Mr. Chairman. This Bill merely states that a health care program would be studied by a bipartisan commission and that proposals for financing it would be submitted to the General Assembly by January of 1996. It...it does not mean that there is full health coverage for all citizens; however, that is the ultimate goal. What this Bill states is that a commission will be established, a bipartisan one, who will come back to the General Assembly and advise us on the methods of achieving this particular goal. About 12:00 today, over 1000 citizens (senior citizens, young people) were out in the rotunda requesting that this General Assembly that they sent here..."

Speaker McPike: "Representative Moseley."

Moseley: "I rise in support of this measure from personal experience. As many of you have seen my five children running around this chamber. I'd like to point out that for the last nine years I went without health insurance. I

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had two of those children without health insurance. I know what it means to be a private payor in this system, and believe me, if you think there is no access in Canada, you try to find a doctor when you don't have insurance and you are not eligible for Medicaid in this country. It is very hard. I would point to the fact that this is simply a method to develop a plan. Now, it has been said that, 'We're already going to have a federal plan that is going to have a state component'. Please allow the State of Illinois to be in the forefront of something for a change. In the old days, we were in the forefront a lot, and lately, we've been trailing by a long margin. Please vote in favor of this measure."

Speaker McPike: "Representative Blagojevich."

Blagojevich: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise in support of this Bill. While Representative Black makes a very compelling argument which says that we oughta wait for President Clinton's plan, I am, however, dissuaded by the fact that we as a state need to do something. The voters have sent us a message, I think, that health care is a major issue with them, and it ought to be. Health care oughta be a right in our society. I can think of nothing more fundamental than providing decent health care to our citizens. It seems to me a legitimate role of government when the fact of the matter is we have a system that is, essentially, based on the principles of free enterprise, and yet most of us would agree that our health care system has not worked. It is in crisis and is incumbent upon those of us in this Body, those of us who represent people who wanna govern, to do something about a problem that free enterprise is not doing. I urge all of you to support a concept of universal

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health care and consider a plan that can go into effect in 1996."

Speaker McPike: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker and Ladies and Gentlemen of the House. I rise to give voice to the thousands, of citizen lobbyists that are here today representing labor, senior citizen organizations, major religious organizations and denominations, nurses and, yes, physicians who support House Bill 1459. They speak for the vast majority of people who over and over have told us that our health care system has reached melt-down, that we have to do something. This is a reasonable attempt. Those who wanna portray it as otherwise are simply lying to you to have Illinois stand ready to develop a system that will provide access to all Illinois citizens. I can't urge strongly enough an 'aye' vote for this sensible plan."

Speaker McPike: "Representative Rotello."

Rotello: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think that's a little misleading to indicate that there's a...we can study to implement a plan for universal health care without having a funding source, without having a committee meeting on how we're gonna raise the money and how we're gonna tax to implement that plan. It's a little bit misleading to the public (particularly senior citizens who've lobbied here all day) to imply that we, the State of Illinois, are going to pay for their health care when their kids and their grandkids are unwilling and have to be unwilling to have their taxes, perhaps, doubled and tripled. We do not need an island of universal health care in the State of Illinois. This is a national issue. If the states keep putting forth plans to solve the problems, then Congress or this deficit can turn its back and say

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there's no need for action. A 'no' vote is the right vote on this Bill."

Speaker McPike: "Representative Zickus."

Zickus: "Yes, thank you, Mr. Speaker. I rise in opposition to this Bill. I don't think that the people of this state are ready to sacrifice the quality, accessibility and availability that we have today. I hear echoed throughout this chamber that we have to do something, and I agree with that. And, perhaps, we should start with one of the causes of the high medical rates...costs that we have today, and we should start with malpractice reform. This Body is having a hard time balancing our budget. I don't see how we could have it be accountable for our health care, too, and I urge your 'no' vote on this."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There's a presumption here that government, by studying this issue, can provide a better plan. Let me just read to you that while Canada spent less of its GNP on health care than the United States, real per capita health care spending grew slightly faster in Canada, Canadian plan (that's one that's provided by the government) than the United States during the ten-year period from 1977 to 1987. The average annual increase was 4.28% in Canada compared to the 3.93% in the U.S. It does not work when government interferes in the marketplace. If this gets enough votes, Mr. Speaker, I would like for a verification of the roll call."

Speaker McPike: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Members of the House. The... As I look at this Bill, I think back to the universal health care and the statement that was...that was made the

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last time that this ran. By the...then the Chairman of the Insurance Committee, Dick Mautino, and that statement was: 'I've been here nine terms. That's a long time. And I'm sorry to say that I have never seen state government do anything right, fund anything properly or keep its word'. Given our track record, I find it difficult to see that we could undertake health care for the people of the State of Illinois. As I look at our budgets and our Bills right now, this Bill says we 'shall implement a program without funding'. I would like to see us implement a program where we know what it's gonna cost, and this Bill does not do that. It says, 'We shall implement...'

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 56 'ayes' and 57 'noes'. House Bill 1459, having failed to receive the Constitutional Majority... Representative Jones. Shirley Jones, votes 'aye'. On this Motion, there are 57 'ayes' and 57 'noes'. House Bill 1459, having failed to receive the Constitutional Majority, is hereby declared lost. Government, Third Reading, House Bill 703. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 703, a Bill for an Act amending the Illinois Municipal Code. Third Reading of the Bill."

Speaker McPike: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. This Bill is for the rural bond 'bank', not 'band' as it's indicated on the board, and although we have opportunities to put some Amendments on it in the Senate as it goes over there, it does not have any Amendments. I'd appreciate your support."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all

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voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 110 'ayes' and no 'nays'. House Bill... Mary Flowers votes 'aye'. One hundred and eleven 'ayes', 0 'nays'. House Bill 703, having received the Constitutional Majority, is hereby declared passed. Mr. Turner in the Chair."

Speaker Turner: "Under the Order of Revenue, Third Reading, Representative Steczo, on House Bill 808. Out of the record. Under the Order of Roads and Transportation, Third Reading, Representative Lang, on House Bill 95. Out of the record. Representative Hartke, on House Bill 457. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 457, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Turner: "The Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. House Bill 457, as amended, the Amendment #3 deletes all and directs those fines from overweight vehicles to their intended destination when an arrest is made outside of an incorporated area or if the arrest is made by the state police. This does not change the dispersal of the funds, it merely accommodates a new section of the law for the Secretary of State and the Department of Transportation. I'd appreciate your support. Be happy to answer any questions."

Speaker Turner: "The Gentleman from Will, Representative Wennlund."

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

Speaker Turner: "He indicates he will."

Wennlund: "As amended, Representative Hartke, the original version would've cost us \$6.1 million to the Illinois

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Department of Transportation with fines going to counties.

Has that been changed now with the last Amendment?"

Hartke: "The Amendment that you're looking at was deleted, and so it's not going to cost 'em anything. This is actually language just to clear up the designation of those funds into the road fund."

Wennlund: "Okay."

Hartke: "Not the...no, it's not hurting you at all."

Wennlund: "Okay. Thank you very much."

Speaker Turner: "Seeing there are no further questions, the question is, 'Shall House Bill 457 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 0 voting...0 voting 'no', 0 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Woolard, on House Bill 460. Representative Hartke has leave to handle this Bill for him. Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker."

Speaker Turner: "Mr. Clerk, would you read the Bill?"

Clerk Rossi: "House Bill 460, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Turner: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. House Bill 460 by Representative Woolard contains an Amendment that really becomes the Bill. This is the compromise piece of legislation between the Illinois Department of Transportation, the state police, the Commerce Commission, Midwest Truckers, Illinois Truckers, Illinois General Contractors in Illinois, and I know of no

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opposition to it. We've worked on this and consolidated several Bills that were before the Transportation Committee this year. I'd be happy to answer any questions that you might have on this legislation."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 460 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the roll. On this question, there are 113 voting 'aye', 1 voting 'no', 0 voting 'present'. This Bill... Add Representative Meyers to the roll call, please. One hundred fourteen voting 'aye', 1 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Prussing, on House Bill 2162. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2162, a Bill for an Act amending the Freedom of Information Act. Third Reading of the Bill."

Speaker Turner: "Representative Prussing."

Prussing: "Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2162 modifies the Freedom of Information Act to allow the names of witnesses to traffic accidents to be public. This Bill was sponsored by the Municipal League and the Illinois Press Association, and I know of no opposition, and I'd be happy to answer any questions."

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

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

Speaker Turner: "She indicates she will."

Black: "Thank you. Representative, I remember this Bill in committee. This means that if anybody on this floor witnesses a traffic accident, and they don't want their

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name used but they talk to the police, that means that if they're in the police report even without their knowledge, without their consent, the newspapers or radio or television can release their names to the public; is that correct?"

Prussing: "People come forward voluntarily as witnesses, and this similar Bill has passed the Senate by a vote of, I think, it was 52 to nothing."

Black: "I don't care if it passed 2000 to nothing. I asked you a question. If I witness a traffic accident and I don't want my name released in the news media for fear of reprisal, your Bill, as I understand it, lets my name be released to everybody who reads that paper or listens to that radio station even though I don't want it released."

Prussing: "My understanding is that witnesses come forward voluntarily."

Black: "Well, if they come forward voluntarily, why does your Bill say it permits the disclosure of witnesses to traffic accidents?"

Prussing: "Because the way the Freedom of Information Act is now written, but there seems to be no logical reason to keep it that way, and municipalities go through a great deal of time and expense to black out the names."

Black: "Thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House, this is an interesting Bill. You ought to take a look at it. You have people back in your district that witness a traffic accident, and they're willing to tell the police what they saw, but they're afraid of reprisal, this Bill says, 'tough luck'. Your name will be released to the news media. Now, isn't it funny that the news media can always use the term 'an informed source', and they don't have to give that informed

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sources' name, no-way no-how. But this Bill says, if you want your name kept out of an accident report for fear of reprisal, 'tough luck'. Your name's going to be in the paper. The sheriff or the police can't black out your name. No way. You don't have any rights. I think this is a ridiculous concept. I voted against it in committee and I urge you to vote against it now."

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

Biggins: "Thank you, Mr. Speaker. May I ask the Representative a question?"

Speaker Turner: "The Lady indicates she's willing."

Biggins: "Representative, would this apply if a person was convicted of a crime while they were driving the vehicle? Let's suppose they committed a crime in the car accident, and then they were to be let off before trial or something. Would they also know the person's name who was the witness to that accident? Might this not be a dangerous thing for the witness of the accident to view and then subject themselves to risk?"

Prussing: "There didn't seem to be opposition to the Bill. As I said, it passed in the Senate 52 to nothing, so I don't think that that's a valid concern."

Biggins: "Okay, well, would you answer the question I asked?"

Prussing: "Yes. I don't think it's a valid concern."

Biggins: "That the person who might be endangered, a witness who saw a crime committed in the car accident might not put their life at risk by that person committing the accident having access to their name? That's not a concern to you? I think I'm voting 'no'."

Speaker Turner: "Representative Prussing, to close."

Prussing: "As I said, this has been requested by the Illinois

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Municipal League and the Illinois Press Association and there was no opposition to it, and it...a similar Bill has cleared the Senate 52 to nothing."

Speaker Turner: "The question is, 'Shall House Bill 2162 pass?' All those in favor should vote 'aye'; those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 48 voting 'yes', 59 voting 'no', 5 voting 'present', and the Bill fails. Representative Deuchler, on House Bill 2308. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2308, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Turner: "The Lady from Kane, Representative Deuchler."

Deuchler: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 2308 puts forth a sincere attempt to help the many constituents in my district and statewide who have been so troubled with parking ticket violations. Most of these have come from the City of Chicago. Residents do not know that they can request a copy of their parking ticket, so my legislation states that this language must be printed on the bottom of the ticket so that the individual will know that they can send a self-addressed stamped envelope to the municipality along with the request for a copy of the ticket. This will certainly help the 500 residents of my district to know that they can compare the make and model of their car with the make and model to which the ticket has been written and determine that that in fact is not their parking ticket."

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

Granberg: "Representative, it is my understanding that we were

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going to hold this until we got a...response..."

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

Dart: "Yes. I believe the Representative's had conversations with individuals from the City of Chicago. They've signed off on this, and they've agreed to work out any type of language changes that may be needed, if any, over in the Senate I believe."

Speaker Turner: "Representative Deuchler."

Deuchler: "That is correct."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 2308 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this Bill...on this question, there are 114 voting 'aye', 1 voting 'no'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Under the Order of Roads and Transportation, Second Reading. Representative McAfee, on House Bill 74. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 74, a Bill for an Act amending the Illinois Highway Code. Second Reading of the Bill. Amendment #1 has been adopted. No Motions filed. No Floor Amendments."

Speaker Turner: "Are there any other Amendments? Third Reading. Representative Giorgi, on House Bill 127. Out of the record. Representative Hartke, on House Bill 1114. Out of the record. Mr. Hartke's here. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1114. The Bill has been read a second time previously. Amendment #1 has been adopted to the Bill. No Motions filed. No Floor Amendments."

Speaker Turner: "Third Reading. Representative Skinner, House Bill 1818. Read the Bill, Mr. Clerk."

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Clerk Rossi: "House Bill 1818. The Bill has been read a second time previously. Amendment #1 has been adopted to the Bill. No Motions filed. Floor Amendment #2, offered by Representative Skinner."

Speaker Turner: "Representative Skinner."

Skinner: "This is an Amendment with which has reached agreement between myself and the Department of Transportation. It says the department will decide what signs are impediments by rule."

Speaker Turner: "Seeing no further questions, the Gentleman moves...shall House Amendment #2 be adopted? All those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #2 is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner: "Third Reading. Under the Order of Seniors, Representative Schakowsky, on House Bill 2392. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2392. The Bill has been read a second time previously. Amendment #1 has been adopted to the Bill. No Motions filed. Floor Amendment #2, offered by Representative Schakowsky."

Speaker Turner: "The Lady from Cook, Representative Schakowsky."

Schakowsky: "Thank you, Speaker and Ladies and Gentlemen of the House. Amendment #2 takes out any reference to a percentage that we should raise the rates for home-care workers or personal care attendants and leaves it as a more general statement, and I urge the adoption of Amendment #2."

Speaker Turner: "The Gentleman from Jo Daviess County, Representative Lawfer."

Lawfer: "To the Amendment. I think that this does just what the Chief Sponsor referred to, and also it takes out the word

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rates and so on. I think it's a good policy statement as we look forward to meeting the needs of these people. Thank..."

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

Black: "Well, I think I'll just yield to Representative Lawfer's remarks. If the Gentleman from our side of the aisle tells me this is a good policy statement, it must be a good policy statement, so I won't even question the Amendment."

Speaker Turner: "Seeing there is no further questions, the Lady moves for the adoption of House Amendment #2. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #2 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner: "Third Reading. Under the Order of Seniors, Third Reading, Representative Granberg, on House Bill 2008. Out of the record. The Chair wishes to announce that House Bill 2308, which passed earlier, did pass with the requisite three-fifths vote which is necessary because it did preempt home rule. Representative Laurino on House Bill 1094, under the Order of Civil Justice. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1094, a Bill for an Act in relation to security guards. Third Reading of the Bill."

Speaker Turner: "The Gentleman from Cook, Representative Laurino."

Laurino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Essentially what this Bill does or provides is that...measures safety concerning the responsibilities that go along with carrying a firearm. If you are employed as a security guard, a bank guard, and you are in need of

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carrying a weapon, when you get through with your shift to satisfy the NRA, what we said is, 'You can transport it, but it has to be unloaded and put into a closed container and probably put into your trunk or something, so you're not carrying a loaded weapon after working hours'. And I urge for the adoption of House Bill 1094."

Speaker Turner: "On this question, Representative Parke."

Parke: "Thank you, Mr. Speaker. Would the Sponsor of the Bill yield, please, for a question?"

Speaker Turner: "The Gentleman indicates he will."

Parke: "It's... Representative Laurino, I understand that this is Cook County only; it only affects Cook County?"

Laurino: "Correct."

Parke: "Now, what is the position of the State Police on this legislation?"

Laurino: "They had no position, because...well, in fact, they had no position at all."

Parke: "Is...who spoke against this legislation? I'm just trying to get a sense of it."

Laurino: "Actually, the NRA came in and I said I'd work out something with them to satisfy them. I looked at the Amendment they proposed; I adopted it yesterday, and as far as I know there should not be any opposition to this now."

Parke: "So, as far as you know, the NRA now is satisfied with the Bill as it...as you're presenting it?"

Laurino: "Absolutely."

Parke: "Thank you, we appreciate that."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 1094 pass?' All those in favor should vote 'aye'; those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record."

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On this question, there are 114 voting 'yes', 0 voting 'no', 1 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. On the Order of State and Local Government, Second Reading, we have House Bill 103, Representative Novak. Out of the record. House Bill 140, Representative Schoenberg. Out of the record. House Bill 147, Representative Giolitto. House Bill 147, Representative Giolitto. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 147..."

Speaker Turner: "Out of the record. Out of the record. Representative... Representative Woolard, on House Bill 295. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 295. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Woolard."

Speaker Turner: "Representative Woolard."

Woolard: "This is changing...it's a very simple Amendment, Ladies and Gentlemen of the House. This is changing the name of the income tax deduction fund from the Preservation or from the Conservation Fund to the Preservation of Wildlife Fund. I would encourage everyone to support this minor change. We believe that there can be significant new dollars come in to the areas of wildlife preservation in this state with this change."

Speaker Turner: "Seeing no questions, the question is... I should say, the Gentleman moves for the adoption of Floor Amendment #1 to House Bill 295. All those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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Speaker Turner: "Third Reading. Representative Black, on House Bill 701. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 701. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Black."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1 becomes the Bill, and all it does is affect two schools in my legislative district. We have a unit district that is dissolving its high school, and to enable to tuition them to a non-unit district, we needed enabling legislation. That's all this Bill does. It gives them the enabling legislation to enter into an agreement with the school that is dissolving its high school, and if they can reach an agreement on the tuition, then they will be able to accept those students. I would ask your favorable consideration of this Bill."

Speaker Turner: "Seeing no further questions, the Gentleman moves for the adoption of Floor Amendment #1 to House Bill 701. All those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner: "Third Reading. Representative Hoffman, on House Bill 749. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 749, the Bill has been read a second time previously. Amendment #1 has been adopted to the Bill. No Motions filed. Floor Amendment #2, offered by Representative Wennlund."

Speaker Turner: "The Gentleman from Will, Representative Wennlund, on Floor Amendment #2. Withdraw Amendment #2."

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Further Amendments?"

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

Speaker Turner: "Representative Hoffman, on #3."

Hoffman: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #3 would address a situation regarding live race stakes at Fairmont Park. It would indicate that Fairmont Park would race 125 live thoroughbred days and 105 live harness days. That's the genesis of the Amendment, and the reason is, in order to begin to get...to keep live racing down in southern Illinois at Fairmont Park."

Speaker Turner: "The Gentleman from Effingham, Representative Hartke."

Hartke: "Well, thank you very much, Mr. Speaker. I really don't have a comment about the Amendment, but I would like for everyone to look over here. We've got a little Page who has a glass of iced tea and we can't figure out who ordered it, so she would like very much to deliver that glass of iced tea and return the change. If not, I'm going to drink the iced tea, and she's going to keep the change, so we'd appreciate it if you'd help her out. Thank you."

Speaker Turner: "Representative, I'd like to advise that young lady that the iced tea belongs to the Clerk, so if she would bring it down to the well, it's taken care of. Gentleman moves for the adoption of House Amendment #3...Floor Amendment #3 to House Bill 749. All those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and Amendment #3 is adopted. Further Amendments?"

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

Speaker Turner: "Out of...withdraw. Further Amendments?"

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Clerk Rossi: "No further Amendments."

Speaker Turner: "Third Reading. Representative Hartke, on House Bill 1118. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1118, a Bill for an Act concerning infrastructure expansion. Second Reading of the Bill. Amendment #1 has been adopted. No Motions filed. No Floor Amendments."

Speaker Turner: "Representative Hartke. Third Reading."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. House Bill 1118 is the..."

Speaker Turner: "Representative, we're moving the Bill to Third. There were no Amendments. It was on Second, so we're moving it to Third Reading. That Bill was on Second Reading. House Bill 1156, Representative Morrow. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1156. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Turner."

Speaker Turner: "Representative Morrow."

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

Speaker Turner: "The Gentleman moves for the adoption of Floor Amendment #1 to House Bill 1156. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #1 has been adopted. The Chair has been informed that there has been a fiscal note filed on this Bill, as amended. It will remain on Second Reading. On the Order of State and Local Government, Second Readings... State and Local Government, Third Readings, we have House Bill 169, Representative Lang. Out of the record. Representative Prussing, on House Bill 524. Read the Bill, Mr. Clerk."

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Clerk Rossi: "House Bill 524, a Bill for an Act amending the Counties Code. Third Reading of the Bill."

Speaker Turner: "Representative Prussing."

Prussing: "Mr. Speaker and Ladies and Gentlemen of the House. House Bill... I think we have another Sponsor on this, Mr. Clerk. We filed another Sponsor, Noland, this morning."

Speaker Turner: "That can be corrected, Representative. Proceed."

Prussing: "Okay. The basic purpose of this Bill is the Illinois Constitution guarantees that the public should be able to choose the form of government, and this applies to all levels of government. The public can vote on the size of the Illinois Legislature and has done so, and the size of the city council but cannot vote on the size of a county board. This law would allow that, just fill...to make the legal possibility open to the public to decide the size of county boards and whether they are single or multi-member districts. This does not apply to Cook County, which has already adopted by referendum a single member districts, it applies to downstate counties on the township form of organization, and the Bill is endorsed by the Taxpayer's Federation of Illinois and the League of Women Voters. I think it's a good Bill."

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

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. It is our understanding that Amendment #1 was going to be added to this Bill. We don't see that it has been so added."

Speaker Turner: "Mr. Clerk, what's the status of the Bill?"

Clerk Rossi: "Amendment #1 has been adopted to the Bill."

Black: "Has been adopted. All right. Thank you very much, Mr.

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Speaker. Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Black: "Representative, if I heard your explanation, you seem to indicate that this might only affect certain counties. Our staff indicates it affects every county in the state except Cook. Do you agree?"

Prussing: "No, it does not affect commission formed counties. I believe there are 17 commission formed counties. This only applies to township-based counties, which would be all counties except those 17 commission counties and...Cook."

Black: "What's the word you're using? What kind of county?"

Prussing: "Commission."

Black: "Oh. Commission. Okay."

Prussing: "Commission."

Black: "And then I heard you say something about townships. What, are you trying to abolish townships?"

Prussing: "No, Mr. Black."

Black: "Oh. Just counties."

Prussing: "This is only to have the public be able to choose the size of county board."

Black: "Oh."

Prussing: "Champaign County, for example...I'm a former county board member. Champaign county has 27 board members. It has a board which is 50% bigger than the Cook County Board, and it's for 170,000 people, and Cook County is about 4 million people, so there...this just gives the opportunity to streamline county government."

Black: "All right. Let me ask you another question. What's the genesis of this Bill? Where'd this come from?"

Prussing: "Everyone who has studied county government has recommended this. There's Chambers of Commerce that have issued reports on counties, this is a non-partisan issue."

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I've talked to former board chairmen who are Republicans; I have current board people who are Republicans and Democrats that support this, and I think this is just a general good-government measure and that's why it's supported by the League of Women Voters and the Taxpayer's Federation."

Black: "Well, has the League of Women Voters studied county government?"

Prussing: "Yes. They had a statewide study of county government about two years ago."

Black: "Well, I...heaven knows, I support the League of Women Voters. I just didn't know they studied county government."

Prussing: "They certainly do."

Black: "Well, you know, I served on the county board for ten years and so I studied county government for a long time, and I never heard this mentioned in any time I served on a county board. This doesn't evolve from some difficulty you've had personally with the Champaign County Board, does it?"

Prussing: "No, it does not. This is a statewide issue, and it's supported as I said from northern Illinois to southern Illinois, eastern Illinois to western Illinois, Republicans and Democrats."

Black: "So, it's a kind of an agreed Bill then. Is that what you're telling me?"

Prussing: "No, I'm saying it has very widespread support, and I think it should have your support if you're familiar with county government."

Black: "It has widespread support. Staff tells me that you had agreed to work with the Metro Counties Council on this Bill. Have you done that?"

Prussing: "I talked with the head of it, and I talked with a

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woman who is the former board chairman of Fulton County, and they were under the impression that this would open up for other governments to be changed as well as counties, and I explained to Melba Ripper from Fulton County that every other government has the possibility of being changed by referendum except for county government."

Black: "Now, you know, I guess the question is, 'Have the Metro Counties Council signed onto the Bill?'"

Prussing: "No, they have not, but I think if you talk with former Board Chairman of Dupage County, the Board Chairman of Adams County and a number of county board members..."

Black: "Who would..."

Prussing: "Ed Merckle from DuPage County, you will find..."

Black: "Ed Merckle?"

Prussing: "People who are concerned about county government would like to see this Bill passed."

Black: "Well, Representative, if we can just stop for just a second with the editorial comments, we can cut to the quick here. Did you say a former chairman of the DuPage County Board...what was his name?"

Prussing: "Jack Kniepfer."

Black: "Jack Kniepfer? He wants this legislation, right?"

Prussing: "Well, he...anybody who's worked with a very large county board understands that there's a need for change."

Black: "Representative, no...Representative, please...please. Just answer my question."

Prussing: "You asked me a question, I'm trying to answer."

Black: "No...no, you're not trying to answer. Does Jack Kniepfer want this legislation? Yes or no? Has he come to you and said I want this legislation passed? Yes or no?"

Prussing: "I talked to him within the last..."

Black: "And did he say yes or no?"

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Prussing: "Yes."

Black: "He said yes?"

Prussing: "I talked to him..."

Black: "He wants this Bill passed."

Prussing: "...the last two years, and he was in favor of it."

Black: "All right. So he said yes he wants this Bill passed."

Prussing: "This Bill passed the House of Representatives last year..."

Black: "Oh, for heaven's sakes, Representative. I don't care what it did..."

Prussing: "I'm trying to explain to you."

Black: "...ten years ago or ten minutes ago, just answer the question. Did Jack Kniepfer tell you that he wanted this Bill passed or did he not?"

Prussing: "I think that you should ask him yourself. I've talked with him. If you don't understand..."

Black: "You're the one that's talked to him, I didn't. Did he tell you he wants this legislation passed or not?"

Prussing: "I said that he did. The answer is yes."

Black: "Then let's vote 'aye' for DuPage County."

Speaker Turner: "The Lady from McHenry, Representative Hughes."

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

Speaker Turner: "She indicates she will, yes."

Hughes: "Representative Prussing, could you...I am in support of the concept of a referendum for counties to be consistent with other local governments and all. What concerns me about this is 2% required, could you tell me what percent voters are required for townships and municipalities and other like bodies to get this issue on the ballot?"

Prussing: "I'm not familiar with that. This Bill has been amended by...at the suggestion of the committee. It said 2% or 500, whichever is less, and that is what Amendment #1

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was. It deleted 500 or whichever is less, and that was acceptable to the committee, so it's 2%."

Hughes: "But you don't know what is required for other districts?"

Prussing: "No, I do not, but 2% is required for having an elected county executive on the ballot, and 2% certainly is more than any of us has to put on our petitions to get nominated for the Legislature."

Hughes: "To the Bill, Mr. Speaker. Again, I think 2% is a relatively small number relative to other referenda issues, and is a concern. I do not know that urban counties is in support of this Bill. When I spoke to them yesterday, they were concerned about it. I think there's still some unanswered questions here. Discussion in committee did raise the concerns, at least on the Republican side, that we felt 5% was a more reasonable number to work with, that it provided access to the public, but didn't make it a...such a low number that we would have frequent referenda on this issue. Thank you."

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

Granberg: "Thank you, Mr. Speaker. With all due respect from the...to the Gentleman from Vermilion, I hope the judge or the Speaker would rule that he might be badgering the witness. This isn't a courtroom, so let's just ask questions and give people an opportunity to answer them."

Speaker Turner: "Your remarks are timely. The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I rise in support of the Lady's Bill. I am a member of the League of Women Voters, and I know that that organization does not undertake any study

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lightly, and that any study that it does is done on an objective and comprehensive basis. In fact, the league has studied county government, and this is one of the suggestions from the League of Women Voters about how we might more directly link our county boards with our own constituencies. This gives the people who live in these counties the opportunity, if they seize the initiative for themselves, to choose whether they want multi-member districts or single-member districts, whether they want a larger number of county board members or a smaller number of county board members. How anyone, whether a member of a county board now or any other governmental unit, can be opposed to letting the people who live there make their own determinations, escapes me. I can't understand why some county boards and some county board organizations might not be in favor of this, particularly if that is the case, then that it simply makes the case for this legislation, because this attempts to link county boards more directly with their own constituents who have then in accordance with this Bill, a choice in the matter; and finally, I am confident that if the 2% requirement for the petitions is a problem that this Sponsor, I am confident, would be perfectly willing to negotiate that in the Senate and change it to 5% if that is a more agreeable figure, but the basic philosophy of this Bill is excellent. It returns the making of the choice to the people."

Speaker Turner: "The Gentleman from Winnebago, Representative Rotello."

Rotello: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think the Sponsor has a good Bill. This allows the public to make a determination on self-governance for county government. If they want to vote to reduce the size

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of a county board, it gives the public the opportunity to do so. I think that the question to divert the issue to personalities in Champaign County is inappropriate, and that this is an issue that's a concern across the state. County government is a government that's...runs in the last century and not even in the current century as we approach the new century, so let's...let's let the people decide at the local level. I think that's a good philosophy the other side of the aisle should be listening to. Thank you."

Speaker Turner: "The Gentleman from Adams, Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Will the Sponsor yield for a question?"

Speaker Turner: "She indicates she will."

Tenhouse: "I guess one of the things...before Representative Black had...his animated discussion, he mentioned that she should discuss this with the Board Chairman from Adams, and I was just curious, having represented Adams County, who would you talk to there in favor of this proposal?"

Prussing: "It's the former board chairman."

Tenhouse: "Was it Norm Peters...probably."

Prussing: "Right. Norm Peters."

Tenhouse: "Okay. That...was just curious because we've had discussions with some of the people..."

Prussing: "And I would like to say that, if people are concerned about the 2%, I would be very happy to increase it to 5%, for example. by amending it in the Senate if it is passed out of the House."

Speaker Turner: "The Gentleman from Kankakee..."

Tenhouse: "Just a minute. To the Bill. I would concur with the Representative, and I certainly...I'm going to support this

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legislation, because representing a county with a 28 member board and only 66,000 people, makes it extremely difficult and unwieldy to function, and I would support your efforts in this regard. Thank you, Representative."

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

Novak: "Yes. Representative Prussing, I just had a few questions. Is this Bill similar to the Bill Representative Satterthwaite introduced and successfully passed last year?"

Prussing: "Yes. The only change that has been made is to delete the 500 or less. That was Amendment #1, so it is now a straight 2% of the registered voters in order to get the question on the ballot."

Novak: "Okay, and this is permissive?"

Prussing: "Yes, it is."

Novak: "Okay. Yeah, I was...I just wanted to reassure myself about that, because I signed on with that Bill...with Representative Satterthwaite, and as the previous speaker has indicated, I think this is a great idea. We talk about big government, big brother, so many layers of government, there are counties in this state that have commission forms of government, that operate very well with four or five or six county commissioners. There are counties in this government, such as Kankakee and Iroquois counties and that fact, that have 28 members with well under 100,000 in population. I think it's up to the people to decide in the respective counties, provided all the legal precedence and requirements are met. I think this is good legislation. It certainly sends a good message to the people back home in our districts that we certainly want to allow the local citizens to make a responsible decision with respect to the

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size of their government. As you well know, in 1981, the people marched to the polls...or in 1980, they marched to the polls throughout the State of Illinois, and they overwhelmingly approved the cutback Amendment to decrease the size of this House from 177 to 118, so this certainly is in line with that philosophy, so I would ask everyone to join the Lady in the support of her Bill."

Speaker Turner: "The Gentleman from St. Clair, Representative Flinn."

Flinn: "Mr. Speaker, I move the previous question."

Speaker Turner: "Gentleman moves for the previous question. All those in favor say 'aye'; all those opposed say 'no'. The 'ayes' have it. In the opinion of the Chair, the previous question is put. Representative Prussing, to close."

Prussing: "I think this is a very basic implementation of the Illinois Constitution, and I ask an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 524 pass?' All those in favor should vote 'aye'; those opposed vote 'no'. The voting is open. Representative...the Gentleman from McLean, Representative Brady, to explain your vote. Have all voted who wish? Have all voted who wish? On this question, there are... The Clerk shall take the record. On this question, there are 96 voting 'aye', 13 voting 'no', 1 voting 'present'; and this Bill, having received the required Constitutional Majority, is hereby declared passed. I'd like to remind the Chair that we debated extensive on that last Bill and it received 96 votes. On the Order of State and Local Government, Second Reading, Representative Balanoff, on House Bill 165. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 165. The Bill has been read a second time previously. Amendment #1 has been adopted to the

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Bill. No Motions filed. Floor Amendment #3, offered by Representative Balanoff."

Speaker Turner: "Representative Balanoff, on Floor Amendment #3."

Balanoff: "Withdraw #3."

Speaker Turner: "Withdraw #3. Further Amendments?"

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

Speaker Turner: "Representative Balanoff."

Balanoff: "Amendment #4 would authorize the district to issue bonds for the purpose of making improvements. Currently, they could... Currently, the Forest Preserve District can only issue bonds for the purpose of acquisition of property. It's similar to what we do at both Brookfield Zoo and the Botanic Gardens, and I would certainly urge your support."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #4 to House Bill 165. All those in favor say 'aye'; all those opposed say 'no', and the question is...in the opinion of the Chair, the 'ayes' have it. Amendment #4 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner: "Third Reading. The Lady from Lake, Representative Moore."

Moore, A.: "I did have a question, and I guess you didn't see my light in time, so will the Chair entertain the question if the Sponsor will yield?"

Speaker Turner: "You can ask it on Third Reading. Representative... Under State and Local Government, Third Reading, is Representative Schoenberg, on House Bill 822. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 822, a Bill for an Act concerning future education accounts. Third Reading of the Bill."

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Speaker Turner: "The Gentleman from Cook, Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 822, as amended, creates the Future Education Account Act. It essentially provides for a program of contracts administered by the state treasurer for the express purpose of purchasing college tuition bond payments for persons born on or after December 1st of 1980. There had been some issues raised last year about this, and in addressing those issues, the state's full faith and credit obligation has been limited to \$5 million. There are the necessary safeguards in this, so that the Treasurer's Office will execute this program with an actuarially sound procedure. I think that this is an excellent program to be able...to enable parents to send their...to send their children to college within Illinois, be it a public or private institution. The funds are tax-exempt for this program. I'd be happy to answer any questions."

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

Black: "Thank you very much, Mr. Speaker, and with the apologies of the Body for my spirited questioning, I...Mr. Granberg has sent me something here which is not really what I need the way I feel, but I'll take his hint and I'll chill out, okay? Now, with that, could I ask the Sponsor some questions?"

Speaker Turner: "He indicates he will."

Black: "Thank you. Representative, is there anything in this legislation that will allow the contract to be adjusted once the contract is entered into?"

Schoenberg: "No, Sir."

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Black: "That's a truthful answer, and I admire you for that, but we might want to come back and visit that. So, the contract cannot be adjusted?"

Schoenberg: "No, Sir."

Black: "All right. Explain how the Treasurer is able to pay for this... How this will work...how is this program going to work?"

Schoenberg: "Funds are invested and administered by the Treasurer. The way it works is that the Treasurer sets up within the fund a reserve account, requests funds from the General Assembly every year to discharge all the payments and the obligations. All the obligations, as you know, would be a direct obligation of the State of Illinois."

Black: "I'm sorry. I'm sorry. All the obligations will be that of the State of Illinois."

Schoenberg: "That's correct; however, Sir, I want to emphasize that the money is the parent's money, not the state's money."

Black: "Okay. What would you think would be...what would you anticipate would be our...the return on interest on these contracts, on these investment contracts? I'm sorry. Let me rephrase that, Representative. What do you anticipate the rate of return being on these investment contracts?"

Schoenberg: "Well, the rate of return, obviously, is going to vary with...going to vary with the market, and as a matter of fact, I'd like to add something I neglected earlier that we have college savings...a very successful college savings bond program that we make available. What's necessitated this Bill is that the program...the bond program's been so successful that many people who are buying into the bond program are doing so because the soundness of it's...as an investment instrument, and not necessarily because it

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addresses this direct need to enable to send children to college."

Black: "Do you happen to know a target...what rate of return interest do you...are we targeting, I mean, 7%, 8%, what's the program based on?"

Schoenberg: "There's no specific target, as I indicated earlier. It's really going to be variable according to the market, but historically I would...my educated guess on this..."

Black: "What would you..."

Schoenberg: "...is that it's going to be similar to that which we see currently with the Pension Code."

Black: "Okay. What...under the State Employees' Retirement System, under the Pension Code, what is our current rate of return on investments right now?"

Schoenberg: "I don't have that figure available, Sir. Again, though as we...again, though as I mentioned earlier..."

Black: "Let me...I have that figure if I can just share it with you. Over the last five years annualized, it's been approximately 8.9%. Now, what would you anticipate tuition increases going up each year?"

Schoenberg: "That's really a fluctuating variable. It's going to depend on the institution. Those in the case of public institutions, as you know, the General Assembly does have some input into the extent which...into the extent which those increases can be effected. As amended...as amended, however, we don't necessarily have any purview to control the extent to which there are any tuition percentage increases for private institutions. And let me emphasize also, those are private institutions strictly within the State of Illinois boundaries. I don't want that issue to become obfuscated as it was attempted during debate over the Amendment to this Bill."

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Black: "Okay. Let me continue. What... So you're saying, in effect, you can't hazard a guess on what tuition increases might be per year, right?"

Schoenberg: "So that'll be..."

Black: "You'll have to arrive at some kind of average figure."

Schoenberg: "Well... We're... We're not just looking in the wind for the answer. Those... Those rates will, in fact, be published in the actual...in the annual...in the actual... actuarial statement of opinion."

Black: "All right. Let me... Let me... Thank you very much, Representative. You've been very patient and I appreciate that. Mr. Speaker and Ladies and Gentlemen of the House. ...Mr. Speaker, if we could have some order in here, because there is some very interesting aspects...to this Bill. ...This... This measure largely the same, a little different, and a fine Sponsor. This measure was defeated in this House a year ago, and let me tell you why I think it was defeated. I...I don't know that, but let me... Let me tell you why I think it was defeated. This House Bill, 822, does limit the states' full-faith obligation to \$5 million. But here's the rub. Here's the rub. And how well I remember, I believe the Majority Leader once told us...your Majority Leader once told us, 'We don't like continuing appropriations.' This Act will set up a continuing appropriation by granting the Comptroller and Treasurer the authority to pay obligations from state revenues regardless, regardless of legislative action or intent. Furthermore, Ladies and Gentlemen of the House, let me just tell you what happened to this program in the State of Michigan. Michigan started this program some time ago and they're now in a financial crisis. What they did... Michigan projected tuition increases of 7%. In 1992,

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tuition increased by 11%. The rate of return on investment was projected at 9.75%, but the actual return is currently 8%. Listen carefully to this figure. In one year...in one year, the Michigan program saw its surplus drop from \$23.5 million to \$2 million. In one year, they lost \$21.5 million in this program. You know what happened in the program in Michigan? As a result of that, they no longer accept new subscribers. I don't know what we can anticipate tuition increases being, but I would be willing to say, it's a safe bet tuition next year will be probably 12% increase on ad infinitude 14% and I don't believe the returns on investment will be anywhere near that. The other problem I had with the Bill, as if those weren't enough that I've already mentioned, this program allows you to take this investment and go anywhere in the country and subjects the State of Illinois taxpayers to some measure (now the Sponsor has changed it a little bit from last year), but it still subjects the Illinois taxpayer to a potential limit of \$5 million. I don't think that's good public practice. As the Gentleman said in his opening remarks, 'We have a very successful college savings program started by a Member of the Democrat...Party, and many of us voted for it in this House. We have a number of college savings programs that we utilize in this state. This is a very risky venture. Don't be fooled by titles. Just look at what happened at Michigan. In all due respect to the Sponsor, I urge a 'no' vote."

Speaker Turner: "The Gentleman from Coles, Representative Weaver."

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

Speaker Turner: "He indicates he will."

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Weaver: "...Representative, I've...always been very close to higher education, so this is of great interest to me. I'm interested and a little bit curious about how much would it cost a parent to participate in this program, to buy a contract, for example?"

Schoenberg: "I'm sorry, could you repeat that. I missed the middle of that. It's a little loud in here."

Weaver: "Yeah. How much would it cost a parent to participate or buy a contract in this program?"

Schoenberg: "A long-term contract would cost under \$100 monthly. It would be variable depending on the length of the contract."

Weaver: "So, it's variable based upon...how many years ahead that you buy for your child?"

Schoenberg: "Well, if the contract... If the contract is longer, as is the case...in most cases, if the contract's longer, the...it's gonna affect the size of the monthly pay...the size of the monthly payments."

Weaver: "What would... What would the maximum amount...you might guess would be, \$50,000, \$60,000, \$20,000? How much would a parent have to kick in? If I bought a policy at the birth of my child... Let's see, if it's a hundred bucks a month, \$1,200 a year for...what...18 years? That would work out to be about \$20,000, is that correct?"

Schoenberg: "That will be the base figure. However, you have to... As I... When Mr. Black had his question, again the interest rates, which is the variable which we can...which is gonna determine how much extra money it's gonna be on top of that which the parent has invested. And as you know, the interest rates...do fluctuate right now. They're...relatively low...but that could well change over the course of a young person's life."

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Weaver: "Well, thank you very much. Mr. Speaker, to the Bill. As I see, I'm running out of time. The Gentleman has estimated the cost to the parent to be about \$20,000 and yet, this would allow us to send our children to Harvard, where the cost of that education is gonna be over a \$100,000 with the State of Illinois on the hook for the difference. This also provides... Those of you that are in favor of continuing appropriations or those funds that are spent outside the appropriation process will love this Bill because it takes it completely out of our hands. We have no control over those funds. And we have no way to guarantee where those funds are gonna go, or how much it's gonna cost us. ...Mr. Speaker, should this...should this Bill get the requisite number of votes, according to the appropriate rule, I'm joined by the appropriate number of my Members here in requesting a Verified Roll Call."

Speaker Turner: "The Gentleman from DeKalb, Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker. As...as we worked through this Bill in the committee, and...the concerns were raised there as they are raised here, that the cost of it. My concern, as a parent of four children, is that I don't want...I don't want to see parents be put in the situation of putting money into a program...with the notion that their child's college education is gonna be paid for, and then down the road finds that the state cannot fund it. That's...that's just not fair and that's not appropriate. And that's...the biggest underlying...problem I have with the Bill, aside from the fact that the numbers that we've heard, that it cannot support itself and it's gonna end up on the backs of parents who would get into that program and then find out that it, in fact, did not do what they had

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been anticipating was going to do for 15, 16, or 18 years, whatever it may be. That's of deep concern to me. When the cost of higher education today and...we want to throw out a program that's a fallacy that's not real. It's not gonna work. And at the same time, another charge to the taxpayers of Illinois. I say vote 'no' on this."

Speaker Turner: "The Gentleman from St. Clair, Representative Flinn."

Flinn: "Mr. Speaker, I move the previous question."

Speaker Turner: "The Gentleman moves the previous question. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Rep... Representative Schoenberg, to close."

Schoenberg: "Representative Weaver had great concern that we would be sending Illinois money from Illinois parents to Harvard. As I said in the debate several days ago, if it's the Harvard of Illinois, Knox College, or any other private institution, that would be the case. Let me reiterate. Some of the arguments were made...which were made before are exactly the same things that were said last year. So what we did, along with changing the sponsorship, was change the provisions to make sure this is done in a actuarially...according to actuarial sound procedures, to make certain that we are able to...as accurately as we can, by processing...by...by publishing the...annual statements so that we know what the percentages...what the interest rates are, we can know exactly how the program is faring. This isn't a random guess. And I would urge you all to support this. Thank you."

Speaker Turner: "The question is, 'Shall House Bill 822 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. The Gentleman from DuPage,

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Representative Biggins, to explain your vote."

Biggins: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I voted 'no' on this Bill because one area that was not covered was, who pays the inc...the income tax on...the moneys that are invested. If moneys are given to the state...lent to the state to put into investment, there will be income from there to pay for the colleges...the tuition four years or so many years later. But we don't know who's gonna pay the income tax to the federal government or the state government. Does the student pay it at the time he takes it out? Does the state have to pay this income tax? And another concern would be the... What if the Treasurer in his...lack...perhaps of wisdom does make a poor investment and does not earn very much at all, and does the state have a liability from those depositors to sue us for improper management of state funds? That's why I voted 'no'."

Speaker Turner: "The Lady from Cook, Representative Schakowsky, one minute to explain your vote."

Schakowsky: "Thank you, Speaker, Ladies and Gentlemen of the House. I stand in support of House Bill 822. What could be more laudable than for the State of Illinois to offer opportunities to our children to be able to be guaranteed college education, which now has become out of the reach of ordinary citizens. Our kids, middle-class kids, can't even aspire any longer to go to college because it's so expensive. This offers them a reasonable opportunity to plan for that and for parents to be able to do that for their kids. We should have more green votes up there, to educate our kids for the future. Thank you."

Speaker Turner: "Have all voted who wish? Have all voted who wish? On... Take the record, Mr. Clerk. On this question,

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there is 63 voting 'yes', 53 voting 'no', and the Gentleman from Coles has requested a verification. Mr. Clerk, poll the affirmative."

Clerk Rossi: "Those voting in the affirmative. Balanoff. Blagojevich. Bugielski. Burke. Capparelli."

Speaker Turner: "Mr. Clerk, hold on. Representative Santiago request leave to be verified. Representative Capparelli request leave to be verified. Representative Saltsman request leave to be verified. Proceed, Mr. Clerk."

Clerk Rossi: "Curran. Currie. Dart. Davis. Deering. DeJaegher. Edley. Erwin. Flowers. Frias. Gash. Giglio. Giolitto. Giorgi. Hannig. Hartke. Hawkins. Hicks. Hoffman. Homer. Jones, Lou. Jones, Shirley. Kaszak. Kotlarz. Lang. Laurino. Levin. Lopez. Martinez. Mautino. McAfee. McGuire. McPike. Moore, Eugene. Morrow. Moseley. Murphy, Harold. Novak. Ostenburg. Phelan. Phelps. Prussing. Pugh. Ronen. Rotello. Saltsman. Santiago. Saviano. Schakowsky. Schoenberg. Sheehy. Steczo. Stroger. Turner. von Bergen-Wessels. Woolard. Younge. Mr. Speaker."

Speaker Turner: "Representative Weaver. Questions of the...Affirmative."

Weaver: "Thank you, Mr. Speaker. Is Representative Mautino?"

Speaker Turner: "Representative Mautino? Is the Gentleman in the chamber? He's in the back."

Weaver: "Representative Balanoff?"

Speaker Turner: "Representative Balanoff. Is the Gentleman in the chamber? He's outside the door. He's here in the chamber."

Weaver: "Representative Blagojevich?"

Speaker Turner: "Representative Blagojevich is in his seat."

Weaver: "Representative Burke?"

Speaker Turner: "Representative Burke is in his seat."

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Weaver: "Excuse me. Representative Edley?"

Speaker Turner: "Representative Edley. Representative Edley. Is the Gentleman in the chamber? Remove him."

Weaver: "Representative Santiago?"

Speaker Turner: "Representative Santiago. He had leave. He had leave."

Weaver: "I'm sorry. Representative Homer?"

Speaker Turner: "Representative Homer is in his chair."

Weaver: "Excuse me. Representative Lopez?"

Speaker Turner: "Representative Lopez. Is the Gentleman in the chamber? He's in the back."

Weaver: "Representative Pugh?"

Speaker Turner: "Representative Pugh. He's in the back."

Weaver: "...Lou Jones? Representative Lou Jones?"

Speaker Turner: "Representative Lou Jones is standing in the aisle."

Weaver: "Representative Dart?"

Speaker Turner: "He's at his seat."

Weaver: "Oh, there he is. Representative Gash?"

Speaker Turner: "Representative Gash is standing..."

Weaver: "Representative Sheehy?"

Speaker Turner: "Representative Sheehy...is in his chair."

Weaver: "Representative...Flowers?"

Speaker Turner: "Representative Flowers is in her chair."

Weaver: "Representative Eugene Moore?"

Speaker Turner: "He's in the back."

Weaver: "Well, Mr. Speaker, usually when we ask for verification, the Speaker instructs everyone to remain in their seats so we can find them. It's pretty hard to tell where they are when they're all standing in the back. Representative Rotello?"

Speaker Turner: "Representative, he's in his chair."

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Weaver: "He's the only one in his chair, I believe."

Speaker Turner: "Now, Representative, I believe..."

Weaver: "We were looking for 'em in the back because they're all standing back there and he's sitting in his..."

Speaker Turner: "I think eight of the last ten names you called have been in their chair, Representative."

Weaver: "...No further."

Speaker Turner: "Return Representative Edley to the roll call. Rep...Representative Flinn wishes to be recorded as 'aye'. On this question, there are 60... Representative Brunsvold...wishes to be recorded 'aye'. On this question, there are 65 voting 'yes', 51 voting 'no'. This Bill, having received the required Constitutional Majority, is hereby declared passed. On the Order of State and Local Government, Third Readings. Representative Phelps, on House Bill 1055. Representative Phelps. Out of the record. Representative Mulligan, on House Bill 1392. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1392, a Bill for an Act relating to economic research, information, and development. Third Reading of the Bill."

Speaker Turner: "The Lady from Cook, Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 1392 amend...amends the Civil Administration Code and the State Finance Act. It authorizes the Department of Commerce and Community Affairs to accept funds from public and private entities for specified economic research, planning, and development purposes. It creates the Economic Research and Information Fund in the state treasury. This Bill provides for the establishment and collection of charges for economic information material. The current statute, originally

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enacted in 1971, is out of date. It does not take into account that economic information is no longer formatted and distributed in printed form only. It is also incomplete in that it created the authority to establish and collect charges for printed material, but did not explicitly authorize the use of the collected moneys to offset the cost of producing and distributing the information. Local governments, businesses, and academic institutions that use economic development research results and program information have continually requested that DCCA develop a less costly and less cumbersome arrangement. House Bill 1392 would correct these technical deficiencies. The Bill also clarifies that economic research and development information may take a variety of forms. Basically, what we're doing here, is we're letting DCCA come into the computer age, provide this information on computer disks to people that will pay for it. Have a fund to collect the money and use it for specific purposes. I think this is a very good Bill. It certainly brings us into the computer age. It allows DCCA to provide much economic needed information and research to your local entities, and I would hope that you give me a favorable vote on this Bill."

Speaker Turner: "Seeing no further questions, the Lady moves, 'Shall House Bill 1392 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. Representative Granberg. Have all voted who wish? Have all voted who wish? This Bill... Take the roll, Mr. Clerk. Add Representative Levin to the roll. He's voting 'aye'. This Bill, having received 113 'ayes', 0 'noes', 0 'presents'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Currie, on House Bill 1584. Read the Bill, Mr. Clerk."

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Clerk Rossi: "House Bill 1584, a Bill for an Act amending the Revenue Act of 1939. Third Reading of the Bill."

Speaker Turner: "Representative Currie. Read the Bill, Mr. Clerk. The Lady from Cook, Representative Currie."

Currie: "Thank you. Thank you, Speaker and Members of the House. This Bill would provide that when people are trying to pick back up their properties or houses that were sold at scavenger sales, the amount they pay will reflect interest on the amount of the taxes that were due, rather than the bid of the buyer at the scavenger sale. What we're seeing is an increase in bid sizes so that an individual who owes a few thousand dollars in real estate taxes and has those taxes bought at the scavenger sale, the bidders may bid up the price of those taxes to \$30,000, \$40,000, \$50,000, which under current law requires the individual then to buy back his or her house for \$50,000 or \$60,000, rather than the amount of the taxes that were due along with interest. This Bill would apply statewide. It includes a...a proposal from, I believe, Representative Wennlund and Representative Flinn, so it applies in the County of Cook, as well as statewide. And I would appreciate your support for this Bill."

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

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. ...What Amendments are on this Bill?"

Speaker Turner: "Mr. Clerk. Could you inform us what Amendments are on this Bill?"

Clerk Rossi: "Amendments 1 and 2 have been adopted to the Bill."

Black: "Okay. And #3 was not adopted, correct?"

Clerk Rossi: "Tabled."

Black: "Thank you very much. Mr. Speaker, commend the Sponsor for

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a lot of work on this Bill. It's a good Bill. I intend to vote 'aye'."

Speaker Turner: "The question is, 'Shall House Bill 1584 pass?' All those in favor should vote 'aye'; those opposed should vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 voting 'no', 0 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Dart, on House Bill 1631. Out of the record. Representative Dart, on House Bill 2080. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2080, a Bill for an Act in relation to truth in taxation. Third Reading of the Bill."

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

Dart: "Thank you, Mr. Speaker and Members of the House. ...This Bill would establish a new schedule for levy hearings. It would require that...to eliminate the 5% growth factor and require that hearings are conducted on the levies, all to be held within the month of December. ...This is supported by numerous taxpayers' groups, and I'd appreciate a favorable vote."

Speaker Turner: "The Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill. It doesn't have all the provisions that I would like to have, which I think would make it a better Bill. But I do think it's a good start...to involve taxpayers in...the budget and levy process. And I think it's a good start and we ought to support it."

Speaker Turner: "The Gentle... Seeing no further question on this Bill, the question is, 'Shall House Bill 2080 pass?' All

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those in favor should vote 'aye'; those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 112 voting 'yes', 1 voting 'no'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read the Bills on the Consent Calendar?"

Clerk Rossi: "Consent Calendar, Second Reading. House Bill 1119, offered by Representative Capparelli, a Bill for an Act amending the Illinois Vehicle Code. Second Reading of the Bill."

Speaker Turner: "Third Reading. House Bill 1319, under the Order of Civil Justice. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1319, a Bill for an Act amending the Bill of Rights for Victims and Witnesses of Violent Crime Act. Second Reading of the Bill. Amendment #1 has been adopted. No Motions filed. Floor Amendment #2, offered by Representative Currie."

Speaker Turner: "The Lady from Cook, Representative Currie, on Floor Amendment #2."

Currie: "Thank you, Speaker and Members of the House. This is the Bill that would...implement the Constitutional Amendment that was adopted by Illinois voters last year in respect to the Victims' Bill of Rights. Various people have been working on the language of this Bill. There is one short paragraph that is...in need of change, and the meeting on that...on that final change is to happen next week...sometime late next week. So, the issue that is of concern to the Department of Corrections will be addressed...and will be addressed in the Senate. So, I would appreciate your support for this Amendment."

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Speaker Turner: "The Gentleman from DuPage, Representative Johnson."

Johnson, Tom: "Yes, will the Speaker yield to a question?"

Speaker Turner: "She indicates she will."

Johnson, Tom: "Representative, it's my understanding from the Department of Corrections that what we are talking about here is that you will be eliminating the responsibility of the Department of Corrections to send these notices. Is that correct?"

Currie: "That is correct. It currently... That responsi..."

Johnson, Tom: "And that will revert back to the Prison Review Board?"

Currie: "That's right."

Johnson, Tom: "And you are on the record assuring us that if this thing does move forward that that will be accomplished, correct?"

Currie: "Absolutely. I have made that commitment to the Department of Corrections and...we will work further on it. But my personal commitment is that this Bill will not move forward if there is any additional responsibility that is unwellcome that will be performed by the department."

Johnson, Tom: "Okay. Representative Currie, I'm just informed that we have such an Amendment here prepared. Maybe if we could take this out of the record and show it to you, maybe it would..."

Currie: "That's what we initially thought we might do, but my understanding is that the state's attorneys who've also been involved in the Bill plan to meet with the other proponents and the department next week to clarify exactly how they want to do it. So, it was for that reason that we decided to go ahead with the Amendment that was already drafted, given that we're running out of time, and my

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understanding is that the delegate from the Department of Corrections is not...does not oppose our effort and go ahead and...and move this Amendment at this time."

Johnson, Tom: "Well, you're a honorable Representative, and I'll take your word on that."

Currie: "Thanks."

Speaker Turner: "Seeing no further questions, the Lady asks for the adoption of Floor Amendment #2 to House Bill 1319. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #2 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner: "Third Reading. On the Order of Law, page 5...page 6. Representative Martinez, House Bill 273. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 273, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of the Bill."

Speaker Turner: "The Gentleman from Cook, Representative Martinez."

Martinez: "Thank you, Mr...Chairman, Members of the House. House Bill 273 is...amends the Criminal Code to pu...create the offense of discharge of a firearm from a motor vehicle. ...Provides that a person is guilty of a Class III felony...if he discharges a firearm from a motor vehicle...calling for a...two to five year prison term and \$10,000 fine, and it also brings in the driver of that motor vehicle. If he is found of a Class IV felony...he brings in one to three years and the present \$10,000 fine. ...I...brought to this House legislation dealing with the drive-by shootings...and this simply...enhances that Bill to bring in the...driver where...prior he wasn't. They weren't...charged with anything, only the offender. I think

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this is necessary legislation in order to bring this senseless killing to an end. I ask the House to stand in support of this legislation. Thank you."

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

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. The Sponsor of this Bill has worked very, very diligently and very hard to come up with what I think is a very good piece of legislation. For the record, Mr. Speaker, our staff has pointed out a slight problem that the Sponsor may want to get corrected in the Senate. In Amendment #2, it...it does not clarify that the peace officer must be acting within his or her official capacity. And our staff...would be willing to work with your staff, because it is a...probably an omission that would damage the Bill...damages the impact. And I would simply say to the Sponsor that he should work with staff to get this corrected in the Senate. But other than that, it's a fine piece of legislation and I commend the Gentleman for his hard work and I intend to vote 'aye'."

Speaker Turner: "The Gentleman from Coles, Representative Weaver."

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

Speaker Turner: "He indicates he will."

Weaver: "...Representative, I understand... I'm over here... I understand what you're attempting to do with this Bill, and I don't know that I have an argument with the basics, but I need to clarify some questions that I have in my mind. ...Under Vehicle Code, would this also include all-terrain vehicles or four-wheel drive vehicles, such as all the little ATVs we see running around the farm yard?"

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Martinez: "My legislation in this...doesn't...doesn't identify vehicles...although previous legislation I think...has that covered and that...vehicles used for this type of a crime...are automatically seized. In answer to Mr....Mr. Black, Representative Black, that matter was taken care of...and the Amendment #2 actually...exempts the peace officers from this offense. And this Amendment was proposed by the National Rifle Association, and they're in support of this."

Weaver: "All right. I'm still not sure I heard your answer about the motor vehicles. Does this require it to be a highway legal automobile or truck, or does this apply to all motor vehicles?"

Martinez: "Well, actually we're not addressing the vehicles 'cause that's been addressed in previous legislation."

Weaver: "Well, if someone shoots a firearm from a vehicle, we really need to know what a vehicle is, because to be real honest about it, we have a lot of folks downstate that shoot coyotes from ATVs."

Martinez: "Right...mot...anything motorized."

Weaver: "And if they're gonna be... If they're gonna be hauled into court on a Class III or Class IV felony and spend three to five years in prison and suffer a \$10,000 fine, I'd like that to be clarified right now."

Martinez: "From any and all motorized vehicles."

Weaver: "Any and all motorized vehicles?"

Martinez: "Right."

Weaver: "So, if they're out shooting coyotes in the back of a snowmobile, the could be called guilty of a Class III or Class IV felony?"

Martinez: "...Yes. It would...only be a motor...an automobile."

Weaver: "Does this vehicle have to be moving?"

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Martinez: "Not necessarily."

Weaver: "So, if I'm on the back of my ATV and I'm out driving around on the farm roads or through the brush and I see a coyote or an animal I want to shoot and I just stop it, I'm not moving but I'm still on the back of that vehicle, I could be charged with a Class IV felony?"

Martinez: "Well, Representative, my intent of this legislation is directed at individuals in automobiles."

Weaver: "Well, if it's not written that way, we may have some problems with it. Mr. Speaker, to the Bill. I... While I don't...disagree with the Gentleman's intent, I think he's already explained what he'd like the Bill to do, but I'm...I've got some serious concerns about the way it's written and what it will, in actuality, do to us and to be real honest, a lot of downstate folks do have these ATVs that they drive around with. They carry firearms with 'em and they shoot...all kinds of pests from the backs of these vehicles. And... Boy, I tell ya' the first one that calls me up and says he's been charged with a Class III or Class IV felony is gonna really upset our day. I think we need some more clarification on this Bill before it becomes law."

Speaker Turner: "The Gentleman from Cook, Representative Frias."

Frias: "...Mr. Speaker. To address the Representative's concerns, I believe the legislative intent for this...for this Bill, Representative, is to address the drive-by shootings in the City of Chicago, as well as other communities throughout the state; and having said that, I believe that addresses your concerns. This isn't meant to be applied toward people on snowmobiles or pickup trucks or ATVs on their farming...in their farm lands. The legislative intent is to be used directly against people who are engaged in drive-by

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shootings from automobiles and the gang-related offenses.

Thank you."

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

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

Speaker Turner: "He indicates he will."

Brunsvold: "Just to clarify, Representative. Some of the...guys in my district go out and shoot rodents at night, sometimes from a car. This does not, according to you then, include part of your intent on this Bill? If someone were out in a vehicle, a motor vehicle, car or truck, and they were shooting rodents, rats, four-legged rats."

Martinez: "To some degree, I would... I would to have to agree, but that's not the intent..."

Brunsvold: "That's not... That's not what you intend to do."

Martinez: "So much for our friendship."

Brunsvold: "All right. Thank you."

Speaker Turner: "The Gentleman from Cook, Representative McAuliffe."

McAuliffe: "I would rise to support this Bill. We have a problem in the...in Chicago and the inner city, and on...on the parts of the west side where people drive around for sport and shoot people out of moving cars. And sometimes I suppose when they're stopped, they pull up to a red light and if you give them a dirty look or they give you a dirty look, they'll shoot you in return. So this is a very important Bill for certain sections of the state, especially the urban areas. I don't think the police are gonna go out and look for people in the backwoods that are shooting rats or shooting coyotes, although to my knowledge, it's against the law to fire a weapon out of a vehicle. It's against the conservation law. I know for a

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fact, it is in Michigan or Wisconsin, you absolutely cannot hunt from a moving vehicle. You cannot even... You cannot even lay your rifle across the hood of a car that's standing still and shoot a deer. So I...I...I can't say I know that's a fact in Illinois, but it is a fact in other states. But this is not aimed at conservation violators. It's aimed at people in the big cities that are shooting people just for the fun of shooting them. And it is a big problem in the urban areas. And I think the Sponsor should be commended for bringing this Bill before us."

Speaker Turner: "The Gentleman from DuPage, Representative Johnson."

Johnson, Tom: "Yes, will the Speaker yield?"

Speaker Turner: "He indicates..."

Johnson, Tom: "Representative, as I recall the discussions in committee on this, we had some discussion concerning precisely the points raised by Representative Weaver. We were concerned at that point that somebody could be charged down on a farm with a felony...you know, if he drove by...if he had a rifle in his car or something and it happened to hit the barn, et cetera. It was my understanding that we voted this out of committee and that you had promised that this Bill would be amended to resolve any problems like that before we moved this forward with Third Reading. Now, I don't have in front of me the first and second Amendments, but I guess it's my understanding that that has not been clarified. And I think there might be a problem here. Do you recall this discussion, Representative?"

Martinez: "Yes, we did...we did work it out. As a matter of fact, that was a concern that the...National Rifle Association had. That's...that's been addressed. Now they're in

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support."

Johnson, Tom: "I have no further questions."

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

Dart: "Thank you, Mr. Speaker. Just to clarify a few things. The Bill...the one mistake which was brought up by Representative Weaver will be something that can be clarified and straightened out in the Senate. The Bill, itself though, as is drafted, clarifies right now what is a loophole in the law with individuals who basically are endangering the lives of others in a vehicle. The Bill is drafted properly, and it requires a reckless conduct upon someone's part. It is not some act where they're just sitting in their car. There has to be an overt reckless conduct by that individual for this Act to come into play. Presently, right now, the streets of Chicago are very dangerous and an act like this...Bill like this would cover what is otherwise a loophole in the law now, where an individual can get away with a very dangerous act which will be otherwise a Class A misdemeanor, which anybody who's been in the system realizes is gonna go into a misdemeanor court where you're gonna get a court supervision and it won't even be on your record. ...I...I urge the support of this Bill. There is a problem with it that can be clarified in the Senate, but otherwise, it's been carefully drafted, and I understand the NRA has been involved with the drafting of it. Thank you."

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

Homer: "Thank you, Mr. Speaker. I also support the Bill. We heard this Bill in committee. Representative Martinez, in my recollection, agreed only to the NRA request for an Amendment. That was the Amendment that the section would

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not apply to peace officers. That was complied with with House Amendment #2. I don't recall... I don't recall, and neither does staff, any request of Representative Martinez to further amend the Bill. There was some discussion about the need for it. I would submit there is a definite need because under current law, there is a loophole that the Gentleman attempts to fill. If, under current law, a person possesses a firearm in a motor vehicle and even shoots it up in the air while driving around, that would still...that would be a Class A misdemeanor. If the person fires it at somebody or shoots it into a building that's occupied, under current law it would be a Class I felony because it would become aggravated discharge of a firearm. But what happens if somebody just recklessly discharges a firearm? Doesn't necessarily aim it at someone or aim it into a occupied building, but goes around town or out in the country or wherever it is shooting off a gun recklessly, with reckless abandon? Under current law, that would be a Class A misdemeanor. And so the Gentleman says we should have some middle ground here and call it reckless discharge of a firearm. That's what this Bill does. It says if you're in a car, in a motor vehicle and you recklessly discharge a firearm, it's a Class IV felony, or if you're the driver of the car, and with your knowledge and consent, the passenger recklessly discharges a firearm, then you're guilty of this offense, which is, again, a Class IV felony. So I think it's good middle ground. It fills a void...that's currently in the law, and the Gentleman did work very hard on the Bill, and I think he should be commended. We should support it."

Speaker Turner: "The question is, 'Shall House Bill 273 pass?' All those in favor should vote 'aye'; those opposed vote

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'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. This Bill... On this question, there are 108 voting 'aye', 2 voting 'no', 4 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Martinez."

Martinez: "My button didn't seem to work."

Speaker Turner: "Record Martinez as 'aye'."

Martinez: "Now it's on. Thank you."

Speaker Turner: "There are 109 voting... Record Representative Morrow as voting 'aye'. Re... Record Representative Morrow as voting 'no'. There are 108 voting 'aye', 3 voting 'no', 4 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Under the Order of Labor, Second Reading, we have House Bill 179, Representative Santiago. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 179. The Bill has been read a second time previously. Amendment #1 has been adopted to the Bill. No Motions filed. No Floor Amendments."

Speaker Turner: "Third Reading. Representative Davis, on House Bill 925. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 925. The Bill has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Turner: "Third Reading. Under the Order of Labor, Third Reading, we have House Bill 241, Representative Curran. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 241, a Bill for an Act in relation to labor. Third Reading of the Bill."

Speaker Turner: "Representative Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 241 creates the Illinois Labor Equity

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Act. It prohibits the state and units of local government and school districts from entering into contracts...contracts with and making loans or grants to or surveying the lands on behalf of or purchasing the securities of any employer which has offered or been granted the status of permanent replacement employees to an individual for performing bargaining unit work for an employer during a...labor union dispute. Be glad to answer any questions."

Speaker Turner: "The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield for a question?"

Speaker Turner: "He indicates he will."

Parke: "Representative Curran, what is the estimated cost that this will be?"

Curran: "I'm not aware that there is any cost, Representative."

Parke: "Well, it's my understanding that the GRF is supposed to be about \$75,000 coming out of the General Revenue Fund of the State of Illinois to implement this. Are you aware of that?"

Curran: "If...if that is the information you have, I've known you to be an honest person, I...I trust that that information is accurately been given...has been given to you. I seriously doubt if there will be any cost, but I'm sure someone will claim that."

Parke: "All right. Well, there is a fiscal note filed on this, and you have a copy, so it is \$75,000 that'll cost the taxpayers to implement this. Well, do you know why the Illinois Municipal League is opposed to this?"

Curran: "I think it's because they were opposed to collective bargaining in general; not this Bill in particular."

Parke: "Well, I...I think there's probably more to it, 'cause

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United States to do business and hire workers in other countries?' It's because we continue to pass anti-business legislation, anti-government legislation that we pass onto governments...on...onto local governments. And I would say that this is not a good idea and should not be passed by this Body."

Speaker Turner: "The Gentleman from Sangamon, Representative Curran, to close."

Curran: "There are two very good reasons for supporting the Labor Equity Act, House Bill 241. Number one, this Bill understands that there is no difference to being fired or being permanently replaced. And this Bill now attempts to change the silly little quirk in the law that seems to deny that obvious fact. And second, since prolonged and bitter strikes are detrimental to employees, to businesses, and to communities, and to the families of those employees. This Bill attempts to even the playing field so that business and labor, when they get into...get into the difficult circumstances of a labor negotiation, both sides are more in balance than they have been in the last few years. What that will tend to do, is to moderate the existing..."

Speaker Turner: "Turn Representative Curran on."

Curran: "...that will tend to moderate the resulting negotiations. I'd like the Members to keep in mind that our foreign competitors, (Germany, Japan, and others), disallow the permanent hi...disallow the permanent hiring of str...of strike-breaking people. This Bill will not disallow the temporary hiring of strike-breakers. Just the permanent hiring of strike-breakers. I'd be glad to... I'm asking for your vote for House Bill 241 for the workers of this state, for the businesses of this state and for the communities of this state."

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doesn't this prohibit the State of Illinois and local governments from...being...being able to hire...to enter any kind of contract with any company that...hired permanent replacement workers? So the cost...the cost of government is gonna go up?"

Curran: "That is not the way we look at it. We look at...the hiring of permanent replacement workers tends to destabilize companies and destabilize communities that those companies live in...perform in, and that that is very costly thing to the communities, when those...companies are destabilized and the communities are destabilized."

Parke: "Well, I...I think what it is ultimately... Does this really come down to being a mandate on local government? Isn't this, in essence, a mandate on local government?"

Curran: "This Bill understands that equity in labor relations is a good thing for communities and workers and businesses."

Parke: "Well, all I can tell you is that... To the Bill, Ladies and Gentlemen of the House. I have to tell you that the array of people opposed to this are long. The Illinois Manufacturers, the Management Association, the Department of Transportation, the Department of Labor, the National Federation of Independent Businesses, are all opposed to this. Why? Because it...with the State of Illinois, it's gonna limit the number of vendors that they can do business with. The cost of doing business is gonna go up. It is not something that is good for the state. I don't think this is done anywhere else in the United States. This is a precedent that we'll be setting, that is not good for business. And ultimately, I think, it is gonna cost the taxpayers of the State of Illinois more money instead of less money. In addition, one has to ask yourself, 'Why is business going out of the State of Illinois and out of the

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Speaker Turner: "The question is, 'Shall House Bill 241 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. The Gentleman from Vermilion, Representative Black, one minute to explain your vote."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. We all know what this is. It's commonly referred to as the Striker Replacement Bill. What this attempts to do is make illegal what is legal under federal law. Now I don't know how much longer it's gonna be legal under federal law, but at the current time, it is legal under federal law. Give you a scenario. And I hope it doesn't happen. God forbid that Caterpillar would come to some sort of permanent replacement position. If this Bill becomes law in Illinois, and Caterpillar would do that (and I don't think they're foolish enough to it, at least I hope not). That would mean every local unit of government, including the State of Illinois, couldn't buy any Caterpillar equipment; we'd have to buy Komatsu equipment from Japan. Is that what we really want to do? I don't think that's a very good idea. I vote 'no'."

Speaker Turner: "The Gentleman from Logan, Representative Olson, one minute to explain your vote."

Olson: "Thank you, Mr. Speaker. The Sponsor of the Bill made a statement that there's no difference between being fired and being permanently replaced. I would point out that there's one great big difference between being fired and being permanently replaced. When you're fired, you're in the factory and asked to pack up your duties and go home. You're on the job. When you're permanently replaced, you have voluntarily elected not to come into the facility where you're employed. It's quite a bit of difference there, an awful lot of difference. And it's very

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important."

Speaker Turner: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 65 voting 'yes', 50 voting 'no'. This Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 789, Representative Davis. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 789, a Bill for an Act concerning apprenticeship and pre-apprenticeship programs. Third Reading of the Bill."

Speaker Turner: "Representative Davis."

Davis: "Speaker, we're requesting that we move this Bill back to Second for the purpose of an Amendment."

Speaker Turner: "The Lady asks leave to bring the Bill back to Second Reading for the purposes of amending it. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Second Reading."

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

Speaker Turner: "Representative Davis."

Davis: "Thank you. Floor Amendment #1 sunsets the provision. It will repeal the Act in January of 1999. And this was requested by one of the Members of the committee. So we urge you to support this Amendment."

Speaker Turner: "On this question, Representative... The Gentleman from Cook, Representative Parke."

Parke: "Excuse me, Representative. It's my understanding that there'll be two Amendments put on this Bill. I'm sorry, Representative, I don't think your microphone's on."

Speaker Turner: "Turn on Representative Davis."

Davis: "Amendment #1, Representative, sunsets the provision...in January of 1999, which was requested by one of the Members

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on your side of the aisle. That's Amendment #1."

Parke: "Who... Who requested that, Representative..."

Davis: "Tom Johnson."

Parke: "Thank you."

Davis: "The repeal... The sunset, we're doin' it."

Parke: "Okay. What..."

Speaker Turner: "No further questions? The Gentleman from DuPage,
Representative Johnson."

Johnson, Tom: "Yes, it's my understanding that there is to be a
Floor Amendment #1 dealing with a sunset. Is that what we
just prepared? I'm sorry. Okay. And that sunsets it within
five years, is that correct?"

Davis: "...Correct."

Speaker Turner: "The Lady moves for the adoption of Floor
Amendment #1 to House Bill 789. All those in favor say
'aye'; those opposed say 'no'. In the opinion of the Chair,
the 'ayes' have it. Amendment #1 is... Amendment #1 is
adopted. Further Amendments?"

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

Speaker Turner: "Representative Davis, Amendment #2."

Davis: "Thank you, Mr. Speaker. After...long, long hours and
many, many meetings, after great deliberation and an
attempt to reach an accord with all, we have amended this
Bill...to make it a pilot program. It will not affect all
of the city colleges; it will only affect a few. The
maximum would be five, and I think the minimum would be
two. In effect, Mr. Speaker, and Ladies and Gentlemen of
the chamber, it becomes a pilot program. And we compromised
in an attempt to reach agreement."

Speaker Turner: "The Gentleman from Cook, Representative Parke."

Parke: "Yes. Inquiry of the Chair. Has this Amendment been

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printed and distributed?"

Clerk Rossi: "The Amendment has been printed and distributed."

Parke: "Thank you, Mr. Speaker. We have no objections to the Amendment."

Speaker Turner: "The Gentleman from DuPage, Representative Johnson."

Johnson, Tom: "Yes, will the Speaker yield?"

Speaker Turner: "She indicates she will."

Johnson, Tom: "...or the Sponsor, not the Speaker. I mean, you always yield, right?"

Speaker Turner: "Absolutely."

Johnson, Tom: "Representative, this second Amendment, does this in any way affect the sunset provisions as related..."

Davis: "No, Sir. No. No."

Johnson, Tom: "Is it incorporated in there?"

Davis: "Amendment #1...sets the sunset date. Amendment #2 makes it a pilot program."

Johnson, Tom: "Okay. But not to go beyond..."

Davis: "Not to go beyond five years."

Johnson, Tom: "The sunset provisions still apply."

Davis: "That is absolutely correct."

Johnson, Tom: "Thank you. Thank you."

Speaker Turner: "Seeing no further questions, the Lady asks, 'Should Floor Amendment #2 be adopted to House Bill 789?' In the opinion... All those in favor say 'aye'; all those opposed, say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #2 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner: "Third Reading. Rep... The...the Lady asks leave to...suspend Rule 37(d) so that this Bill can be considered immediately. Is there objection? Rep... The Gentleman from Will, Representative Wennlund. He removes his objection?"

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Third... Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 789, a Bill for an Act concerning apprenticeship and pre-apprenticeship programs. Third Reading of the Bill."

Speaker Turner: "Mr. Clerk, call the Rep... The Gentleman from Peoria, Representative Saltsman. He waives... Read the Bill, Mr. Clerk. It's been read? The... Representative Davis, on House Bill 789."

Davis: "Thank you so much, Mr. Chairman. This is a Bill that we have been working with for a very, very long time. And at this point, it sets up apprenticeship programs as pilot programs in the public...in the community colleges in order that...a few...citizens can partake of vocational training. The college does support this initiative, and after many long hard meetings, we hope we've reached a satisfactory accord. We attempted to make those on the other side of the aisle...pleased with the Bill. And...I'm very grateful to all those who have worked with me, and to those who have become Co-Sponsors. And I would just urge a favorable vote."

Speaker Turner: "The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Will the Sponsor yield for a number of questions?"

Speaker Turner: "She indicates she will."

Parke: "Yes, Representative Davis, do you have any idea how many millions of dollars it will take to implement your program?"

Davis: "Representative Parke, the plan is for the college to use existing dollars. The plan is not to request any additional dollars, but simply make this a part of the existing community college program."

Parke: "Now is this only affect the Chicago community college

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system? Will all community college systems take part in this?"

Davis: "Well, it's a pilot program, so those that become a part of the pilot definitely, too, will be Chicago."

Parke: "Okay. I...I talked to my community college president and he told me that...sure, they'd like to have more programs brought in, and I said, 'Well, what kind of money did you...would you have?' And he said, 'None'. He says there is no extra money in the community college system for this program; and that, in fact, he estimated that it would cost tens of thousands of dollars to put this program in..."

Davis: "Representative..."

Parke: "...and there is no money. Now you...you...you said that the Chicago community college system would implement this. Do they have a line-item budget, a line-item for this? Do they have extra money?"

Davis: "I am... You know... You know, Representative, just like when the Bill, Earn-fare passed, there was no line-item dollars for that. We passed the substantive language and money has been become available. Now, the Chicago city colleges have attempted to establish vocational programs. This, hopefully, will give them that assist. We, at this time, have no knowledge..."

Parke: "Representative. Representative, I don't mean to be rude, but quite frankly, then the answer is, there is no money and we would have to appropriate taxpayers' money into the community college systems to do it."

Davis: "This Bill does not ask you to appropriate one dime."

Parke: "Yes, but aren't we raising expectations that we cannot fulfill unless we bring taxpayer money in?"

Davis: "Pardon?"

Parke: "You are raising the expectations of men and women who

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might very well want to take advantage of this, and if we have no money and we don't appropriate the money, is that really fair to those people?"

Davis: "Representative, the city college has a budget that exist today. A number of programs have been closed in order to open other programs. I think our colleges, and probably yours, recognize that as our needs in business and vocational education change, then the course offerings for students must also change. And that does not necessitate additional dollars. It merely means you're changing what's being offered to the students, hopefully meeting the needs of the business community as well as the students."

Parke: "I...I appreciate and I understand what you're trying to say. But let me ask you another question. Isn't the community college system a two-year system for the most part? Representative? Representative, isn't the community college system a two-year program for the most part?"

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

Parke: "Isn't the community college system a two-year program?"

Davis: "The community college system, if you are seeking an associate's arts degree... It takes two years to get an associate's arts degree. Any other program can take as long as those requirements have been stipulated. For example, you may have a court reporters' course that's 15 months. I don't know, okay. You..."

Parke: "Okay. Well, the point I'm trying to make..."

Davis: "...I mean, it could be something that they need to go there four years for. I don't know..."

Parke: "Well... Most..."

Davis: "If you're speaking of associate's arts, that's the only thing that requires two years."

Parke: "Okay. Well, my understanding is that the community

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college system is structured for two-year programs or less. Do you know that the average apprentice program in Illinois runs four to...about four years or five years for apprentice programs? And that if we put out men and women in the skilled trades with a program that anything less than four or five years, that we, in fact, will be putting people at-risk in the kind of programs that they may very well be getting a...shortened and an unskilled program? That.. That would bother us."

Davis: "Representative. This legislation, in no way, there's absolutely nothing to attempt to lessen any requirement, to reduce anything that is required today by the union. This Bill in no way does any of that. It absolutely keeps those same high standards. And I think you know that I would certainly never support something to water down any standards or require less of any other students than anybody anyplace else. I would not do that."

Parke: "Let me ask you another question. Do you have a file of people complaining that they can't get into the skilled trades arena? I mean, do you have a lot of constituents here in the State of Illinois that have come to you and said, 'We have been denied getting into the skilled trade program.' Is that the genesis for your program?"

Davis: "Rep... Representative, what I have is..."

Speaker Turner: "Turn Representative Parke back on. You've had five minutes, Representative."

Parke: "Thank you, then. I would rise and ask the Body to vote 'no' on this legislation. It is ill-advised and there's no money for it and we are raising expectations that we should not be doing. This is not fair to put a program in without funding for people who are looking for jobs."

Speaker Turner: "The Gentleman from Peoria, Representative

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Saltsman."

Saltsman: "Yes, will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Saltsman: "Representative Davis, you mentioned something in the previous Amendment about something being agreed? Who... Was there an agreement made with the labor unions or with...the junior college system, or the other side of the aisle? Did you mention something about an agreement?"

Davis: "I said we had worked very long and very hard in an attempt to reach a compromise or to reach an agreement. Because an agreement wasn't reached, I reached a compromise and I have certainly watered down this Bill. This Bill now has become simply a pilot program. You know, originally this Bill was for all of the city colleges or the junior colleges. At this point, it's merely a pilot program."

Saltsman: "To the Bill, Mr. Speaker, I don't know of a junior college in the State of Illinois that can produce a journeyman construction worker, regardless of what trade it is in. When we had testimony before our committee, it was explained to us by one of the top...and most influential union members in the State of Illinois of how many millions of dollars they have in their training program and they have lived up to all the minority hirings, all the minority recruitings, all their WBEs (Womens' Business Enterprise programs) and everything they have worked with. They have their educational programs, and we're not knocking the junior colleges. Junior colleges help a lot. They help a lot in the mathematical end of it, and so on. But these are jobs that have to be done out in the field. They had to be done with the millions of dollars of equipment that these people have got in these training programs; and, therefore, as of now, there is no agreement with organized labor. The

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state federation labor is 100% against this Bill, so if you've been misled, a few people I didn't hear say it, but a few people said... Well, she said it's agreed. Well, she just said she watered it down. She tried to organize. And I know she's worked hard on this, and I respect her for that. But as of now, organized labor is opposed to this legislation."

Speaker Currie: "Representative Currie, in the Chair. Representative Morrow."

Morrow: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I was gonna sit very quietly on this Bill to vote my switch. But a comment was made that all unions are in compliance with their affirmative action language or programs in their unions. And I have to disagree with that. Last week, we met with some of the union leaders. And I had asked for a breakdown, by union, union by union, of the percentage of African-Americans, the percentage of Latinos, and the percentage of womens, in each union. Not true. There were some unions that met the guidelines. They were in compliance. But there were some unions that were not in compliance. And I'll name one, the sheet metal union. They only had 5% African-American in that union. Trainees. African-American apprentice trainees. The painters union had 19%. The reason why they didn't want us...want us to get that information on a break-down, union by union, because they didn't want to expose themselves. If you add it up the whole lump sum, yeah, they were in compliance. But when you broke it down, no they weren't. Secondly. Secondly, out of the 28 different trade unions that we requested this information from, we only got it from 14 of the trade unions. Where's the information from the other 14 trade unions, so, we can determine if they in compliance?"

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I've been here seven years and seven years we've played games with the labor unions. I had a Bill... I had a Bill that wouldn't get out of committee. The Bill dealt with contractors. To make contractors adhere to a percentage of African-American and minority apprentices on their payroll. Who opposed the Bill? Did the contractors oppose my Bill? No. The unions opposed my Bill. When I said I'm trying to get your people jobs, why would you oppose it? But a light bulb clicked in my head. Come sit me down. A light bulb clicked in my head. The unions and the contractors are in bed. That's why we can't get affirmative action passed. That's why when I had a Bill down there today, that asked to monitor contracts given out by the state, to see if they're in compliance with the affirmative actions, people got up and said, 'Oh, have you heard any complaints? Do you have any documentation?' Well, I tell you, when I sit back in those back rooms with the 28 labor leaders..."

Speaker Currie: "Representative Flinn."

Flinn: "Madam Speaker, I move the previous question."

Speaker Currie: "Representative Flinn moves the previous question. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The previous question is moved. Representative Davis, to close. Those of you who have your light on will be welcomed to explain your votes."

Davis: "Excuse me, Madam Speaker. I didn't hear your last remark."

Speaker Currie: "You may close."

Davis: "I would merely like to say that this Bill is a major, and I repeat, a major attempt to make certain that a small group of people are prepared for work. Currently, as you know, very often in the State of Illinois, labor is imported from Iowa, Wisconsin, Indiana. Because the claim

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is we can't find enough trained ready to work people. And this legislation, we hope would help to make sure the Illinois resident is working. I recognize the unions' objections, Representative Saltsman. My record with labor is 98%. And I believe that they would simply be getting new union members. Instead of importing labor from our borders, we'd be able to use the citizens who work and live in the State of Illinois. Those dollars they earn will become taxpaying dollars in the state in which we reside. The unions, and rightly so, are protecting their members. Their members in Indiana, their members in Wisconsin, their members in Iowa. But as they protect their members, they leave Illinois citizens without work. So this Bill is a small, small, token to give a few people the opportunity to learn to work. The Bill has been tremendously watered down. It will take nothing from those who already exist. And what we're looking for, we're looking for people who are willing to support the citizens in the State of Illinois. The people who want to reduce those on the welfare roles, the people who want to stop complaining about the large welfare budget in the State of Illinois, and let's have...produce taxpayers. And we can do that. ...And I'm gonna ask this time, Madam Speaker, to take the Bill out of the record."

Speaker Currie: "The Bill is out of the record. Labor Call, Third Reading, the next Bill is House Bill 79...I'm sorry, 797, Representative Saltsman. Clerk, read the Bill."

Clerk McLennand: "House Bill 797, a Bill for an Act to amend the Prevailing Wage Act. Third Reading of this Bill."

Speaker Currie: "Representative Saltsman."

Saltsman: "Thank you, Madam Speaker. House Bill 797 has passed out of this House several times, and what it is on the Prevailing Wage Act, any worker that would give information

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on a person who is not going by the rules and law the Prevailing Wage Act that would give information upon that, could not be disciplined by their employer. This is a very simple Bill and it should be passed. It's passed here several times before."

Speaker Currie: "Representative Saltsman moves 'do pass' on House Bill 797; and, on that question, is there any discussion? Representative Black."

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

Speaker Currie: "He will."

Black: "Representative, it's my understanding that...in your Bill, the...the...if the employee prevails, the employer must pay all court costs and attorney fees, correct?"

Saltsman: "Correct."

Black: "I'm sorry. I couldn't hear you. That is correct?"

Saltsman: "Correct."

Black: "Okay. Then... But...if the judgment goes the other way, let's say if the employer prevails, there's nothing in the language that would make the employee then pay such costs, correct?"

Saltsman: "Correct."

Black: "Would that...would that be something that...you...we would even be willing to negotiate in the Senate?"

Saltsman: "Yes, it would be."

Black: "So, you...you would not necessarily then put a... If I heard you correctly, you might be willing to negotiate that point, right?"

Saltsman: "I don't have the power now because it's on Third Reading, but nobody has approached me with any negotiations on it."

Black: "Okay. Well, I...you certainly didn't shut the door on it,

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and I appreciate your candor, Representative. Thank you for your patience."

Speaker Currie: "The question is, 'Shall House Bill 797 pass?' All those in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, 86 voting 'aye', 28 voting 'no'. This Bill, having received the Constitutional Majority...required Constitutional Majority, is hereby declared passed. The next Bill is House Bill 798, Representative Woolard. Clerk, read the Bill."

Clerk McLennand: "House Bill 798, a Bill for an Act to amend the Prevailing Wage Act. Third Reading of this Bill."

Speaker Currie: "Representative Woolard."

Woolard: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think that this, too, is a familiar Bill, that many of you have seen before. We're talking about adding the TIF districts into the Prevailing Wage Act that we're all familiar with. It also provides a penalty for a business offense, someone is caught inducing someone to give up part of their compensation on these projects. I would encourage an 'aye' vote on this much needed piece of legislation."

Speaker Currie: "Representative Woolard moves 'do pass' on House Bill 798; and, on that question, Representative Black."

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

Speaker Currie: "He will."

Black: "Larry... Excuse me. Representative, is this...would this apply to any and all projects that would be in whole or in part financed by bonds issued under a TIF district?"

Woolard: "Yes, it would."

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Black: "So, in other words, if a city had a TIF district and all they really wanted to do was to put in new curbs, gutters, and sidewalks in a retail area that they're trying to spruce up and attract some businesses, even though they might be able to get a favorable contract... I'm talking about small towns now. They might be able to get a very fair dollar amount to do the work from a local contractor who...who may only have one truck and one other employee other than the owner. That...that contract would still have to be a...bid and performed under the Prevailing Wage Act?"

Woolard: "As I understand the legislation, only in those instances when bonds are used to finance a project."

Black: "But... And I think that's what I need to know. The entire project?... It wouldn't make any difference. The whole part..."

Woolard: "Only in instances where bonds..."

Black: "So... I mean... Really, if we had ten projects we wanted to do in a TIF district, and we were gonna do three this year and three next year and finish up the year after that. No matter how small a project we were doing, if it was a project in a TIF district, we would still have to put forth the Prevailing Wage Act and notice and act accordingly."

Woolard: "In all of those instances where we're utilizing bond moneys or the moneys generated from the TIF district itself."

Black: "Okay. Thank you very much for your patience, Representative. Madam Speaker, Ladies and Gentlemen of the House. You know, TIF districts are not only used by large cities. They're often used, and I might add, very successfully by a very...by relatively small city in my district. And...to put this kind of provision on a small city operating on a very limited budget would simply not

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enable them to do as many projects as they would like to accomplish in what is primarily improvements of a retail area. And so it's for that reason...that I intend to vote 'no' and would urge my colleagues on this side of the aisle."

Speaker Currie: "The question is, 'Shall House Bill 798 pass?' We'll call on you for explanation of vote. The question is, 'Shall House Bill 798 pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Sorry, Representative Skinner to explain his vote."

Skinner: "Mr. Speaker, the Village of Huntley is 2650 acres in a TIF district. If you want to kill growth in towns that use TIF districts to try to expand, this will do it. It will increase the price of the projects of the infrastructure by 20% to 30% at a minimum. If you're in favor of economic development in your area...developers are going to the TIF route. I'm not sure I approve of it, but that's what they're doing, and if you want growth to be slower in your area, by all means, vote for this Bill."

Speaker Currie: "Representative Parke."

Parke: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I want to just follow up on Representative Skinner's point. I mean, if you have a TIF district in your area and you vote for this, be prepared to take the heat from your municipal governments, because they're going to be discouraged from having those TIF districts do what they're supposed to; make it an easier place to do business so that we can encourage economic development, and I will tell you another thing, this is the first time in Illinois that we've ever extended prevailing wage outside of just public works projects. Now you're going to expand it; tomorrow, it'll be expanded to something else. You're going to make

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us competitively disadvantaged in this state, and then you're going to continue to ask the question, 'Why do companies leave our state and go to Mexico or go to the Phillipines is because we are not competitively advantaged, and if those people that have border areas, border areas (Indiana, Wisconsin), they're going to go to those other states to do business. This is a bad idea and should be defeated, and I would like a verification of roll call please, if it passes."

Speaker Currie: "Representative Saltsman."

Saltsman: "Thank you, Madam Chairman. I've got two TIF districts and thanks to eight Republicans who helped me get a Bill out today to help a small one in the city of East Peoria, not one stitch of work was done over there that wasn't done by prevailing wage. Every contractor that worked in that program was a union contractor working on prevailing wage, so I never had any problem with that program. We also have one alongside of Bradley University in Peoria, that's probably one of the neatest programs going right now in the State of Illinois, and the reason...the reason that it is successful, the labor unions put \$3.5 million worth of bonds in it with just a bricklayer's union loan. They purchase their bonds up to a total close to \$6 or \$7 million from the labor unions. They're the ones that institutes the bonding money to make campustown in Peoria the beautiful place it is; therefore, there wasn't anything wrong with that when they took the laborers' pension money for the bonding part of it. So I think if they could work together with this, and this has worked out well in my area. I don't know of anybody that's had a problem with it."

Speaker Currie: "Representative Mulligan."

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Mulligan: "Thank you, Madam Chairman. I'd like to explain my vote. Recently, we met with with the Northwest Municipal Conference, and we had promised our municipalities that we would not place any mandates on them considering what might happen with the surcharge and what might happen with tax caps. I think that's very important to hold to that pledge. I think the municipality should have a choice of how they do this themselves."

Speaker Currie: "Representative Woolard."

Woolard: "Having not had the opportunity to close, I'll make a few comments that I believe are pertinent to this issue. First and foremost, I don't believe that this is a labor against management at all. I believe positively that we find that there are many local contractors all over this state, and in particular in those areas that are on the borders of the state, who are very much in favor of this type legislation. Because what actually happens, most of the contractors in the state are very legitimate, upstanding individuals and also companies that utilize and work very closely with the union shops and union members of this great state, and what we're saying is they are at a tremendous disadvantage because we have contractors coming into our TIF districts which are spending the local taxpayers money that we have collected and given to the TIF project and losing to out-of-state contractors and workers because of their efforts. Yes, we do find that there are some people who say that this is not the right approach. Yes, we do find that there are some contractors who choose not to participate. Yes, we do find that there are some cities who probably would stand up and say that this is a curtailment of their investment in the infrastructure that they have, but I believe that we have a responsibility to

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the individual workers of this state as well. Madam Speaker, let me ask a question. At this point it's too late to take the Bill out of the record, is that right?"

Speaker Currie: "You are correct."

Woolard: "Okay. We're going to proceed with the roll call, and I'm going to ask for postponed consideration, and I think that we'll be successful tomorrow, because I truly believe that when people understand exactly what this Bill does, it not only protects the laboring people of this state, it protects the individual contractors of this state as well, and that's what we should be about; trying to create the economic benefits to the people that live, as well as reside, in this community."

Speaker Currie: "They've...we've not yet taken the roll, so a request for postponed consideration is not timely. Representative Granberg, to explain his vote."

Granberg: "Thank you...thank you, Madam Speaker and Ladies and Gentlemen of the House. I, too, like Representative Woolard believe this is fair. It's fair for the working men and women of this state, and I think it's fair for the contractors. And they may disagree with that, but I think it is a good policy, and I think at some point the Members will change their minds on this, because we have to stand up for working men and women in this state. Representative Woolard has done a good job of fighting for their interests, protecting their interests, and I would encourage other Members, particularly on this side of the aisle, to consider changing their minds on this issue."

Speaker Currie: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill...on this Motion, 57 voting 'aye', 50 voting 'no'. The Sponsor has asked for postponed consideration. Next Bill is House

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Bill 2193, Representative Frias. Clerk, read the Bill. No, sorry. Out of the record. The Clerk has...the Clerk tells us that Supplemental Calendar #2 is now moving around on your desks, and Supplemental Calendar #2 is Agreed Bill List #3. We will shortly go to a roll call on the Agreed Bill List. You will all be supplied blue sheets on which you can indicate for the Bills that you wish to be recorded as 'no' or 'present' on to record that vote. Those lists, those vote changes must be back at the Clerk's well by 7:00 p.m.. Supplemental #2, the agreed Bill List #3. Special Call, House Bill 786. Clerk...oh, Clerk, read the Bill."

Clerk McLennand: "House Bill 786, a Bill for an Act to amend the Illinois Governmental Ethics Act. Second Reading of the Bill."

Speaker Currie: "Are there any Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Biggins."

Speaker Currie: "I believe that Amendment is to be withdrawn...withdrawn. Further Amendments?"

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

Speaker Currie: "And I believe that Amendment was to be withdrawn as well. Withdraw."

Clerk McLennand: "Floor Amendment #3, offered by Speaker Madigan."

Speaker Currie: "Speaker Madigan."

Speaker Madigan: "Madam Speaker and Ladies and Gentlemen of the House. This Amendment is concerned with the statements of economic interest which are filed by Members of the Legislature and also by a variety of other governmental officials and employees; and, then in addition, it's also concerned with lobbyist registration. So concerning the

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statement of economic interest, we're all familiar with the current system, where if you're an elected official or you earn more than \$35,000 a year, you're required to file the statement. This Amendment would not change the questions which are asked on the statement, but it would change the method of determining who is required to file. Elected officials would still be required to file, but then in terms of employees of governments, we would move toward a system where the job function or the job description of the employee would decide whether or not that employee would be required to file a statement of economic interest. The employees who would be required to file would be people who as an example would be in charge of a department, an agency, a board or an authority, an employee with direct supervisory authority over contracts valued in excess of \$5,000, employees with authority over the promulgation of rules, employees with licensed approval authority, employees with financial inspection authority over non-governmental entities, employees who adjudicate judicial or administrative proceedings; and in addition, appointees to the governing board of a unit of local government. Moving on to the lobbyist registration, in general, this would provide for an improvement of the current system. It would provide that if a person is a lobbyist, they must register and they must pay an annual \$50 registration fee. In addition, there would be a great improvement in the reporting requirements. So today there's a great deal of confusion and ambiguity concerning just what is required to be reported. This would greatly clarify and tighten the requirements for reporting by lobbyists. Madam Speaker, I would move for the adoption of the Amendment."

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Speaker Currie: "Representative Madigan moves 'do adopt' on Amendment 3 to House Bill 786; and, on that Motion, is there any discussion? Representative Daniels."

Daniels: "Madam Speaker and Ladies and Gentlemen of the House. I support Speaker Madigan in the adoption of Amendment #3 to House Bill 786, and would like to cite that in accordance with any of the Bills that have been introduced, I think that what we have done here in the series of negotiations and working together, we have come up with a excellent reform package contained in a statement of economic interest as well as lobbyist registration provisions that are contained herein. I think it's one that we can be proud and pleased of in our adoption, and recommend that we adopt Amendment 3..."

Speaker Currie: "Further discussion? Representative Hawkins."

Hawkins: "Madam Chairman, Members of the House. While I applaud the Bill and will vote for the Bill, I have to say that this is only a bandaid approach to the problem with ethics in government. Until we address the amount of money that each of us spend or have to spend in our campaigns and the amount of money that special-interest groups give to candidates and individuals give to candidates, until we address that issue, we have not seriously done very much as far as changing the way government operates in this state. I urge all the Members to consider placing a minimum that candidates can spend in elections, a maximum...pardon me, a maximum...a maximum that special-interest groups give to candidates, and individuals. Until we do this, we are spending an average of \$100,000 for our seat in the House of Representatives. That is fundamentally wrong; there...something has to be done about it. It should be a non-partisan issue, and it ought to be something every one

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of us here should start working on and address, and until then, there's going to be too much influence from the outside on all of us. Thank you."

Speaker Currie: "Further discussion? Representative Tim Johnson."

Johnson, Tim: "I think Representative Hawkins is absolutely correct, both with respect to the advantages that all incumbent Legislators and all incumbent Congressmen have just by way of exposure to the public as well as running their governmental office down to campaign expenditures, campaign fund-raising, and the whole mechanism. Unless we address the core problem, he's absolutely right. We continue to have only bandaid, partial solutions to an underlying problem. One way we can do it as Members is to voluntarily undertake in our own districts and our own campaigns in cooperation with our opponents, voluntary spending limits, so that we do put some kind of a stop on the outrageous, obscene increase in the costs of running elections. And until we address the problems that Representative Hawkins talks about, we're going to continue to pass little ethics Bills here and there, but not address the cancer in a system that threatens to destroy us all, so in a bipartisan sense, I got to join with Representative Hawkins in saying that that's one of the most sensible, if not the most common sense speeches that's been made on this floor this entire Session of the Legislature."

Speaker Currie: "I would remind the Members that we are debating now the Amendment and the items that are in the Amendment, not the general discussion of ethics and campaign finance. Further discussion on the Amendment?, Representative Weaver."

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

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Speaker Currie: "He indicates he will."

Weaver: "Just a brief question about who is...who can qualify to be exempt from the requirement to lobby. As I understand the Amendment, that anyone who receives compensation or reimbursement for expenses under \$500, will not be required to register, but if it's over \$500, then they would be required to go through the registration procedure. Is that correct?"

Speaker Currie: "Representative Madigan."

Madigan: "Mr. Weaver, if they receive any compensation, they are required to file. If they receive any compensation..."

Weaver: "Including expenses?"

Madigan: "If they receive any compensation, they're required to file. If they're non-compensated and they spend less than \$500, then they are not required to file."

Weaver: "So, if they come down to Springfield to talk to us about a Bill for three or four days and stay in a real nice hotel in town, then they probably should register as a lobbyist."

Madigan: "Well, the question is, are they compensated or are they not, first. Secondly, if they fall under the second category where they're not being compensated, then you get to the question of the total amount of the expense."

Weaver: "Expense. But if that expense that they incur while they're here exceeds \$500, then they are required to register."

Madigan: "Correct."

Weaver: "One other question. If...if an individual who is classified as a vendor or someone who wants to sell goods or services to the state gives us a phone call or say gives a member of the administration a phone call inquiring about their possibility or chances of getting that contract, must they also register as lobbyists?"

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Madigan: "No."

Weaver: "They must not."

Madigan: "No."

Weaver: "Thank you."

Speaker Currie: "Further discussion on the Amendment?
Representative Moseley."

Moseley: "Thank you, Madam Speaker. A question to the Sponsor of
the Bill. If a person is employed as a lobbyist for more
than one entity, are they required under this piece of
legislation to pay more than \$50?"

Madigan: "No."

Moseley: "Okay. To the Amendment. I..."

Speaker Currie: "Proceed."

Moseley: "...have spent time reading through this Amendment and
as a former lobbyist myself, I would like to congratulate
both Sponsors in what I think is a very reasonable piece of
legislation. I have long believed that lobbyists are not a
dirty word, and I have also felt that in addition to that,
there are people who influence government on the executive
level and on the judicial level that are not considered
lobbyists, but that are influencing the way policies are
set. I applaud this legislation for including
administrative lobbyists, and I would urge everyone to vote
in support of this legislation. Thank you."

Speaker Currie: "Further discussion? Representative Kubik."

Kubik: "Yes. A quick question of the Sponsor."

Speaker Currie: "He'll respond."

Kubik: "Speaker Madigan, I just wanted to follow up just with one
question that Representative Weaver related. I understand
the distinction between non-compensated and compensated.
Would a village official who came to Springfield and over
the course of a Session spent \$700 in hotel rooms, would

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that person be required to file under your proposal, even though they're not compensated to lobby?"

Madigan: "The answer is yes."

Kubik: "Okay. Thank you."

Speaker Currie: "Further discussion? Representative Levin."

Levin: "Would the Gentleman yield?"

Speaker Currie: "He will. Mr. Speaker, one of the things that Common Cause has pointed out about our current lobbyist disclosure law is that it's more honored in the breach in terms of reporting expenditures, so that I think they are listed as the biggest single organization in terms of spending money. I notice in...on pages 20, 21 and 22, you detail various expenditures, Is it your expectation that by changing the language in terms of the report and having the kind of detail that you do, that the problem that we've had with getting full disclosure expenditures will change if this is passed?"

Madigan: "That would be our objective and our desire."

Levin: "And, how does this change...accomplish that objective?"

Madigan: "So, Representative, what we attempted to do was to become more specific, less vague, establish guidelines and standards that lobbyists could use in determining whether they should disclose or not disclose, and then by establishing standards by which everybody could be judged."

Levin: "I join the others and applaud you and Representative Daniels for dealing with an issue which very badly needs to be addressed. Thank you."

Speaker Currie: "Further discussion? On the question, 'Should the House adopt Amendment #3 to House Bill 786?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

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Speaker Currie: "Third Reading. State and Local Government, Second Reading, a Bill that we took out of the record earlier. House Bill 2052, Representative McAfee. Clerk, read the Bill. Read the Bill."

Clerk McLennand: "House Bill 2053, a Bill for an Act to amend the certain Acts in relation to funerals, burials and cemeteries. The Bill has been read a second time previously. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative McAfee."

Speaker Currie: "Representative McAfee."

McAfee: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment #2 to House Bill 2053 amends a number of Acts. It amends the Illinois Funeral and Burial Funds Act, Illinois Cemetery Care Act, Illinois Pre-need Cemetery Sales Act, and it comes on the heels of a number of weeks and months of negotiations, and it comes on the heels of an agreement reached by all the parties that are concerned with this; funeral directors, cemeteries, insurance companies, as well as the Comptroller's Office and the Department of Insurance, and I can tell you that it is primarily based on the Illinois Association of Retired Persons Model Act on Pre-need Sales, and that is primarily what this Amendment does. I've shared this with the other groups. This also basically clarifies that all pre-need funeral sales come under the fund Funeral or Burial Funds Acts."

Speaker Currie: "Representative McAfee moves 'do adopt' on Amendment #2 to House Bill 2053. On that Motion, is there any discussion? All in... Representative Levin."

Levin: "Will the Gentleman yield?"

Speaker Currie: "He indicates that he will."

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Levin: "Several years ago when I was a member of the Joint Committee on Administrative Rules, there was an attempt by the Funeral Licensing Board to, in effect, get rid of pre-need, and it was imposed by both the cemeteries and the senior citizen organizations, and resulted, in fact, in the veto...one of the rare vetoes by JCAR. Does this do anything similar to what was done there?"

McAfee: "Representative, this is the whole purpose of this particular Amendment and this Bill at this time is to regulate what is an ongoing concern and problem, and that is to regulate and get involved with pre-need sales."

Levin: "So, it will not do away with pre-need or limit it to funeral directors?"

McAfee: "No, it will not. It's trying to deal with the problem that exists presently, a reality that it is being sold and we are trying to deal with it through this Amendment which has the cooperation of all those involved from the funeral homes, to the producers, to the sellers, to the purchasers."

Levin: "All right. So the senior citizen organizations are not opposed to this."

McAfee: "Representative, it's patterned after the model Act prepared by Illinois ARC."

Levin: "Thank you."

Speaker Currie: "Further discussion? Representative Lawler."

Lawler: "Thank you, Madam Chairman. Will the Sponsor yield to a question?"

Speaker Currie: "Indicates he will."

Lawler: "Would this in any way affect any public cemeteries, any additional requirements for public cemeteries?"

McAfee: "As I understand it, they're not licensed under the Act."

Lawler: "Thank you."

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Speaker Currie: "Further discussion? If not, 'Shall the House adopt Amendment #2 to House Bill 2053?' Pardon me. Representative Wennlund. Sorry."

Wennlund: "The Amendment is an excellent Amendment. Everybody has signed on and agreed to this. It's a consumer-oriented Bill and it's good law, so it ought to pass."

Speaker Currie: "We'll restate the Motion. 'Shall the House adopt Amendment #2 to House Bill 2053?' All those in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Currie: "Third Reading. On the Order of Local Government, House Bill 1266, Representative Dart. Clerk, read the Bill."

Clerk McLennand: "House Bill 1266, a Bill for an Act to amend the Chicago Park District Act. Third Reading of the Bill."

Speaker Currie: "Representative Dart."

Dart: "Thank you, Speaker and Members of the House. This Bill is a Park District vehicle. There's discussions going on dealing with the museums. There is a companion Bill that came over from the Senate unanimously, and we're using this as a Bill they have over in the Senate to deal with it as well. I'd ask for it's movement...adoption."

Speaker Currie: "Representative Dart moves 'do pass' on House Bill 1266; and, on that question, Representative Black."

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

Speaker Currie: "He will."

Black: "Representative, if I understood you correctly, this is still in the shell Bill stage, correct?"

Dart: "Yes, it is."

Black: "Would it be your intent to put any kind of admission fee

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language into the Bill for any of the Chicago museums?"

Dart: "No, the intent with this one that was explained to me was it was going to deal with, I think, it was bonding authority for the museums. They have a companion Bill coming over from the Senate right now, that went out unanimously and this was going to be the companion..."

Black: "Okay. Well, I was just concerned since we couldn't get an admission fee on Dana-Thomas, I wanted to make sure you weren't going to slip an admission fee on those Chicago museums. I couldn't afford it."

Dart: "We wouldn't do that to you."

Black: "All right. Thank you."

Speaker Currie: "Further discussion? If not, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted? The Clerk will take the record. On this Motion, there are 78 voting 'aye', 33 voting 'no'. Representative Shirley Jones, 'aye'. Seventy-nine voting 'aye', 33 voting 'no'; and this Bill, having received the required Constitutional Majority, is hereby declared passed. We are now going to vote on the Agreed Bill List, Agreed Bill List #3. Clerk, read the Bills."

Clerk McLennand: "Agreed Bill List. House Bill 210, a Bill for an Act in relation to Professional Regulation. House Bill 562, a Bill for an Act to amend the Illinois Health Facilities Planning Act. House Bill 565, a Bill for an Act in relation to persons with mental illness. House Bill 611, a Bill for an Act to amend the Illinois Municipal Code. House Bill 1148, a Bill for an Act concerning maintenance and personal care facilities. House Bill 1310, a Bill for an Act to amend the Revenue Act of 1939. House Bill 1427, a Bill for an Act to amend the Illinois Drainage

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Code. House Bill 1637, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. House Bill 1677, a Bill for an Act to amend the Illinois Human Rights Act. House Bill 2016, a Bill for an Act to amend the Probate Act of 1975. House Bill 2062, a Bill for an Act to amend the School Code. House Bill 2139, a Bill for an Act to amend the Criminal Code of 1961. House Bill 2231, a Bill for an Act to amend the Illinois Code of Public Aid. Third Reading of these Bills."

Speaker Currie: "The question is, 'Shall these Bills pass?' But for what reason does Representative Wennlund rise?"

Wennlund: "Thank you, Madam Speaker. Parliamentary inquiry."

Speaker Currie: "State your inquiry."

Wennlund: "Under what House rule is there provision for an Agreed Bill List?"

Speaker Currie: "We'll check that out, Representative. Since this is the third Agreed Bill List we've voted on this Session, there's a question whether your question is timely."

Wennlund: "Well, it is timely, because as a matter of fact...agreed to by whom? It's my understanding this list has not been agreed to by this side of the aisle."

Speaker Currie: "We're checking the rules. We'll get back to you. In the meantime, the question is, 'Shall these Bills pass?' All in favor vote 'aye'; opposed vote 'no'. Voting is open. If you'll check House Rule 39, Representative Wennlund, the Speaker at his discretion shall upon commencing to give an Order of Business call all Bills and Resolutions pertaining to similar subject matter for consideration at the same time, and this subject matter is the Agreed List. Have all voted who wish? Have all voted who wish? Representative Daniels."

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Daniels: "Well, Madam Speaker, normally I have no problem with moving along the business of the House, but I got to tell you one thing, we absolutely do not agree with the comments that you just made about a list of legislation. An Agreed Bill List means just that. Both parties have sat down and agreed to present a series of Bills for the passage of the General Assembly. If Members want to vote against a particular Bill, there is a mechanism in which to do that. Now, frankly, we have a concern with a couple Bills on this list, because they weren't cleared prior to placing them on the Agreed Bill List, and we will so notify our Members. But so that the record is clear, you do not have authority without the approval of the other side of the aisle, to present a Bill...a list of Bills on one roll call as an Agreed Bill List. Now, we have been negotiating this back and forth all day long between your side of the aisle and our side of the aisle; and, as a matter of fact, you and I spoke directly on this issue."

Speaker Currie: "That was on the question why Mr. Fristano threw my Bills off the Agreed Bill List."

Daniels: "As a matter of fact, you didn't bring that up at all to me. I think you've forgotten who you're talking to when you said that, but that's just a little dictum from the Chair I take it, so you could get your point in there, and so be it. The fact of the matter is, that these must be agreed to by both sides of the aisle. Now, this list is fine to go ahead; specifically we have concerns over House Bill 611 and House Bill 1637. Our Members will be so advised and that's fine, but, you do not have, under any interpretation of the rules for as long as I've been here, the authority to pass or to present an Agreed Bill List before the Assembly."

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Speaker Currie: "Thank you, Representative. Have all voted who wish? The Clerk will take the record. We'll announce the roll later. Remember that you have the opportunity to vote 'no' or 'present' on each of these Bills individually. Turn your vote change sheets in by 7 p.m. at the Clerk's well. For what reason does Representative Weller rise?"

Weller: "Thank you, Madam Speaker. I just rise for a question. On the blue printout we have here, House Bill 611 looks like a shell Bill, but rumor has it there was an Amendment added. Is that true?"

Speaker Currie: "Let us check with the Clerk. Clerk, can you tell us what is on House Bill 611?"

Clerk McLennand: "Amendment #1 has been adopted on the floor."

Speaker Currie: "So, the answer is, Amendment #1 has been adopted. It was adopted today? Representative Balthis, for what reason do you rise?"

Balthis: "Thank you, Madam Speaker. House Bill 611, the Amendment is on that Bill. It's a permissive Bill, and I did agree, and I do concur...still concur, that it should be on the Agreed Bill List."

Speaker Currie: "Thank you. The next Order of Business is a Bill that Mr. Fristano knocked off of the Agreed Bill list, and that would be House Bill 1249, Representative Novak. Clerk, read the Bill."

Clerk McLennand: "House Bill 1249."

Speaker Currie: "Representative Novak."

Novak: "Yes, Madam Speaker. Correction. Yes, Speaker, Members of the House of Representatives. House Bill 1249 promotes the development of the Illinois hydroelectric resources. It provides direct and positive benefits to Illinois' utilities, municipalities, manufacturers and citizens. The environmental benefits of this pollution free renewable

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resource is quite self-evident. Presently, Illinois ranks last of all states in hydroelectric utilization and has taken a back seat to other states which have reaped the tremendous economic, recreational and environmental benefits from the development of their hydroelectric resources. The Bill mandates a guaranteed cost savings to utilities and ratepayers from the development of a hydroelectric utility...facility, excuse me. The Bill includes an iron-clad mechanism to guarantee these cost savings occur. The Bill requires a utility to buy electricity from existing hydroelectric facilities at a flat rate of six cents per kilowatt hour for 20 years or longer. This compares for instance to a rate of 11 cents per kilowatt hour that Com-Ed charges its residential customers; therefore, Com Ed takes almost 100% profit under power of purchase from hydroelectric projects. I can speak from experience with respect to this legislation. We have a very successful hydroelectric facility in the City of Kankakee. Twenty years ago, Commonwealth Edison owned one and for some reason it went out of business, but just two years ago, we completed over a three plus million dollar hydroelectric facility in Kankakee. That facility, which sits on the Kankakee River, generates enough power to totally supply the electricity for our \$40 million plus regional metro water waste system facility. It serves four metropolitan areas in my community. It also has enough power to sell to Commonwealth Edison, so, in essence, it generates an income, and that income certainly helps balance the City of Kankakee's budget. The village of Shanahan, in Representative Weller's district, has been actively seeking licensure and approval to build a hydroelectric plant. The City of Carlisle, in

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Representative Granberg's district, has also indicated a willingness for a hydroelectric plant. We have many dams on many waterways in Illinois that provide great opportunity for this renewable resource, for this pollution-free resource, for this alternative energy source that I think Illinois should be in the forefront on as we move into the 21st century and as we look at alternative sources of energy to make our lives better and more comfortable. Be happy to answer any questions."

Speaker Currie: "Representative Novak moves 'do pass' on House Bill 1249; and, on that Motion, is there any discussion? Representative Persico."

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

Speaker Currie: "He will."

Persico: "Representative, I have couple...has Amendment #3 been put on the Bill?"

Novak: "Yes, it has."

Persico: "Is it my understanding that the funding of the hydro producer will be done through...tax credits from the GRF fund?"

Novak: "That's correct."

Persico: "Do we have any indication of how much it will cost the General Revenue Fund?"

Novak: "At this time we don't, because we don't know exactly what credits will be asked for on a particular project. We don't."

Persico: "So, we're expected to vote on a Bill where we have no idea how much it will cost the General Revenue Fund? Is that what you're saying?"

Novak: "Okay. We had requested... None next year of course, probably none the next year, but we have requested information from the Illinois Commerce Commission on a more

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definitive answer on that, Representative Persico. But I can assure you for the next two years, there won't be any impacts on GRF and the state budget."

Persico: "I was wondering if you could turn to page 5, line 15. I believe there's an error there on Amendment #3. According to my reading of this Bill...or this Amendment, line 15...you're paying back the Public Utilities Fund rather than the General Revenue Fund. Is that correct?"

Novak: "One second."

Persico: "Page 5, line 15."

Novak: "You're right. It says if the money is transferred to the Public Utilities Fund, but in talking with our staff individually, most of that money is just transferred into GRF. Deposited into the GRF."

Persico: "The money that is deposited into the Public Utilities Fund is then transferred into the General Revenue Fund."

Novak: "That's my understanding."

Persico: "The money that is deposited into Public Utilities Fund is then transferred into the General Revenue Fund. But according to my analysis, there's no provision for that actually to happen."

Novak: "One second, Representative. The money in that fund from...in talking to Mr. Unzicker, is used to pay for expenses with the ICC. Chapter...chapter 30 under the Utilities Statutes, Section 30-10.8, payment to public utility fund, all sums collected by the commission under the provision of the section so and so shall be paid promptly after the receipt of the same accompanied by a detailed statement thereof into the public utility fund in the state treasury."

Persico: "Okay. Thank you. When does the hydropower facility have to pay back the state?"

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Novak: "Twenty-five for the large capacity; 30 for the small capacity. Twenty-five years for the large capacity; 30 years for the smaller capacity units."

Persico: "And what would happen if they fail to pay off their indebtedness?"

Novak: "Well, we're hoping that they don't fail to pay off, because it's a good investment for individuals to make."

Persico: "But if they do fail to do that..."

Novak: "The dams are already in place. The dams are already in place. What we're doing is putting a physical entity on top of the dam using a natural resource to generate power and to sell it."

Persico: "However, if the...if they do fail to pay off this indebtedness, will the state be stuck for the lost interest?"

Novak: "Yes."

Persico: "One other question."

Novak: "Let me follow up on that. I mean, we have many business incentives that are provided to corporations and businesses in this state, and oftentimes the moral obligation of the State of Illinois sometimes has been used to rectify situations like that should they occur. I just want to emphasize should they occur."

Persico: "Okay. One other question. If you turn to page 5 again, beginning on line 24, and correct me if I'm wrong, but the Bill appears to permit the utilities to pass the cost of purchasing the hydropower onto the consumers through the fuel adjustment clause by reference to Article IX, Section 220 of the Public Utility Act. In other words, if my analysis is correct, this would permit the utilities to recover twice; once through the tax credit, and once through the fuel adjustment clause. Could you explain that

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to me, please?"

Novak: "Representative Persico, the third Amendment that was adopted changed that and made it applicable to the rate law, where the corporation or the entity that purchases power applies that to...as a credit on their income tax."

Persico: "Thank you. To the Bill."

Speaker Currie: "Proceed."

Persico: "First, I'd like to mention that this is a highly controversial Bill, and I think Members on both sides of the aisle should be aware of this. The Department of Revenue is opposed. It will be a hit on GRF. As Representative Novak pointed out, we do not know exact cost right now, and I think we should be leery of subsidizing a hydropower facility when we're having problems right now funding things like education and paying our back bills to medical providers and so on, and I would urge colleagues on both sides of the aisle to vote 'no' on this particular Bill."

Speaker Currie: "Representative Novak moves passage of House Bill 1249; and, on that question, those in favor vote 'aye'; opposed vote 'no'. Voting is open, and to explain your vote, Representative Black."

Black: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. I...I'm having a hard time working through the Amendments in this Bill. I would be very careful of this Bill if I were you. I'm not sure...I didn't get a chance to ask the Sponsor a question, but the...it's possible that the cost of purchase from a utility, a regulated utility to purchase power from a hydroelectric plant could be considerably more than it would have to pay to generate that same kilowatt in its own plant. Now, if that's the case, (I don't know that it is),

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if I misspeak I apologize to the Sponsor, but if that's the case, then who do you think is going to be subsidizing in one form or another the hydroelectric situation? The ratepayer of the regulated utility will subsidize that cost, plus the fact...plus the fact we're ignoring that because of Illinois' lack of growth, (which is an unfortunate situation but the last census kind of showed that particularly in some areas of the state), we already have excess generating capacity in Illinois. Now, if we have excess capacity in the State of Illinois, then why do we need hydroelectric power? If a city wants to use it for its own purposes, that's fine, but to mandate that a regulated utility has to buy excess power from a hydro-plant at about triple the cost that it could generate the same kilowatt, is not good public policy. The ratepayer will pay the difference, and/or the taxpayer may have to get involved in the subsidy as well. So in all due respect to the Sponsor, I would urge you to vote 'no' or 'present' on this very complicated Bill that I dare say many of you have not read or even seen, particularly Amendment #3. This needs a lot of work and a lot of study, and in all due respect to the Chair, Madam Speaker, I would seek a verification on this matter if it gets the requisite number of votes, and I cite the applicable rule, and I'm joined by the appropriate number of Members on my side in seeking said recognition...verification."

Speaker Currie: "Representative Weller, one minute to explain your vote."

Weller: "Thank you, Madam Speaker. I rise in support of this legislation. Many of us care very much about the environment, many of us are looking for alternative ways to generate energy. Yes, you're absolutely right. Utilities

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are against this, and I'm bucking the utilities in my district. They're one of my biggest employers; but frankly, if you want clean energy, maybe today we do have capacity, but a few years from now we don't have the capacity to serve our needs. This is good clean power, benefits a lot of downstate communities. If you got a river going through your district, this'll benefit one of your communities, probably in the next decade. I urge and ask for an 'aye' vote."

Speaker Currie: "Representative Wennlund, one minute to explain your vote."

Wennlund: "Thank you, Madam Speaker. If your district is either served by Commonwealth Edison or by Illinois Power, you're going to be going home and answering the bottom line question, 'Who is going to pay for this?' It's either going to be the taxpayers or the ratepayers, and if you live in northeastern Illinois and are served by Commonwealth Edison, it's the same difference. It doesn't make any difference. That's what the majority of the people in this state live, and they're going to end up subsidizing this one way or the other. This is a vote that can really be used against you next year, because they're going to blame you for either number one, higher utility rates, or having to pay the subsidized plans that are located outside of your district and outside of your area. There's only four or five cities affected by this, and if what you're doing is letting the taxpayers subsidize that through tax credit, that's what it is, then you're going to have this issue revisited next year at election time."

Speaker Currie: "Representative Novak, to explain your vote."

Novak: "Ladies and Gentlemen...Speaker, Ladies and Gentlemen. You know, what's been happening in the State of Illinois in

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the last 15 years? How many nuclear power plants...how many nuclear power plants have been constructed? Does anyone in this Body want a nuclear power plant built in your neighborhood or your community? No. Of course not. What's been happening? Do you remember the phrase construction in progress? Why we had all these cost overruns for all these nuclear power plants that have been built, why we have the highest rates in the United States of America when what we pay for electrical service? The highest rates in the country? Why we need to elect a Commerce Commerce Commission? Why we need to bring utility rates under control? This is clean power. This is clean. Pollution free power, derived from a natural resource called water. What better way can we use to generate electricity for our factories, for our homes, for our schools to keep us warm in the winter, to keep us cool in the summer time. This is a great innovation in power, an alternative energy resource to use as we move into the 21st century. The utility company, I spoke to Central Illinois Public Service today, they're off this Bill. They've dropped their opposition. Central Illinois Public Service is not opposed to this Bill. I spoke to one of the representatives today. They are not against the Bill, pursuant to the third Amendment. I please ask for some more green votes."

Speaker Currie: "Representative Hawkins, to explain his vote, one minute."

Hawkins: "I initially was going to oppose this Bill, but I realized that over the years the entire State of Illinois has supported coal, and the generation of coal and I think that it would be hypocritical for us to not realize that there's other parts of the state that want to use other

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forms of energy. This only is only 200 megawatts which if you dammed all of the lakes or the rivers in the state and got all the power you can get, you could only get 200 megawatts. It would not have a significant impact on the coal industry in this state, and I think that we're all one big state, and we all need to work together. Therefore, I change my 'no' vote to an 'aye' vote. Thank you."

Speaker Currie: "Representative Weaver, one minute to explain your vote."

Weaver: "Thank you very much, Madam Speaker. Just to correct a little misinformation that occurred a few moments ago, not less than 30 seconds ago, I checked with a major utility, CIPS in my district, and they are definitely opposed to this Bill, even as amended."

Speaker Currie: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 60 voting 'aye', 39 voting 'no'; and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Black."

Black: "In all due respect to the Chair, I know I called or asked for a verification, citing the applicable rule and joined by the appropriate number of people."

Speaker Currie: "The Chair apologizes, Representative. The Chair forgot. The Chair forgot, and it's now too late. We're now going to go on page 23 of the Calendar...on page 23 of the Calendar...the Chair forgot. On Third Reading appears House Bill 258. Clerk, read the Bill."

Clerk McLennand: "House Bill 258, a Bill for an Act..."

Speaker Currie: "Wait. Representative Daniels, for what reason do you rise?"

Daniels: "Madam Speaker, you must take another roll call on this

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Bill. You cannot sit in that Chair and violate the rights of any Member of this House, whether it be Republican, Democrat, independent or any other Member of this House. You know you have a responsibility to people in the State of Illinois to run this House properly. I will accept your explanation that you forgot and made an honest error in judgment, but you must open that roll call again, giving an opportunity to the people on this floor to cast their vote. Now, we all have different opinions, this is not a Party issue; it's crossing both lines, both sides of the aisle, and it's reasonable to take another roll call and to have this matter heard properly, and I would suggest strongly, in the strongest of terms that I can, that you grant the Members of this House on both sides of the aisle their rights under this example."

Speaker Currie: "Well, the Chair...it does apologize extremely. Really and truly the Chair forgot, and the question is whether it's timely to behave in some different fashion at this point. I'm consulting with the Parliamentarian. Representative Daniels, do you wish to speak again? Representative Daniels."

Daniels: "Yes, ma'am, I do. I have sat in that Chair. I have run this House. I have been in the same position you have. I have made my mistakes as well. It's very simple. You just call the Bill again and you ask people to vote again, and you withhold the explanation of vote, and you let the verification take place. That way, everybody's rights, whether they be for the Bill or against the Bill, are protected. This is a Bill that goes down as a Member's record on how that Member votes on a very, very important issue, and you cannot allow this to continue like that. Madam Speaker, I think there's a very important to the

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treatment of the Chair and the future and the conduct of the running of this House."

Speaker Currie: "The difficulty, Representative, is that the Bill is now passed, and it's hard to pass it a second time. Representative Leitch."

Leitch: "Speaker, having voted on the prevailing side, I move to reconsider House Bill 1249."

Speaker Currie: "Representative Leitch moves to reconsider the vote by which...by which House Bill 1249 passed. On that Motion, Representative...Speaker Madigan."

Madigan: "I rise to second the Gentleman's Motion to reconsider the vote."

Speaker Currie: "You've heard the Motion. All in favor of the Motion say 'aye'; opposed, 'no'. The 'ayes' have it. The Motion is adopted on the Attendance Roll Call. The question is, 'Shall it pass?'...'Shall this Bill pass?' We're then going to go back where we were just a few moments ago to page 23 of the Calendar, on Third Reading, House Bill 258, Representative Phelps. Clerk, read the Bill."

Clerk McLennand: "House Bill 258, a Bill for an Act to amend the Mental Health and Developmental Disabilities Confidentiality Act. Third Reading of the Bill."

Speaker Currie: "Representative Phelps."

Phelps: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I ask leave to return the Bill to Second Reading for purposes of an Amendment."

Speaker Currie: "Does Representative Phelps have leave? Leave is granted. The Bill is now on Second... Your light was not on. Representative Black, do you wish to speak to the Motion to return this Bill to Second Reading for purposes of an Amendment? Representative Black."

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Black: "Madam Speaker, in all due respect to the Chair, I don't think my light's been off for the last ten minutes."

Speaker Currie: "Wrong."

Black: "Well, it must have burnt out again."

Speaker Currie: "Not."

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

Speaker Currie: "State your inquiry."

Black: "A Motion has been made and duly seconded and is now before this Body. That Motion being a vote to reconsider the previous action of this House."

Speaker Currie: "Representative, you missed something. That Motion was adopted."

Black: "My inquiry is, when do you intend to go to that Motion? Why would we go on with business? Why wouldn't we go right to the reconsideration?"

Speaker Currie: "When the Sponsor wishes to get...to call that Bill I believe, and I didn't have an indication from Representative Novak that he was ready to do so."

Black: "Then, what is the status of the Bill in question?"

Speaker Currie: "On Third Reading."

Black: "So, it's the...on the record, Madam Speaker, then the Bill in question that has been duly moved and seconded that we reconsider, that Bill is still on the Calendar and has not passed, correct?"

Speaker Currie: "That's right."

Black: "Thank you."

Speaker Currie: "Does the Gentleman have leave to return this Bill to Second Reading for purposes of an Amendment? Leave is granted. The Bill is on Second Reading. Clerk, what is its status?"

Clerk McLennand: "House Bill 258, Amendment #1 has been adopted to the Bill. No Motions filed. Floor Amendment #2,

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offered by Representative Granberg."

Speaker Currie: "Representative Granberg."

Granberg: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment #2 to House Bill 258 would provide that the...similar to the other day that the office of the Inspector General would have the right to investigate community-based facilities. Any facility that receives state money. It would give the Inspector General the right to do that. The only difference between Representative Olson's Bill and this Amendment...it would not only give the right to the Inspector General, but it would also reorganize the office of Inspector General to make it come under the Governor and take it away from the Department of Mental Health. I believe this is the issue Representative McGann visited the past few years to make the offices of Inspector General independent from the Department of Mental Health, and I would ask for its adoption."

Speaker Currie: "Representative Granberg moves 'do adopt' on Amendment #2 to House Bill 258; and, on that Motion, Representative Wennlund."

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

Speaker Currie: "He will."

Wennlund: "What does this move, Representative Granberg? What function?"

Granberg: "Representative Wennlund, it allows the Inspector General to investigate community-based facilities, any community based facility that receives state dollars. Very similar to Representative Olson's Bill; but, in addition to that, it makes the office of the Inspector General independent from the Department of Mental Health. It takes it one step further. This is similar to what Representative McGann's legislation the previous two years.

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This legislation was worked with by the legislative research unit, and I think a number of DD groups were in support of this legislation this...in fact, they drafted this legislation last year."

Wennlund: "Okay. Thank you very much."

Speaker Currie: "Further discussion? Representative Black."

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

Speaker Currie: "Indicates he will."

Black: "I...forgive me if this has already been asked, Representative, but why...I guess, why are we wanting to create a totally separate office or another entity in this rather large bureaucracy of ours?"

Granberg: "Representative Black, it does not actually change...it creates a separate office...this changes the lines of authority so there would be no...so it would be strictly independent by the organizational charts, so there would be no connection with the Department of Mental Health."

Black: "Where would the line staff chart be? It would be..."

Granberg: "It would come under the office of the Governor."

Black: "Under the office of the Governor. So it really wouldn't save any money, right? I mean..."

Granberg: "No."

Black: "I mean...is there a particular reason, and...you may not wish to share this with me, but is there a particular reason why you want to do this?"

Granberg: "No...yeah, this is the issue Representative McGann has discussed in previous years, and the other DD groups. That way, it would have the effect of making the office of Inspector General completely independent from the Department of Mental Health. There would be no conflict."

Black: "Okay. I...I think I understand what you're attempting to

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do. Thank you very much, Representative, Madam Speaker and Ladies and Gentlemen of the House. I simply rise in opposition to the Amendment, I won't take any more of your time asking for a roll call, et cetera. We'll visit the Bill on Third."

Speaker Currie: "Further discussion? Representative Olson."

Olson: "Thank you, Madam Speaker. I rise in opposition. Yesterday morning on Mental Health Committee Bill 256, there was an effort to remove some provisions relative to the office of Inspector General. The Sponsor of this Amendment sponsored that Amendment. It kind of reminds me of some days back in my youth. We used to have a pick-up basketball game once in a while, and say, Johnny brought the basketball to the game. As the game progressed, Johnny's team was losing. He stomped off. The game ceased. Shortly, Johnny came back. He picked up his basketball and went home. That's what we're looking at here, I believe. The results of yesterday's debate on the Inspector General, I use the Andy McGann and his efforts to change the office of Inspector General to remove it from the Department of Mental Health and Developmental Disabilities. That was a lengthy process; it lasted about two months. There was some agreement at that time. The agreement was that the office would be removed in this fashion. The department director would no longer hire the Inspector General. He would be appointed by the Governor. After that time, the Inspector General would report to the Governor and the General Assembly, but the office and its functions were continued to be financed out of the budget of the Department of Mental Health. There were reasons for that. We didn't have to create a separate agency, a new agency, as this particular Amendment I believe will do. It

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did other things. It allowed the Inspector General as it went around to facilities in this state to use and have access to records without special effort to do so. In a sense, the office remained an employee. They could go into any facility and be accommodated by looking at records and such. I believe, and I would like to ask Representative Sheehy to be attentive here. I believe what this really does...I believe what this really does is gets the Inspector General in a position where they cannot go in those community facilities as this Body agreed to not unanimously but by a very large vote yesterday morning. I ask all of you to remember yesterday morning's discussion, remember how you voted, and vote to defeat this Amendment as we defeated a similar Amendment on House Bill 256. This is...this is just coming back. I won't call my good, swedish friend...we're the only two in the Scandanavian Caucus left in this General Assembly, I believe, but if...I think he's Johnny and picked up his basketball and wants to go home. He didn't like yesterday's...yesterday's defeat on a similar issue. Let's have a 'no' vote on this and get things back to where we were yesterday. Thank you very much, everyone."

Speaker Currie: "Further discussion? Representative Walsh."

Walsh: "Thank you, Madam Speaker. As I said yesterday, Representative Granberg, this was a Bill that was agreed upon in our subcommittee. This subcommittee had Members of both parties on it and agreed on everything that was in it. Now, you're making changes to that, and so I rise once again in opposition to that. From what I've heard also, as far as the office of Inspector General goes, people are genuinely happy with how it's running. They're happy with the job that the Inspector General is doing. That's people

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that have loved ones that are in the facilities and that care about this. So once again I have to rise in opposition to this, but I point out for the main reason that we did agree on this Bill in subcommittee, and that the agreement had bipartisan support. Thank you."

Speaker Currie: "Further discussion? Representative Granberg, to close."

Granberg: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Let me address the concerns that were raised by my good Swedish friend, Representative Olson, and try to address those. Yesterday, we talked about the office of Inspector General, and Representative Olson, that is right. I was concerned that there were not enough resources to do state facilities. We are not in objection to the office of Inspector General looking at community-based facilities. That is not the objection. What we're worried about is the potential conflict. This does not cost money. This does not physically change where the office of Inspector General is, it simply clarifies the line of responsibility. It tells you that the Department of Mental Health is not in control of the office of Inspector General. It merely says that. It allows the office of Inspector General to investigate community-based facilities as your legislation, and it goes one step farther. In fact, this legislation was originally drafted by the Mental Health Association. This is originally sponsored by the Mental Health Association, because they, too, were concerned that the office of Inspector General was not totally independent. This does that, because we're worried about residents and the potential conflict of interest. This takes the office of Inspector General and merely puts it underneath the Governor. It changes the organizational chart so that the

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office of Inspector General is clearly without equivocation, is clearly independent, and I would ask for its adoption."

Speaker Currie: "Representative Olson, for what reason do you rise?"

Olson: "Point of inquiry of the Chair. Is this Bill, House Bill 258, on the Special Order as it was in the Calendar this morning?"

Speaker Currie: "It was on page 23 of the Calendar, Representative."

Olson: "But was it on the Special Order that we've been adhering to for the last week and a half?"

Speaker Currie: "We'll check that and get back to you."

Olson: "No, let's look right now. Is it on the Special Order that we've been adhering to for the last week and a half?"

Speaker Currie: "Representative, it's on the Calendar. So the question is... We'll get an answer to that for you. Representative Granberg has closed, Representative Weller, so it's a little late. The question is, 'Shall Amendment #2 be adopted to House Bill 258?' All in favor say 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Currie: "Third Reading. The next...if...perhaps you would have been wiser to speak into your microphone if you had a particular inquiry. In the meantime, on page...on page 15 of the Calendar, on Second Reading, appears House Bill 1576, Representative Dunn. Clerk, read the Bill."

Clerk Rossi: "House Bill 1576, the Bill has been read a second time previously. Amendment #1 has been adopted to the Bill. No Motions filed. Floor Amendment #2, offered by

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Representative Dunn."

Speaker Currie: "Representative Dunn."

Dunn: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I hope word is received by the other side of the aisle, Amendment #2 is an agreed Amendment. Amendment #2 is an agreed Amendment by all parties, and I would move for adoption of Amendment #2."

Speaker Currie: "Representative Dunn moves 'do adopt' on Amendment #2 to House Bill 1576; and, on that Motion, Representative Black. Representative Black? Representative Wennlund is not Representative Black. Representative Wennlund doesn't even have his light on. Representative... No further discussion on the Motion to adopt Amendment #2 to House Bill 1576, all in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments."

Clerk Rossi: "No further Amendments."

Speaker Currie: "Third Reading. On the Order called Civil Justice, Third Reading, appears House Bill 97, Representative Lang. Clerk, read the Bill."

Clerk Rossi: "House Bill 97, a Bill for an Act relating to corporal punishment. Third Reading of the Bill."

Speaker Currie: "Representative Lang."

Lang: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. House Bill 97 is a ban on corporal punishment in our public schools, and I want to admonish the Body that this is public schools only. Previous years we voted on this legislation, and the legislation that was before the Body previously dealt with all schools in the State of Illinois, public and private. Private schools, religious schools, fraternal schools, all other schools have been taken out of this Bill except public schools. The Bill would provide

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that parents or guardians shall not have been deemed to have delegated to teachers and principals and administrators the authority to impose corporal punishment on their children. This is supported by many, many organizations, but I do want to highlight a few: The American Academy of Pediatrics, the American Bar Association, American Medical Association, American Psychological Association, National Association of Social Workers, National Education Association, National PTA and the IEA in Illinois. We should not be turning over to other people the right to hit our children; it's just that simple. Most states in the country have this law, and they have it because organizations such as the National Association to Prevent Child Abuse and the Psychologists of America and the Social Workers of America believe that it is counterproductive to children's growth and to their learning in school to be smacked by children and to be hit by administrators with their hand, with paddles and with other items. Sometimes children are hit with paddles in the wrong place. After all, teachers and administrators are not trained to hit children, but we have allowed them to do that, and so sometimes a child is hit so hard or so much in the wrong place that they are injured to the point where if a parent did it in the home, it would be considered child abuse by a parent, and a parent could be arrested, but a teacher cannot be, and an administrator cannot be, and believe me, the teachers don't want this right. They don't want to hit your children; they don't want to hit my children. Parents should be administering their own discipline in their own homes. Let me also point out that this Bill provides that where force is necessary to save another child or for self defense or because an

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unruly student is committing violence on someone, that just as today any means necessary that's reasonable to stop that violence can be accomplished. Now, some of you are going to stand up and say, 'Whoa, we've got some schools and some kids in some areas and the only way to control these kids is to hit 'em.' Bunk. Hitting kids does not accomplish anything. All of the literature, all of the literature says that hitting children is not productive. It's counterproductive. They grow up thinking that violence is a way to solve problems. They grow up thinking that violence is a way to deal with the problems of life. They grow up thinking that teachers are people they can't trust. They grow up thinking they can't go to their parents with a problem, and they grow up thinking that the educational system is a place where they are going to get hit, not where they're going to learn. This is a critical Bill, for the growth of children in the State of Illinois, and I would urge your 'aye' votes."

Speaker Currie: "It's the Chair's intention to take one opponent, and for all the rest of you who have either proponent or opponent remarks, the Chair would welcome your comments on explanation of vote if that's satisfactory with you all. For the single chief, loudest opponent, who wants to raise his or her hand? Representative Parke looks enthusiastic. Representative Parke."

Parke: "Indeed, Madam Speaker, it is a pleasure. I would like to ask the Speaker...I mean, the Sponsor of this Bill, isn't this another state mandate onto local schools? I mean, purely and simply isn't this another mandate?"

Speaker Currie: "Representative Lang."

Lang: "If you're telling me that you're concerned that this is a mandate not to hit children, yes, it's a mandate, and I

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challenge you to vote for this mandate not to hit children."

Parke: "Well, I enjoy your enthusiasm with which you're presenting this Bill, Representative Lang, but it's still...is another mandate, and again, don't you think logically, Members of the Body, don't you think it's logical that a local school board, who's entrusted with the decision making process, that is elected to make those kinds of decisions ought to be making those decisions? To the Bill, Ladies and Gentlemen. The Sponsor has taken out public...I mean private schools, church schools, and now this only applies to every school district in the State of Illinois. Now, beating up on a child certainly is unacceptable by any stretch of the imagination, but there are certain things that sometimes a local school board has to decide for themselves, and if they feel that that school district, by virtue of those people who elect them, think that whatever procedure they can do within the limits of the law, they ought to be able to do, and if this is such a terrible idea, then let the Chicago school districts decide that they want this, let the Cairo school district decide that they want this, that is their decision. It is not us to continue to tell every school district that they are to do what big brother, the State of Illinois wants to do. Now, certainly the Sponsor's impassioned with this legislation, and I don't blame him, but the fact of the matter is, this is an individual school district's responsibility. Every time we turn around, we are taking away the rights of somebody or some group or some state body. I think it's time that we let the local school districts make the decisions, and let them decide this, and I would ask that we vote 'no' on this Bill."

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Speaker Currie: "Before we go to the roll call, the Chair has two announcements. First, Democratic management is offering the Democratic Representatives submarine sandwiches, expected to arrive shortly after 7:00 in the Speaker's conference room. The second announcement from the Chair is that you have ten minutes, eight minutes in which to turn in your change of vote sheets on Agreed Bill List 2. The question is, 'Shall House Bill 97 pass?' All in favor vote 'aye'; opposed vote 'no'. Voting is open. In explanation of vote, Representative Black. Representative Black. Homer, 'aye'."

Black: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. I have a great deal of respect for the Sponsor of this Bill, and he has made some changes in it, and I have a lot of respect for all of those entities that have signed on to the Bill this year. My only objection is what I've made the last two years. Most school districts, not most, all school districts have legal counsel. They operate under an elected board of school board members, and they can decide these matters of policy however they see fit. I don't know of a school district that doesn't have a written policy on corporal punishment. Any parent in this state can sign a slip of paper, put it on file in that school district, and their child may not be disciplined in a public school. You must have witnesses, you must have a student rights and responsibilities handbook. There isn't someone wandering around the halls of any public school in this state with a paddle looking for someone to hit, and you dare not hit any child with a bare hand. That wouldn't be tolerated for a second, and all of you in here know that. You would suffered the consequences of legal action if you were foolish enough to

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do that. The fundamental question is this, 'Should the locally elected school board make the policy to abolish corporal punishment or should the State of Illinois make the policy to abolish corporal punishment?' I still have a degree of trust and confidence in our locally elected school boards, and that's why I vote 'no' on this Bill."

Speaker Currie: "Representative Persico, to explain his vote."

Persico: "Thank you, Madam Speaker and to the Bill. I rise in support of this Bill for a variety of reasons. In all due respect to the previous speaker, this Bill is much needed. If we're abhorred every day...we pick up the newspaper, watch the news, listen and hear about child abuse and violence in the street, well this is an opportunity to set good public policy and do something that's right. Sure it's a mandate. Everything we do down here is a mandate, but this is a mandate that will not cost the State of Illinois any money or the local school districts. Now, I've been teaching for 20 years in my classroom. I've never had the inclination nor the need to use corporal punishment in my classroom. I've never been taught in all the undergrad or graduate courses in education how to use corporal punishment in the classroom. I've been taught eye contact, get off your seat, walk around the room, have good lesson plans, that's how you maintain discipline in the classroom. I hope that this Body, the House of Representatives, will be as enlightened as the Senate was yesterday when they passed this Bill out of the Senate with..."

Speaker Currie: "Do you want to bring your remarks to a close? Finished. Representative Turner, one minute to explain your vote."

Turner: "I had wanted to ask the Sponsor a question, and that is,

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if I give my teacher or my child's teacher permission to hit him, where would I stand in this legislation if this Bill passed?"

Speaker Currie: "Representative Lang, we'll break the rules long enough for you to answer that question. Representative Lang."

Lang: "The Bill would ban corporal punishment. You cannot turn that right over to another individual."

Turner: "I'm opposed to that Bill. I think that that ought to be an agreement between me and the teacher. I think that corporal punishment works. I don't necessarily say it's...I don't know why I say corporal punishment. I think the teacher ought to have the ability to do whatever is necessary to make...to get that child's attention, and I am opposed to this Bill, and I have no problems in going on record as saying such."

Speaker Currie: "Representative von Bergen-Wessels, one minute to explain your vote."

von Bergen-Wessels: "Thank you, Speaker. We just voted for a bunch of enhancements for violent behavior. In this society, we say we will not tolerate violent behavior, and now, there are those in this chamber who would like to say we will tolerate violent behavior as long as it's perpetrated on our children. It's wrong. Violence begets violence. When we ought to say we're gonna have an end to violence, We'll say we'll have an end to violence against our children. I would urge you to support this Bill."

Speaker Currie: "Representative Deering, one minute to explain your vote."

Deering: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. You know the last couple of weeks we've voted on...the best interest of the kids, and we asked these...we

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send our kids to school hopefully that they will get educated and they'll be taken care of and now we're saying that we want to ban the corporal punishment. I didn't support this Bill last year, but I support this Bill this year because of one solid fact. Many of us have prisons in our districts and the prisoners can beat the hell out of the guards, but the state won't let the guards take any kind of physical action against the prisoners. What's the difference? It's better to ban this from schools as we have banned it in other state institutions. I hope that more of my colleagues will put some more 'green' votes on this Bill."

Speaker Currie: "Representative Biggins, one minute to explain your vote."

Biggins: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. I...taught four years on the west side of the City of Chicago and during...in Representative Turner's district as a matter of fact, and during that time I was teaching African-American students, and while I was on the Chicago Bo...in the Chicago Teachers Union and a teacher in that system, those African-American parents often would introduce me to their children the first day of school with the request to...and sometimes the order to do whatever it takes to make sure their child does not disrupt the classroom and takes...has acceptable behavior to get the best education they can. And sometimes as a former teacher, and being reminded of it with some of my colleagues on the other side of the aisle in the last few seconds, a few minutes, few seconds left, it is necessary and advised and with the parents approval to squeeze an arm, do a little something or you just touch them a little bit. I voted 'no'."

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Speaker Currie: "Representative Davis, one minute to explain your vote."

Davis: "Thank you, Madam Speaker. I'd like to explain my vote to the Sponsor. I know he's very well-intended; however, I don't think that the state should tell each district how to handle discipline in their particular district. I think it should be based upon what that particular school board wants, based upon the problems they have and what works for them. It's just like going into a family saying, 'Well this punishment is best for your group' and this punishment, because what works best for you, it should not be perpetrated on all the rest of the students in the State of Illinois. I think it should be left up to the school. In Chicago, it's against the law to hit children in the Chicago public schools. That's the decision that they have made. In other districts when that is not the decision I don't think the state should pretend to know what is best for all school districts in this issue, and that's why I have a 'no' vote."

Speaker Currie: "Representative Hoeft, one minute to explain your vote."

Hoeft: "For 25 years I have strongly argued for corporal punishment in the schools as one of the needs or one of the local decisions that a school board or a school could advocate. Times have changed. I have done a good deal of research on this subject and all the researchers said, I was wrong. Times have changed. I have changed. I would strongly advocate for the children of this state in the same policy of no corporal punishment."

Speaker Currie: "Representative Biggert, one minute to explain your vote."

Biggert: "Madam Speaker, to explain my vote. As a former school

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board member, when I was sitting on a school board, we were always saying, 'Why, why is the state telling us to do all these things?' I think this issue belongs at the local level. Thank you."

Speaker Currie: "Representative Giolitto, one minute to explain your vote."

Giolitto: "Thank you, Speaker. ...I would just like to really commend the Sponsor of this Bill. I think it's incredible that we're still doing this primitive act in our schools today. I really truly believe that we've got to teach our children how to solve problems without violence. No wonder there's so much violence. No wonder there's gang activity. No wonder we have all these problems, when the only way we can solve problems with children is to hit them and beat them. I think it's archaic, and I think it should be stopped, and I think it's an excellent Bill, and that's why I'm voting for it."

Speaker Currie: "Representative Lang, one minute to explain your vote. Timer began without you. We'll start without you."

Lang: "Thank you, Madam Speaker. Firstly, let me say to those that are concerned about mandates here for anyone that would be, the IEA is for this Bill. The IEA who is very concerned about mandates is for this Bill, so that should change a few votes right off the top and to the earlier speaker who was talking about... It sure did. And to the earlier speaker, who was talking about...about these kinds of changes, one of the speakers was talking yesterday, when we were talking about abortion, that surgery, this kind of surgery was the only surgery where parents aren't told by the children what's going on. Well, let me tell you that schools are the only institutions in America where striking somebody is allowed by law. It's not allowed in prison.

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It's not allowed in the military. It's not allowed in mental hospitals, but for some reason we're allowed to strike our children in the schools. Parents should do their own job at home and not leave it up to the teachers to hurt children. Change your votes."

Speaker Currie: "Representative Morrow, one minute to explain your vote."

Morrow: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. You know it's ironic that some of the people who are saying, 'Oh, don't slap Johnny on the wrist in school' are saying, 'Don't slap 'em on the wrist in school, but let's put him in jail.' Many of you who are not voting to ban corporal punishment didn't want to slap Johnny on the wrist when he was little, it might have turned him around, but when Johnny gets 16 and Johnny commits a crime you're saying, 'Oh, we're really going to slap you on the wrist? We're gonna give you an enhanced penalty and we're gonna lock the door and throw the key away.'"

Speaker Currie: "Have all voted who wish?"

Morrow: "Lock 'em up."

Speaker Currie: "Have all voted who wish? The Clerk will take the record. On this Bill, there are 61 voting 'aye'... Representative Turner."

Turner: "Verification. I'd like to have a verification on this Bill."

Speaker Currie: "Okay, the...the Chair remembers. Sixty one voting 'aye', 44 voting 'no', and...the...Representative Turner requests a verification. The Clerk will read the...absences...absentees."

Clerk Rossi: "Poll of those not voting. Representative Ryder. Representative Wojcik."

Speaker Currie: "Representative Weaver asks leave to be verified,

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Representative Turner. Representative Turner, does Representative Weaver have leave? Representative DeJaegher? You have your light on, Sir. I'm sorry I missed you. Poll of the affirmative."

Clerk Rossi: "A poll of those voting in the affirmative. Balanoff. Balthis. Blagojevich. Brunsvold. Bugielski. Burke. Capparelli. Cowlshaw. Cross. Curran. Currie. Dart. Deering. DeJaegher. Deuchler. Dunn. Erwin. Flowers. Frederick. Frias. Gash. Giglio. Giolitto. Hartke. Hassert. Hawkins. Hicks. Hoeft. Homer. Kaszak. Kotlarz. Krause. Kubik. Lang. Laurino. Levin. Lindner. Lopez. Martinez. McAfee. McGuire. McPike. Meyer. Moffitt. Moore, Andrea. Moseley. Mulligan. Novak. Ostenburg. Pankau. Persico. Prussing. Ronen. Santiago. Saviano. Schakowsky. Schoenberg. Sheehy. von Bergen-Wessels. Weaver. Mr. Speaker."

Speaker Currie: "Questions of the affirmative? Representative Turner."

Turner: "Yeah. Representative Preston?"

Speaker Currie: "The former Representative is not recorded as voting. Further questions?"

Turner: "Representative Weaver?"

Speaker Currie: "No he...you gave him leave to be verified."

Turner: "Representative Flowers?"

Speaker Currie: "Representative Flowers. Is Representative Flowers in the chamber? Representative Flowers? Remove her from the roll call. Further questions?"

Turner: "Representative Balthis?"

Speaker Currie: "Representative Balthis. How is the Gentleman recorded? No, he's right there in the middle aisle."

Turner: "Representative Capparelli?"

Speaker Currie: "Representative... Representative Flowers has

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returned. Please return her to the roll call voting 'aye'.
Representative...Representative Flowers wishes to be
recorded as voting 'no'."

Turner: "Representative Curran?"

Speaker Currie: "Representative Curran. Representative Curran?
Representative Curran is in his chair, but you have a
request of Representative Capparelli."

Turner: "Right."

Speaker Currie: "Representative Capparelli? Is Representative
Capparelli in the chamber? Remove him from the roll call
please. Further questions?"

Turner: "Representative Laurino?"

Speaker Currie: "Representative Laurino? Representative Laurino?
Representative Laurino is not in the chamber. Remove him
from the roll call. Further questions?"

Turner: "Representative Santiago."

Speaker Currie: "Representative Santiago? Representative
Santiago? He's not in the chamber. Remove him."

Turner: "Representative Meyer."

Speaker Currie: "Representative Meyer? Representative Meyer? Is
Representative Meyer in the chamber? Remove him."

Turner: "No further questions, Madam."

Speaker Currie: "This... Representative Phelan wishes to change
his vote from 'present' to 'aye'. Are there further
changes? Representative Meyer has returned. Restore him
to the roll call voting 'yes'. Further changes?
Representative Biggert? Representative Biggert changes her
vote to 'aye'. Any further changes or rearrivals in the
chamber? Representative Meyer? You've been verified;
you're safe. Is there any further, further changes?
Representative Clayton, for what reason do you rise? You
wish to change your vote from 'present' to 'aye'."

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Clayton: "That's correct, Madam Speaker."

Speaker Currie: "Representative Clayton votes 'aye', votes 'aye', and on...on this Bill there are 60 voting 'aye', 44 voting 'no'; and this Bill, having received the required Constitutional Majority, is hereby declared passed. Next Bill is House Bill 141, Representative Schoenberg. Representative Schoenberg. Clerk, read the Bill."

Clerk Rossi: "House Bill 141, a Bill for an Act in relation to offenses involving motor vehicles. Third Reading of the Bill."

Speaker Currie: "Representative Schoenberg. Just before you start, Representative. It is now ten minutes past seven. You are all to have had your blue change of votes sheet in by 7 p.m., but the Chair will graciously give you 30 more seconds if any of you have not yet turned them in. Rush to the Clerk at the well, turn them in, and your votes will be changed. Representative Schoenberg."

Schoenberg: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 141 amends the Illinois Vehicle Code. It provides that it's a Class IV felony for anyone to operate a motor vehicle who's been under the influence when their license or driving privileges have been suspended, revoked, invalidated or denied as a result of...as a result of non-administrative violations. I...the...when we...this...it's been amended to...to remove provisions which...called for seizure, and I'd be happy to answer any questions."

Speaker Currie: "Representative Schoenberg moves 'do pass' on House Bill 141. Does anyone rise in opposition? Anybody, one individual rising in opposition, Representative Parke."

Parke: "Madam Speaker, Ladies and Gentlemen of the House. I...I'm...I have an inquiry of the Chair. Has...Amendment

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#3 been adopted on this Bill?"

Speaker Currie: "Clerk, can you tell us whether Amendment 3 has been adopted on this Bill?"

Clerk Rossi: "Amendment #3 has been adopted to the Bill."

Speaker Currie: "Representative Parke. So, does anyone rise in opposition to this Bill? Representative Black?"

Black: "Thank you very much, Madam Speaker. I have an inquiry of the Chair that involves another Member of the House. There's been a case quoted and I'm not a lawyer, but it's the 'People versus Lindner' and I wanted to know if Representative Lindner would tell me whether this case violates that or did you say you were a part of that or you were not a part of that?"

Speaker Currie: "She said no Lindner she knew was involved in that case. Not a single one."

Black: "Oh, I misunderstood her. As long as she's not involved in it, then I guess I don't have a question."

Speaker Currie: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record; and on this Bill, 112 voting 'aye', 0 voting 'no'. This Bill, having received the required Constitutional Majority, is hereby declared passed. On the Order of Civil Justice, Third Reading, House Bill 160, Representative Lang. Clerk, read the Bill."

Clerk Rossi: "House Bill 160, a Bill for an Act to amend the Illinois Human Rights Act. Third Reading of the Bill."

Speaker Currie: "Representative Lang."

Lang: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 160 would ban certain discrimination in private country clubs, and I say certain discrimination because there's some information out there on the House

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floor that's not correct and we have to make sure you understand exactly what this Bill does and exactly what the Bill doesn't do. It prohibits discrimination in private country clubs under very specific circumstances. Firstly, the club has to have more than 100 members; secondly, religious clubs, fraternal clubs, charitable clubs are all exempt; and finally, this Bill is designed to cover a very specific situation and that situation is: Where a club allows non-members to use its facilities for pay. They would then not be allowed to say, 'Well you can't be a member', so if a club that doesn't allow Jews or blacks, allows Jew and blacks just to drive in and go into the cafeteria and eat or to rent out the ballroom for a wedding or a Bar Mitzvah and pay the club for that. It's kind of ridiculous for the club to then say, 'We'll take your money, you can eat here; we'll take your money, you can have your Bar Mitzvah or your wedding in the ballroom, but now you...even though you otherwise qualify you can't be a member. We won't allow blacks or we won't allow Jews or we won't allow Catholics or we won't allow women'. It's only to cover that very specific circumstance. There was an Amendment put on the Bill to exempt payments for charitable situations, so that if a country club rented out its...its meeting room or its ballroom to the local police department for a charitable event, that's exempt. If an employer, who's a non-member, pays the dues for a member, that's exempt. So it's a very specific situation, and if you think of it logically, it makes no sense whatsoever to say to a human being, 'You can eat in our cafeteria. We'll take your money, but even if you're willing to pay us the money, we will not let you play on our golf course and we will not let you join our club'. That's what this Bill is

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designed to address. That's all it's designed to address. Please hear me, that's all it's designed to address. That's all the Bill does. The country clubs that have been concerned about this helped write the Amendment. The country clubs that have been concerned are taken care of, and so to be honest with you, I might like to go farther than this Bill. I might like to ban all discrimination in all private clubs, but I haven't done that and so if a club in your community is concerned about this Bill, tell them that even if this Bill passes, if they discriminate and if they completely discriminate, if they bar all Jews and all blacks and all Catholics and everybody they want to bar and never let them in any part of the club, they're not covered by this Bill. They can continue to do that. This Bill just covers the single situation, where people are allowed to use some of the facilities in the club for pay, but not the rest of the facilities. It's a very logical Bill. It's a Bill about human rights and human dignity, and I would recommend 'aye' votes."

Speaker Currie: "Representative Lang moves 'do pass' on House Bill 160; and, on that, does somebody stand in opposition? Representative...Representative Black."

Black: "Thank you very much, Madam Speaker. As I indicated to the Sponsor of this Bill some time ago, in all due respect to him and the Chair, many of my Members have asked me to rise pursuant to Rule 10(e). I'm joined by seven Members on my side of the aisle, who are standing or showing by show of hands, that they want this Bill taken off 'short debate'."

Speaker Currie: "The Bill is off 'short debate'. The Bill is on 'regular debate'. Now, does anybody rise in opposition? Representative Biggert."

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

Speaker Currie: "He indicates he will."

Biggert: "Representative Lang, you...when we discussed this Bill in committee, you mentioned that this had been before this General Assembly in previous years, this type of Bill?"

Lang: "The Bill was in front of the General Assembly previously; however, it's never been voted on. It did get out of committee, but to my knowledge, it was not voted on the House floor last year."

Biggert: "Was that Bill that was in committee last year in the same form that it's in now?"

Lang: "No."

Biggert: "...What was included in it then that is not included in it now?"

Lang: "It's actually the other way around. Last year's Bill was...only covered clubs of larger than 400, but when we took a look at that, we found out it didn't cover very many clubs. Secondly, this Bill has a much stronger exemption for religious and fraternal organizations and for charitable organizations and with the Amendment, it also cuts out the situations I delineated earlier where a charitable organization in the community wishes to use part of the facilities, that would not kick in the discrimination portion of the Bill."

Biggert: "So, the Amendment addresses the issue of where a club would have, for example, a golf outing for a hospital...would not come within the terms of this Bill?"

Lang: "You are correct."

Biggert: "All right."

Lang: "Any charitable function at the club would not come under the terms of the Bill."

Biggert: "All right. What about someone coming to the club and

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having a few people for dinner where they discuss business?"

Lang: "If...if the...if they are brought in by a Member, then there's no problem. This Bill doesn't say that non-members can't ever use the club. It says that if non-members are allowed to use the club and pay, then the provisions of the Bill kick in. So, if you are a Member of a club, Representative Biggert, and you bring...20 Members of the General Assembly with you and you pay the check (and I'll be glad to go with you), then that does not make the provisions of the Bill alive."

Biggert: "Well, is there a reason for this Bill to draw this so tightly as far as 100 Members or to have a very specific club? What I'm thinking of, is why was the benevolent or the religious groups taken out, or the Elks or the Moose? Weren't they originally in the Bill last year?"

Lang: "They were in the Bill...they were in the Bill last year, but just as on my previous Bill, I...I took out private schools relative to the corporal punishment Bill. I felt that I would rather take a small bite of a large apple and accordingly to take care of some of the opposition in the previous Bill, I made some changes. This is still a good Bill. It still covers some very important issues and I want to add at this point, that it's a national agenda item of the Antidefamation League and the American Jewish Conference."

Speaker Currie: "Proceed."

Biggert: "(inaudible)...we're talking about all kinds of...of small social clubs and not just the country club, and I think that the Representative is picking on a very small group for a very...what I...I think is probably a personal reason and I think that we should really consider what

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we're doing and I would be opposed to this Bill."

Speaker Currie: "Further discussion? Representative Schakowsky."

Schakowsky: "Thank you, Speaker and Ladies and Gentlemen of the House. I feel very strongly about this legislation. I'm on the Governing Council of the American Jewish Congress, which is strongly backing this legislation and it represents many, many years of...a situation where...that many Jewish people have been in where, 'Well, we're good enough for you to take our money at a club, but we're not quite good enough to join' and this is a situation that would address that and end the kind of discrimination that...not only people of my religion, but many other minorities have been facing for a very long time and I would hope that this Body would stand against that kind of discrimination today and vote for this very important piece of legislation."

Speaker Currie: "Further discussion? Representative Roskam."

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

Speaker Currie: "He indicates he will."

Roskam: "Representative, it seems to me like you're saying that if you discriminate a whole lot, under the Representative Lang theory, then it's okay and if you discriminate a little bit, it's not okay. Can you clear that up for me and I'm asking you that question honestly? I...I've spoken with you on the floor on this. ...I'm not a country club member, wasp that I am. I am not a country club member, but I...I'm a...I think I represent a lot of country club people, but that seems a little bit bizarre to me. Can you speak to that?"

Lang: "Sure and that is exactly what it sounds like, but understand why it has to be done. I... We all know, let's be honest, I can't stand on the floor of this House now and

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have a two-sentence Bill that says it's illegal to discriminate in private country clubs, period. It will never pass, you know it won't pass; I know it won't pass, so I'm trying to carve out a small chunk of this apple and this chunk says, it talks about the simple logic of a situation where a person who can't belong as a member to a club is allowed to spend money at the club for other reasons, so they can use the cafeteria, they can maybe play tennis and pay a fee, they can rent out the ballroom and spend thousands of dollars, but then the Board of Directors of that club says, 'Well, we'll take your money for those reasons, but we're not going to allow you to be a member here'. That's illogical. It's insulting. It's degrading, and if that's the only bite of the apple I can get, that's the bite I'll take."

Roskam: "Thank you. I appreciate your candor. To the Bill..."

Speaker Currie: "Proceed."

Roskam: "I'm...I'm sympathetic to the notion...but as I argued yesterday in the abortion access Bill and some of these other things that tend to narrowly carve out one area, I'm troubled with that, and for that reason I rise in opposition to the Bill. Thank you."

Speaker Currie: "Further discussion? Representative Black."

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

Speaker Currie: "He indicates he will."

Black: "Representative, under your Bill and I'm looking at correspondence from a constituent of mine, who is president of a country club, of which I am not a member. He poses several questions to me that I can't answer. For the past several years, this club has hosted the last round of the city golf tournament, all of the participants of whom are

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normally non-members. Would such an activity put this club in jeopardy of falling under this Bill?"

Speaker Currie: "Representative Lang."

Lang: "There is no intention that it would. If some tech review person tells me the Bill does not cover that, we'll cover that in the Senate. You have my word, Representative. There is no intention to cover that whatsoever."

Black: "One of his other questions is as follows. For approximately five years the club has hosted the Illinois State High School Golf Tournament in the fall of each year. The club gives up the use of its course and facilities for approximately three days. If they continue to do that, would they be in danger of being classified as a place of public accommodation, rather than a private club?"

Lang: "My answer to that is, 'No, it would be the same situation as I suggested earlier where a local police department might want to rent out the facilities for a charitable event for the police department.' I find that to be no different at all."

Black: "Thank you very much, Representative. Madam Speaker, to the Bill."

Speaker Currie: "Proceed."

Black: "I can appreciate the sincerity of what the Representative is attempting to accomplish in his legislation. It has been amended and, in all due respect to the Sponsor, I think the Amendment putting in certain exceptions makes this a very complicated piece of legislation. I appreciate the Gentleman's answers that it isn't his intent to disallow a private club to do things like host a high school golf tournament or to host a city golf tournament or to even host as this club will do in September, The Illinois Women's Golf Association Tournament. None of

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those players would be Members of that club. However, I think you could agree that the president of this club is very concerned with the potential interpretation of this law by judicial decree in out years, subsequent years. I would...I would say, and the only reason I stand in opposition to the Bill, I would think what would happen in the event of these private clubs that in many of our smaller communities, perhaps have the only golf course or the only outdoor swimming pool of any size or substance and who have for years let local high schools and other activities go on there. I think their council would probably tell them to stop that and go to a members-only policy, so that they would not perhaps face legal action that they could ill-afford or certainly would not wish to face. So it's for that reason and that reason only, saying that in the overall scheme of things there is a rather large area here that is not clearly understood, I intend to vote 'no' on the Bill."

Speaker Currie: "Further discussion? Representative Stephens."

Stephens: "Well, thank you, Madam Speaker. Given the history of this Legislative Session, it makes me wonder sometimes why I'm standing here and the Gentleman from Skokie's Bill in defense of his Bill. We've had our differences over the year already with his opinion of my clogging the system, and...but I'll put that aside. I think that this matter is a lot more simple than those of you who are speaking in opposition want to make it. This is simply a matter of decency and fairness. If you're willing to take their money, then you should be willing to take their membership. It is not as complicated as has been referred to. I...I stand in support of the Gentleman's Bill, and I think we should limit the discussion here and move this Bill to the

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Senate."

Speaker Currie: "Further discussion? Representative Flowers."

Flowers: "Mr. Speak...Madam Speaker and Ladies and Gentlemen of the House. It's not often time that I find myself agreeing with Representative Stephens and I'm kind of worried myself, but on a more serious note, I personally would not want to be anywhere where I'm not wanted, but I still want it to be my choice if I so choose to go there, that I'm free to do so and it just appears to me that these private clubs want to have it both ways, they want to have their cake and eat it, too. My money is good enough for me, for you as far as my parties and my baby showers or whatever, but I am not good enough to sit next to you in your little private club for dinner or what other entertainments you may have. And, you know, last night we had this big old fight about you know parental choice, this, that and one another, and we as adults, I think in the 21st century, we need to kind of move beyond this and you need to understand that if a bomb were to drop here today, it would take all of us away, not a certain group of us, but each and every last one of us is in jeopardy here. I truly wish that we would be a little more open minded and support this Gentleman on his Bill. Thank you very much."

Speaker Currie: "Further discussion? Representative Parcells."

Parcells: "Thank you, Speaker. Would the Gentleman yield for a question?"

Speaker Currie: "He will."

Parcells: "Representative Lang, I...I have a question and this is a legitimate question. I realize that if I go, let's say, to a tennis and golf club and I play tennis or golf with a friend who is a member, I'm a guest, that's fine. I don't get to join her club, just because I played tennis there,

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now what if she says to me, 'You may have your...I'm not a member of a country club; therefore, you may have your daughter's wedding reception at my country club.' She gets billed for it, I reimburse her. Where does that sort of a thing stand?"

Lang: "Well, that would be maybe a fine way to circumvent the intent of the Bill. It would seem to me that that should kick in the Bill."

Parcells: "Well, that...I mean that does happen a lot, people that aren't in clubs. Now the people who come are guests and they're not spending any money at the club; therefore, they are guests that perhaps even the person who is a member isn't at the wedding. They could have been out of town or something and I wanted to know what your intention was there."

Lang: "My intention is to cover that. Let's look at the logic. If the members... It's really a sham. Really a sham. The member is receiving money from the non-member, so the non-member can use the facilities. Under...under the purpose of the Bill, that should be covered. I would not suggest to you that that shouldn't be covered; it should be covered."

Parcells: "Okay, but you don't think it is at this point. You don't think it is at this point?"

Lang: "No. ...Under the Bill, the way I read it, the situation you've outlined where a member rents the hall for the non-member and the member pays, but really the non-member pays the member back, that should be a discriminatory practice under this Bill and is."

Parcells: "But, you think it is not the way the Bill is written?"

Lang: "No, I think it is."

Parcells: "You think it is. Okay. Then the next thing I wanted

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to ask was, 'Are there penalties?' For instance, very often there is a long list to the country club of all kinds of people. It can take two, three, four, five years.

There's other reasons besides the fact that somebody happens to be Jewish or Black or Asian or anything else, why they are not accepted for membership. How do you prove why they were not accepted? I mean, what is the penalty for eliminating somebody and how do you prove that?"

Lang: "Well, the penalty is any penalty allowed now under the Human Rights Act. This makes a country club, under these circumstances, it puts it into the Human Rights Act, so whatever the penalties are there, are the penalties. How you prove it is pretty darn simple. If...if...if a...if a Catholic person is not allowed to join a country club, but they have been eating regularly in that cafeteria and that Catholic person feels aggrieved and they wish to make a claim under the Human Rights Commission, pretty simple. Pretty simple, I've been eating in that cafeteria regularly, here's the proof, here's my application for membership to the club. I own my own home, I comply with all the requirements for membership except they didn't take me. Then there's a case, just like any other case and if they can prove the club didn't take them because they're Catholic or Jewish or Black or a woman or whatever else, then the provisions of this Bill would kick in."

Parcells: "'Cause...you may or may not be aware that very often divorced women are discriminated against in the same way at a country club."

Lang: "I know that is true."

Parcells: "I don't think they ever...I don't think they ever, the club never admits that. You just get on the waiting list

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and you are bypassed, but I don't know how you can prove that there wasn't something else in your personality that they didn't dislike about you."

Lang: "Well, that's a matter of proof, but that's no different than any other part of the Human Rights Act. It's a matter of proof. This doesn't change the way proof is made in the Human Rights Commission. This doesn't change the manner of proof, it just simply adds country clubs under these very limited circumstances to the provisions of the Human Rights Act."

Parcells: "Thank you for your answer."

Speaker Currie: "Further discussion? Representative Lindner. Start again."

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

Speaker Currie: "The Sponsor will yield."

Lindner: "Yes. I'm not sure why we are so fixated on country clubs here, because in most country clubs you can't pay anyway. The public can't come in and pay, a member has to pay. But I want to ask the Sponsor have you considered the private clubs in the ethnic neighborhoods, like...in East Devore, for instance, there is the Third Ward Club and the Phoenix Club and all these other clubs that are in ethnic neighborhoods that I believe there are members, but the public can go in and pay and how will those be affected by this?"

Lang: "Not at all. If the public can't go in and pay, it's not covered. If they're exempt, under the Internal Revenue Code, if it's a charitable organization, if...if it's a political organization, these are all exempt under the Internal Revenue Code and under the Amendment added to the Bill, if they don't pay taxes, they're not covered under the Bill."

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Lindner: "Well, I don't think these are religious, but they're called social clubs, I think."

Lang: "If they are social clubs that we can't just walk into, then they are not covered under the Bill. It could be a country club that has 50,000 Members, but if you and I can't walk in off the street and buy a meal in the cafeteria, it's not covered."

Lindner: "Thank you."

Speaker Currie: "Representative Flowers, in the Chair, and further..."

Speaker Flowers: "Representative Wyvetter Younge on the Bill."

Younge: "Thank you very much, Madam Speaker. I wanted to react to this Bill and I should introduce what I'm going to say by saying that I believe that Representative Lang is a very well and good intending person and a good person, but I wanted to say that I am as a...the granddaughter of a slave, humiliated by this Bill because it condones a wrong action, immoral action by private clubs generally by what it leaves out. I believe that its logic is the same as was the case in the whole theory of separate but equal schools. We, for many, many years, said it's okay for black children and white children to be in separate schools if they're equal, and we know that there is no such equality and I believe that it would be against the principals of our democracy to put into the statute a Bill that apparently just cover when people can come off the streets or when people can eat and that it would be wrong to give membership and avoid debate the whole question that it is wrong to discriminate against people if you are a private club in America, because it's a wrong against the principles of Americans."

Speaker Flowers: "Representative Schoenberg."

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Schoenberg: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'd just like to add one final ironic twist to this, because this is an issue of accountability and culpability and this is why I'm supporting this Bill. Under the Revenue Act, as it's currently written, we classify properties which is used for country clubs as open land, as open space; and, consequently, the property taxes for those properties are lower because of the way that they are classified, as being open spaced, so it seems to me that consequently we're essentially subsidi...we're essentially participating in a defacto subsidization discrimination, so the very least we can do is be able to hold people who do discriminate accountable because after all, we're giving all those country clubs a tax break, the way the Revenue Code is written now."

Speaker Flowers: "Representative Flinn."

Flinn: "Madam Speaker, I move the previous question."

Speaker Flowers: "Representative Flinn mo...question...the question... Representative Lang, to close."

Lang: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I appreciate the serious debate on this very serious topic. Let me just address one or two matters that were discussed during debate. First of all, one speaker talked about the right of association. The right of association does not change under this Bill. If a club me...means to be private and completely private, they may continue to be that. I don't prefer that. I told you, I'd like to have a Bill that opens up all clubs for all reasons to everybody, but that's not this Bill, so Representative Biggert that's not this Bill. This Bill does not talk about the...it says that you can associate with whoever you want to. If you want to be a totally closed club, be one."

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To those of you that have country clubs in your area that this Bill passes, they can continue to be closed country clubs if they wish to be, but once opening up to the public for some reasons, it defies description to then say, 'Well, you can't be a member. You can spend thousands of dollars here having lunch, but you can't be a member of this club.' It's wrong and it's wrong. One further matter again. Organizations or groups that use these clubs, who are exempt under the Internal Revenue Code from paying taxes, do not kick this in, so cities that use the clubs, schools, fire departments, charitable organizations, all of these groups that would use the club, do not kick the provisions of the Bill in. This is really a very simple Bill, that says, 'If you're gonna let people use the club for some reasons, let 'em use the club; Let them be members if they otherwise qualify'. Please give me 'aye' votes."

Speaker Flowers: "The question is, 'Shall House Bill 160 pass?' All those in favor vote 'aye'; opposed vote 'no'. The voting is now open. Representative Kubik, to explain his vote."

Kubik: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I had intended to ask the Sponsor a question and I'm afraid we won't be able to have a dialogue on this issue. My concern was that while I recognize what he's trying to accomplish, my concern was, will clubs be allowed to set any standards by which they can...can decide what their membership is. For example, I'm Bohemian, but I'm a drug dealer. I...I may not be welcome in a club, not because I'm Bohemian, but because I'm a drug dealer. If you do not properly define how these...or do not allow some standards, then people, honest people, who allow all sorts of different ethnic groups, religious people involved in a

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club will not be able to stop those kinds of people from coming into these organization."

Speaker Flowers: "Representative Brady, on House Bill 160."

Brady: "Thank...thank you, Mr. Speaker. I had a clarification that I wanted to ask and I'd ask the Sponsor to...just nod. Does this...do you...does...do...if you meet any one of the criteria, are you in violation or do you have to meet all four elements of criteria? And...do you have a definition for benevolent order? Do you have a definition for benevolent order? There's no definition for benevolent order? Thank you."

Speaker Flowers: "Representative Rutherford."

Rutherford: "Thank you, Madam Speaker. To the Sponsor, I do admit you are taking a small attempt at the...at chipping away at the discrimination side of it and I was had a conversation with a colleague earlier that talked about a half a loaf or a full loaf wanting a full loaf, but I do stand in favor of this Bill because I think that chipping away anyway we can towards discrimination at this time, I think a half a loaf is good. I commend you for it."

Speaker Flowers: "Representative Biggins."

Biggins: "Thank you, Madam Speaker. I have two questions, I think, of major concern here. One is, let's say there's a group of rich Democrats that form a club and it's gonna be a very large club if you have a lot of rich Democrats in it and will I now be able to join that club even though I remain a Republican, a middle-class Republican? Is this the...is this situation addressed in this legislation? Okay, second question was go..."

Speaker Flowers: "Representative Coy Pugh."

Pugh: "Madam Speaker, Ladies and Gentlemen of the House. What comes to mind is...is a saying when Hitler began his regime

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and it goes something like, when he began Hitler started...he started with the homeless, the gypsies and because I was not a gypsy, I did not respond and then he came for the Catholics and because I was not a Catholic, again I said nothing. Then he came for the Jews and because I was not a Jew again I said nothing. Then he came for me and there was nobody else left, so we have to take into consideration that injustice anywhere is a threat to justice everywhere, and I encourage your 'no' votes.

Speaker Flowers: "Representative Black. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. This Bill, 74 voting 'aye'... Representative Deering wants to be recorded as voting 'aye'. Representative Steczo is recorded as voting 'aye'. Representative DeJaegher would like to be recorded as voting 'aye'. Are there any more changes? No more changes. Seventy-six voting 'yes', 10 voting 'no'. This Bill, having received the required Constitutional Majority, is hereby declared passed. The next Bill is Representative Coy Pugh, on House Bill 513. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 513, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker Flowers: "Representative Pugh."

Pugh: "Ladies and Gentlemen of the House, Madam Speaker. House Bill 513 amends the Unified Code of Corrections to permit prisoners sentenced to indeterminate sentences of at least 20 years imprisonment under the law in existence prior to 1978 to be resentenced to fixed terms of imprisonment based in part upon sentencing schedule in effect, February 1, 1978, allows for persons with consecutive sentences to be offered fixed terms of imprisonment based upon an aggregation of their maximum term. Madam Speaker, Ladies

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and Gentlemen of the House, this particular piece of legislation was presented by my predecessor, Anthony Young, and it deals primarily with the discrepancy we have in our sentencing laws as it relates to incarcerating individuals that have committed crimes. Prior to 1978, prior to the Class X felony, we have...had indeterminate sentences. So we have a category of individuals, approximately 700 individuals, that do not know when they are going to be released from prison. They have, some of them have some very serious crimes, but there are some who have gone the gamut of rehabilitation. They have taken advantage of all of the programs that are available through the Department of Corrections and they have no other means available to better themselves. This Bill will simply offer them the opportunity to be resentenced under the new law. I...I request humbly a positive vote, and I am prepared to answer any questions."

Speaker Flowers: "Representative Black, on House Bill 513. Representative Black."

Black: "Thank you very much, Madam Speaker. Pursuant to Rule 10(e) I'm joined by seven of my colleagues, on this side of the aisle, to ask the Chair to take this Bill off 'short debate'. Will the Chair so rule?"

Speaker Flowers: "Representative Black, the Bill is off 'short debate'."

Black: "Thank you very much. Madam Speaker and Ladies and Gentlemen of the House. To the Bill. The...the people, who were sentenced to these crimes, were sentenced because their crimes were particularly vicious in nature and now you're asking the General Assembly to go back and say, 'Well, some time has gone by and I guess it's okay now if we do set a determinate date for the release of this

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prisoner.' Let me quote to you from a letter sent to Mr. Thomas J. Homer, from a young man who resides in my district. I believe Mr. Homer received four or five of these. I have five families in my district that are impacted by this Bill. 'House Bill 513 would give all prisoners with a case number starting with the letter C a fixed release date. It is shocking to me to imagine' (and he gives the prisoners number) 'being set free after a court sentenced him in 1977 to 40 to 100 years for the racially motivated murder of my father'. The Gentleman who was murdered was an African-American. The Gentleman who writes this letter, on behalf of his mother, is an African-American. I have five families in my district who have lost a loved one due to a particularly vicious or senseless murder and that perpetrator is now incarcerated in the Department of Corrections. What this Bill doesn't tell you is these people sentenced to indeterminate sentences at the time are eligible for a parole hearing every year and by the time good time is added, they're eligible for parole every nine months. These families, and I will share these letters with you, these families have to go to that prison every nine months to testify to the prison review board, 'Don't let this person out of prison who killed my son or who killed my father or who killed my brother'. Every nine months they have to relive the terror and the horror of this crime and now you're asking the prisoner review board to set a determinate time of release.

Now, just the other day on your side of the aisle you passed a get tough on crime Bill and here you come back with this Bill and say we were only kiddin'. If they were sentenced to an indeterminate sentence, it's okay now. We'll let you out at a time to be set. Well, you better

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talk to Mrs. Nelson. You better talk to Mr. Hoffman. You better talk to three other families in my district and see how they feel about it. They're in there because they murdered somebody and by God, that's where they belong, and I stand in opposition to this Bill, and I beg you to vote 'no'."

Speaker Flowers: "Representative Cross."

Cross: "Thank you. Will the...Sponsor yield a second?"

Speaker Flowers: "Yes, he will."

Cross: "Coy, you and I have talked about this and I, but I want to ask some questions and I voted for this in committee and I've reconsidered and I...you and I have talked about that as well. I think we need to discuss or I'd like you to tell us, tell the Members on both sides of the aisle, give us a definition of what the C inmates are."

Pugh: "C number inmates are individuals that were sentenced prior to...the Class X felony law, prior to 1978. And, of course, quite a few of these individuals are...are in there for murder, but there are some that are in there for lesser, less, lesser crimes."

Cross: "Would it be safe to say though that the majority of those people in there are in for murder, rape, multiple murders and that there are just a few that are not..."

Pugh: "Can you repeat your question?"

Cross: "Would it be safe to say that the majority of those inmates, that are C number inmates, are in there for crimes such as rape, multiple murder and they're as a rule very heinous crimes? Is that...a fair question, a fair statement?"

Pugh: "I'd like to...to answer that with...with a comment that there are individuals that have...there are a lot more individuals that have created, that have committed more

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heinous crimes and they've been, they've received flat sentences; therefore, they've been incarcerated and some have been released, while these certain groups of individuals have never had the opportunity to be released."

Cross: "The next question is, 'If someone was sentenced 25 years ago to a period of 200, maybe 300 years in the Department of Corrections, conceivably could they get a lesser sentence today under your Bill?'"

Pugh: "A lesser sentence than the 100 to 200 years?"

Cross: "Yes, and...and as a result, can they get out earlier under this Bill?"

Pugh: "Earlier than 100 years?"

Cross: "Yes."

Pugh: "Conceivably."

Cross: "And..."

Pugh: "Well, naturally, let me explain. That according...and...Mr. Homer might want to correct me if I'm wrong, but natural life is 11 years and eight months. This is what is considered....what was considered as natural life. A 100...if ...if...if any a survey was done that reflected if any of the individuals were released, that the less sentence would be an additional 16 years on the least of the crimes."

Cross: "So, if someone got 100 years, are you telling us now they would get 16 years?"

Pugh: "No, Sir."

Cross: "What would they get?"

Pugh: "The...the determination of the resentencing would be...would be determined by the judge in the municipality where the crime was committed."

Cross: "Assuming..."

Pugh: "And all the aggregating and mitigating factors would be

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taken into account before the resentencing was taken place."

Cross: "What would someone get if he got, he or she was sentenced to 100 years, 20 years ago, what would the sentence be today?"

Pugh: "Once again, that's left to the discretion of the judge."

Cross: "What are the parameters, I guess, is the question I should ask?"

Pugh: "It would be based on the new law."

Cross: "And give us an example of that?"

Pugh: "I'm not a lawyer."

Cross: "I...I know that. I'm not trying to be difficult but this is an extremely...I understand the concept that you want to give people fixed times, but I think the majority of these people have committed extremely heinous crimes and should never get out of jail, ever, and I think we're running the risk of giving them the opportunity to get out. Is that correct?"

Pugh: "Well, I...and I understand...and I take...take into account...I'm...I understand exactly what you're saying, but there are some who have committed some heinous crimes that should never be released, they should never be part of society once again, but on this...on this other side of that coin, there are some...there are some who have taken stock into the system and...and attempted to rehabilitate themselves based on the hopes that...that upon rehabilitation, that they can be incorporated back into society."

Cross: "And...and that's the function of the parole board, is it not? The current parole board?"

Pugh: "Well, that's...that's...the parole board's efforts...that's another issue. In theory...in theory,

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that's the parole board's duties."

Cross: "One final question, and you and I talked about this. In a...assuming that this was past, in a resentencing situation, what are we gonna do about witnesses that are no longer around? They are either dead, they've forgotten what happened. What are we going to do about their testimony from 20 to 25 years ago?"

Pugh: "All...all of that is included in the Bill."

Cross: "It's not in the current Bill that I am aware of. I don't have any other questions. Thank you."

Speaker Flowers: "Representative Tim Johnson."

Johnson, Tim: "You know one of the frustrating things about this process sometimes is that you have a Bill that people have a legitimate difference on, but really people aren't paying very much attention and so to really address what the really Bill really does, rather than talking in kind of emotional terms, ...in symbolic terms it almost becomes impossible. This Bill isn't...Representative Pugh's Bill isn't what its critics have said that it is. Now, I want to explain the best that I can where Representative Pugh is coming from. He's not doing what Representative Black and others think that he's doing. 1978 this General Assembly changed from an indeterminate sentencing system to a determinate sentence system, and as you know in the last 20 years, or however long that has been, not 20 years, 15 years, the Legislature has gotten tough. And so the standards in post 1978 are probably tougher for most offenses, the range tougher than it was before 1978. It's just that if you're convicted of an offense in 1979 and the sentencing range is 40 to life you get 60 years with good day-for-day good time you can be out in 30 years or you can be sentenced to natural life depending upon the

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circumstances, now and under this Bill. The problem is the current law has kind of a weird double standard that really none of us ever intended to create when we enacted House Bill 1500 in 1978. You have a series of people who com...who committed various offenses, who got an indeterminate sentence to prior to 1978. Oftentimes, or at least in a good many cases, these are offenses that could be less serious than ones that were...committed after 1978 where the people have gone in and have already been released from the penitentiary. So it simply says, if you want to, you have the option to petition the court, come in and be sentenced under current guidelines, which oftentimes are tougher than the guidelines before 1978, and have an opportunity to have a specific determinate sentence sent...set. Oftentimes or could very well be natural life, you know if that's...natural life or equivalent to that depending on the circumstances existent then and now. So this Bill really provides a system. The other thing, and Representative Salvi said this in committee, this is a Bill that is real fair to the victims because the current system you have the old parole and pardon board and now the prisoner review board, which kind of serves in a double role. Every year or less if you're sentenced under the indeterminate sentencing system, you got to bring everybody back in, bring the victims back in, bring their...not the victims, their families or their victims back in and go through the whole harangue again and determine whether a person ought to be released or not; and, as matter of fact, in a good many cases people sentenced prior to 1978 could be eligible for release and they don't get it. All this Bill does is at the option of the defendant, it allows them to petition, come back in, and have a determinate sentence

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set. That's all it does. It just simply says, if you committed an offense before 1978, why should that be any differently treated than an offense that was created after 1978 and it's not in any way to be interpreted nor would it be construed to be an effort to try to be soft on criminals who deserve to be sentenced to particular offenses. It just says to these people and their families, why should we go through this every nine months, go ahead and set natural life or 90 years or 70 years according to what it is, the whole record would be able to be considered, all the details of the offense would be able to be considered and Representative Cross has proposed an Amendment that I assume they will enact in the Senate and I think would be the law anyway that would allow the court to examine and should be able to examine the entire court record for aggregation and mitigation. So I understand people have concern about this and so that if you look and see what the real Bill really does, Representative Pugh accepted two or three significant Amendments that were offered to try to bring this Bill into structure with what some of peoples objections was in committee and he's done that. He's made a real sincere effort to make this Bill work and I know that symbolism oftentimes carries farther than the reality of a Bill in here, but this is not a bad Bill. It's, in fact, a very constructive Bill. It's simply adapts the 1993 to 1978 existing sentences and doesn't in any way let people loose who shouldn't be let loose."

Speaker Flowers: "Representative Homer, on House Bill 513."

Homer: "Thank you, Madam Speaker. I plan to...to quietly vote 'no' on the Bill out of regard for the Sponsor, who...who has worked very hard on this issue and before him, I would point out that his predecessor, Judge Anthony Young, had

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this Bill on a number of occasions and...was never able to get it passed, but I think in Representative Johnson already has perhaps said some of what I will and I'll keep it brief, but Repre...the idea behind Representative Pugh's Bill is...is a sound one. What he's trying to do is make sure that there is fundamental fairness. That it's not that it shouldn't be relevant whether a person committed the crime prior to 1978 or after 1978. What he's trying to do in the Bill is laudable. He's asking that the people who were sentenced in the old law, back with indeterminate sentencing, be given a fixed release date just like those inmates are now, who happened to have committed their crime after the new determinate sentencing went into effect; and, of course, the new determinate sentencing went into affect in response to the cry for law and order, so it's not as though he's asking that something be done that is permissive...in society, rather he's asking that these people be allowed to be sentenced under the determinate Class X sentencing that was heralded as such a crime-fighter initiative and which I think is an improvement under the old law. The reason I'm voting against his Bill isn't because of the concept, it's because the Bill itself, I believe, is flawed and it's inherently flawed because I don't think there's any way to actually draft the Bill that does what he wants to do and the reason for that very simply is prior to 1978 there was no such sentence as natural life. Now, if a person commits three Class X offenses in ten years, they can get natural life with no parole at all. No hope of parole, no good time, no anything. Prior to 1978, if they committed what now we call Class X and they did three of them, what the judge did then was say, 'I'm sentencing you to 100 to 300 years and

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I'm sentencing you to five consecutive of those and I hope and pray that they'll never let you out of prison'. And so that because they didn't have natural life then, so to now say that these people who got that sentence should get a fixed release date, I think gives them an advantage over people who got sentenced after 1978; and so however well-intended (and I know it's very well-intended) unfortunately, no draft of this Bill has yet come before us which accomplishes the purpose of the Bill and that's to put fairness into this sentencing system and so I would object to those who decry what the Representative is doing. What he's trying to do is be fair. The problem is the Bill is flawed, and...I'm going to be voting against it."

Speaker Flowers: "Representative McAuliffe."

McAuliffe: "Thank you, Madam Speaker. I would like to call the attention with Members to the fact that anybody that is still in jail since 1978 is there because they murdered somebody in the most hideous way. People vote to go to jail they'd spend two, three, four, five, six years in jail. This is a way of getting people out of jail easier. They want to get them out earlier and they get the victims to come they have to go and dig the victims up because all of the victims of the people that are in jail this long are dead, so we don't need to have any more murderers roaming the streets of Chicago. It's bad enough as it is. We have 1,000 murders a year in Chicago, and if we let some more of these murderers get out of the prisons, we'll have 2,000 a year. So let's not make it any easier to get these people out of jail. If they are there this long because they deserved it and this will only make it easier for them to get out."

Speaker Flowers: "Representative Coy Pugh, to close."

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Pugh: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. At the risk of...of not trying to make any of my colleagues look soft on crime, I'll withdraw this Bill."

Speaker Flowers: "The Gentleman withdraws his Bill. Out of the record. Representative Dunn, on House Bill 743. Representative Dunn. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 743, a Bill for an Act concerning juveniles. Third Reading of the Bill."

Speaker Flowers: "Representative Dunn."

Dunn: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 743 is not what I thought it was. It needs to be taken out of the record. Take it out of the record."

Speaker Flowers: "Out of the record. Representative McPike, in the Chair."

Speaker McPike: "Agreed List #3, all of the Bills received sufficient votes, so on Agreed List #3 these Bills, having received the Constitutional Majority, are hereby declared passed. We have one more Bill dealing with funding of abortion that we intend to call in about ten minutes. House Bill 819, Mr. Sheehy. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 819, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of the Bill."

Speaker McPike: "Mr. Sheehy."

Sheehy: "Mr. Speaker and House Members. House Bill 819, amends the...amends the Criminal Code to expand the offense of inducement to commit suicide, to include providing another person with the physical means to commit or attempt to commit suicide or participate in a physical act by which another person commits or attempts to commit suicide. This Bill puts substance and teeth into the current law we have today and this Bill also is based on the Michigan law which

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was passed last month. I'll be more than happy to entertain any questions or any comments that you might have."

Speaker McPike: "Mr. Johnson."

Johnson, Tim: "A question of the Sponsor?"

Speaker McPike: "Yes."

Johnson, Tim: "What if you have a...husband and wife of many years, in their latter years and one is terminally ill and...tremendous amount of pain and simply unable to do anything physically and ask the spouse to...give them instrumentality of their death, whether it's some kind of pill or medication or something like that and the other spouse, having lived with this person for 60 years and not wanting to see them suffer anymore, doesn't kill them but says, 'sure, if that's what you want, here you go.' Well, what about that? Does that Bill...this Bill covers that, doesn't it?"

Sheehy: "The intent, Representative, is...really to...put something in place where when Dr. Kevorkian comes here."

Johnson, Tim: "No. I didn't say that. I..."

Sheehy: "I think what you're..."

Johnson, Tim: "Now, I don't want to go through what I went through the other day and have to ask the question four times. Now my question is, I gave you a specific fact situation, 'I want to know whether this Bill makes that person a Class III felon or not? I don't want to see..."

Sheehy: "I think that would be up..."

Johnson, Tim: "I don't want to see Dr. Kevorkian come either. I just want to know if that fact situation that I've described applies to this Bill?"

Sheehy: "I would leave that up to the State's Attorney."

Johnson, Tim: "Well, it's not in the State's Attorney's lap right

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now. It's in the Legislature's lap and it's not going to be in the State's Attorney's lap until we either act on this or we don't. Now, I'm reading the language of the Bill on page 1, 19...19 through 24, lines 19-24, and it appears to me that clearly covers the situation that I've just described. If it doesn't, I'd like to know where it doesn't?"

Sheehy: "Yes, it does."

Johnson, Tim: "Okay. There is a difference, Mr. Speaker and Members of the House, between being an active instrumentality in causing somebody to commit suicide by psychological or other pressure. Being an active agent in causing someone else to kill themselves. Perhaps the Kevorkian situation, on the one hand, and simply being a passive agent, on the other hand and this Bill makes somebody a Class III felon, this is an offense we haven't created yet. I...this may be a reason to be for this. This is a new crime. Something new for the Illinois Legislature. We haven't created a crime of the day, so this is a crime today. It clearly covers a situation where someone is simply a passive agent, 87-year-old spouse says, 'If that's what you want to do, then here, I'm not asking you to do it, I'm not causing you to do it, I'm not doing it myself, I'm simply saying because you're terminally ill and unable to get up, I'm going to be the passive agent of your will'. Now, obviously, none of us want to see suicides. None of us want to see death. None of us want to see Dr. Kevorkian here in Illinois, but whatever the intention of this Bill is and I have to presume that it is well-intended by Representative Sheehy, the language of the Bill doesn't do what he says he wants to do. It goes vastly beyond that and creates the situation where there is

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no right to choose. Your act in many situations creating a circumstance where someone can not make an active choice to end their own life. It would be nice if we had a perfect world where people didn't get terminally ill, where people didn't want to end their own lives and where we didn't have passive agents, such as an 87-year-old spouse involved in it, but we don't live in that perfect world and we do have that situation, and I believe as offensive as it may be to some of us in our own personal attitudes and our own personal moral beliefs, that somebody chooses to end their own life and asks someone to be a neutral agent in assisting that, then we ought to be able to allow them to do it. I don't want to see Dr. Death here. I don't...I don't think that's appropriate and I think that ought...that issue ought to be addressed, but this Bill goes beyond the passive agent. This goes to a situation where someone is a neutral agent...or an active agent. It goes to someone who is a neutral agent. It doesn't make sense to use a cannon to kill a fly, so to speak. We want to address that situation. It could be done in far more narrow legislation and for some of those of you who've said in various ways that people ought to have a right to make a selection as to what to do with their own bodies and their own lives, this Bill does precisely the opposite, and I urge a 'no' vote."

Speaker McPike: "Mr. Sheehy, to close."

Sheehy: "I urge everyone in this House to...for a 'yes' vote on this Bill. If not, we're sending a bad message to our young people today. There's a high rate of suicide among our young people across the state and with that alone, I think the message we're sending to them if we vote 'no' is a bad message, and again I ask all of you to vote 'yes' for

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this Bill. Thank you."

Speaker McPike: "The question is, 'Shall House Bill 819 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 65 'ayes' and 33 'noes'. House Bill 819, having received the Constitutional Majority, is hereby declared passed. House Bill 602. Read the Bill, Mr. Clerk. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 602, a Bill for an Act to amend the Illinois Horse Racing Act of 1975. Third Reading of the Bill."

Speaker McPike: "Mr. Hicks."

Hicks: "Thank you, Mr. Speaker. House Bill 602 is a Bill dealing with the horse racing industry. Senator Madigan, who has been working on this in the...in the Senate will be taking care of this Bill there. I'll be happy to answer any questions."

Speaker McPike: "The question is, 'Shall House Bill 602 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 67 'ayes', 38 'noes'. House Bill 602, having received the Constitutional Majority, is hereby declared passed. House Bill 935, Mr. Homer. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 935, a Bill for an Act amending the Illinois Domestic Violence Act of 1986. Third Reading of the Bill."

Speaker McPike: "Mr. Homer."

Homer: "Thank you, Mr. Speaker. The Bill is advanced by the Illinois Coalition Against Domestic Violence. It amends the Illinois Domestic Violence Act to require law

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enforcement officials to complete a standardized domestic violence offense report. I would answer any questions and move the passage of the Bill."

Speaker McPike: "There's an Amendment filed, Mr. Homer. What was your desire on that?"

Homer: "Let me just say that..."

Speaker McPike: "Mr. Homer, there's an Amendment filed."

Homer: "I...I know there is..."

Speaker McPike: "Mr. Homer?"

Homer: "Speaker."

Speaker McPike: "Yes."

Homer: "Yes. The reason I'm not...I understand that, but the..."

Speaker McPike: "All right."

Homer: "Reason I'm not doing that is because I understand the rule now is that...we couldn't have immediate consideration and I...I don't want to jeopardize the Bill. I'd rather deal with that issue in the Senate and..."

Speaker McPike: "All right. On the 'do pass' Motion, Mr. Black."

Black: "I...I just was inquiring about the Amendment."

Speaker McPike: "Yes."

Black: "This Bill has been read a second time hasn't it?"

Speaker McPike: "Sure, it's on Third Reading."

Black: "...Well then couldn't he run it back with leave of the Body?"

Speaker McPike: "No."

Black: "Okay."

Speaker McPike: "The question is, 'Shall House Bill 935 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...Lindner, 'aye'. On this Motion, there are 110 'ayes' and 0 'nays'. House Bill 935, having received the

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Constitutional Majority, is hereby declared passed. Representative Monique Davis wants the record to reflect that she would have voted 'aye' on House Bill 935. Representative Zickus."

Zickus: "Yes, I...I would also like the record to reflect that I would have voted 'aye' on that, too."

Speaker McPike: "Thank you. House Bill 999, Representative Currie. House Bill 1005, Representative Leitch. Representative Currie, I'm sorry. Are you ready for that Bill? Read the Bill, Mr. Clerk, 999."

Clerk Rossi: "House Bill 999, a Bill for an Act to amend the Juvenile Court Act of 1987. Third Reading of the Bill."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Speaker. Just need to move the process and recognize Sponsors. This Bill, in its current form, is a vehicle Bill. It is intended to provide statutory implementation for the provisions of the BH decree in which the Department of Children and Family Services was sued in federal court. We've been working with the office of the Cook County Public Defender, the Department of Children and Family Services, the Legal Assistance Foundation. We are about a quarter of an inch away from full agreement on the provisions of the Bill; but, as I say, we still have a little discussing to do and in order to be able to implement that...negotiation, I would appreciate your support for passage of the Bill."

Speaker McPike: "On that Motion, Mr. Ryder."

Ryder: "Although it is a vehicle, we understand the good faith negotiations are going forward and the fact that the Department of Children and Family Services clearly participating in that, and for that reason we do not object to this."

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Speaker McPike: "The question is, 'Shall House Bill 999 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 107 'ayes' and 3 'noes'. House Bill 999, having received the Constitutional Majority, is hereby declared passed. House Bill 179, under Labor. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 179. The Bill has been read a second time previously."

Speaker McPike: "Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 179, a Bill for an Act amending the Unemployment Insurance Act. Third Reading of the Bill."

Speaker McPike: "Are there any Floor Amendments on this? Are there any Amendments on this Bill? Floor Amendments?"

Clerk Rossi: "Amendment #1 has been adopted to the Bill."

Speaker McPike: "Committee Amendment #1 or Floor Amendment #1?"

Clerk Rossi: "Committee Amendment #1."

Speaker McPike: "Then there are no Floor Amendments on the Bill. Is that correct?"

Clerk Rossi: "That's correct."

Speaker McPike: "Mr. Santiago."

Santiago: "Yes, Mr. Speaker. Thank you, Mr. Speaker and Members of the General Assembly. This is just a shell Bill. I move to adopt it."

Speaker McPike: "The question is... Mr. Parke?"

Parke: "Thank you, Mr. Speaker. ...Will the Sponsor yield for some clarification, please?"

Speaker McPike: "Yes."

Parke: "Representative Santiago, this Bill is supposed to be used for an agreed language only for defining couriers as independent contractors and it's only supposed to be used for this purpose. Have you not been able to reach that

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kind of an agreement?"

Santiago: "That is correct."

Parke: "Then why are we going to pass this Bill? You made a commitment."

Santiago: "Because we're gonna try to pass the Bill so that to see if we could reach an agreement in the Senate and then send it back to us."

Parke: "Is it still your intention that if the agreement is not reached in the Senate, that this will not go anywhere?"

Santiago: "Yes, Sir. That is my understanding."

Parke: "No. No. Is that your commitment to us?"

Santiago: "That is my commitment and that's my understanding. My commitment and my word to you."

Parke: "Well, I have confidence in you; and, therefore, I personally do not have a problem with it then."

Speaker McPike: "The question is, 'Shall House Bill 179 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 is 82 'ayes', 23 'noes'. House Bill 179, having received the Constitutional Majority, is hereby declared passed. Elections and State Government, Special Call, Human Rights, House Bill 2081, Mr. Clerk. The Bill's been read a second time. Are there any Amendments?"

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

Speaker McPike: "Representative Giolitto, Amendment #1."

Giolitto: "Thank you, Mr. Speaker. House Bill 2081 has Amendment #1, which changes the Act to include the Civil Right to freedom from sexual harassment in real estate transactions. What this Bill actually is pertaining to is tenant-landlord situations and this would be that, you know

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if, if the landlord is harassing the tenant and won't come and make repairs or so forth unless, unless sexual favors are given and this...the genesis of this Bill is from a constituent of mine and since looking into it, I found a great deal, great number of cases such as this and found it necessary to add this into the Civil Rights Bill."

Speaker McPike: "On the Motion 'do pass', Representative Skinner."

Skinner: "I'm not a lawyer, but wouldn't that be solicitation for prostitution?"

Giolitto: "You didn't get it."

Skinner: "If the landlord is saying I'm not...If the landlord is saying I'm not going to provide services unless a sexual favor is given, that has to be illegal already."

Giolitto: "Well, I suppose if you put it that way, but that's not exactly what I'm referring to here. I'm referring to sexual harassment."

Speaker McPike: "Representative Biggert."

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

Speaker McPike: "Yes, she will."

Biggert: "Representative, there was another Bill that was presented by Representative Cross."

Giolitto: "Yes, there was."

Biggert: "(House Bill) 1592?"

Giolitto: "Correct."

Biggert: "Is your Amendment the same as that Bill?"

Giolitto: "We got together and...came to a compromise on that. It's very similar, yes."

Biggert: "Is there any difference or?"

Giolitto: "I don't believe so. If Representative Cross would like to make any remarks to it, he is welcome to."

Biggert: "Okay. Thank you."

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Speaker McPike: "All right. There doesn't appear to be any opposition. The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye'; opposed say 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Returning to a Bill that was taken out of the record earlier, House Bill 1249. All right. This Bill has been read a third time, have voted on and the...the Motion to return it to the House prevailed, so the Bill is currently on Third Reading and has been debated, so I think the proper Motion at this time is to call the Bill. The question is, 'Shall House Bill 1249 pass?' All those in favor vote 'aye'; opposed vote 'no'. Mr. Black, to explain your vote."

Black: "Yes. Thank you very much, Mr. Speaker. Nothing has changed on this Bill in the last two hours. I personally believe that you will ask the ratepayer to subsidize this experiment, for lack of a better word. I personally believe that the taxpayers may indeed be liable for some of this. It wasn't a good idea two hours ago. It isn't a good idea now. Why should a publicly regulated utility be forced to buy electricity from a municipal hydroelectric station at approximately triple the cost that they can generate it either by coal or nuclear or little mice or hampsters running around in a cage; I don't care how they generate it. Why should the taxpayer have to pay more money just because it comes from a hydropower. Folks. this isn't Colorado. If you think we're going to live off hydroelectric power on the plains of Illinois, give me whatever you had for supper. I urge you to vote 'no' and, Mr. Speaker, I will seek a verification."

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Speaker McPike: "Mr. Weller."

Weller: "Thank you, Mr. Speaker. In the previous debates, Members said things such as, 'Well, we really don't need any extra power, we've got all the plants we need.' Well, by their own planning documents filed with the Illinois Commerce Commission, Commonwealth Edison says it meets capacity by 1996. Illinois Power meets capacity by 1999. This Bill is not a subsidy for hydroelectric power plants. Development of just one half of hydroelectric potential in Illinois will result in a cost savings to every resident of Illinois of \$25 over the next ten years. This is going to create jobs. It's going to help produce energy. It's good for the environment. It's a good 'yes' vote. Thank you."

Speaker McPike: "Representative Wojcik."

Wojcik: "Yes, Mr. Speaker, Members of the House. I think we're always talking about, 'ban the nukes' and 'we don't need nuclear power', well by the year 2007, our nuclear plants will be falling by the way side. This is the only way to insure that we will be able to have the hydropower. It's clean..."

Speaker McPike: "I apologize. That was from the previous speaker. Proceed."

Wojcik: "Okay, I was on a roll here. Anyway, I think we all ought to pay attention to this. This is the wave of the future, whether we like it or not, but it is more of a safe wave than a dangerous wave. It's not nuclear, it's water, it produces clean air not acid rain. It's going to save the State of Illinois \$25 off of their electric bill, if only 50% of the Illinois hydropower potential is developed over the next ten years. I think it is a good vote and it's a very clean vote, so vote 'yes'."

Speaker McPike: "Have all voted? Have all voted? Have all voted

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who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there is 67 'ayes' and 38 'noes'. Mr. Black, do you persist. Where is Mr. Black? Yes, Mr. Black?"

Black: "Yes, Mr. Speaker. I'll persist, I...another hour before..."

Speaker McPike: "Fine. Thank you. Rep...Mr. Edley would like to be verified. He's right here. All right. Mr. Clerk, read the affirmative."

Clerk Rossi: "A poll of those voting in the affirmative. Balanoff. Blagojevich. Brunsvold. Bugielski. Burke. Capparelli. Cross. Curran. Currie. Dart. Deering. DeJaegher. Edley. Erwin. Flinn. Frederick. Frias. Gash. Giglio. Giolitto. Giorgi. Granberg. Hannig. Hartke. Hawkins. Hicks. Hoffman. Homer. Johnson, Tom. Kaszak. Kotlarz. Kubik. Lang. Laurino. Lawfer. Leitch. Levin. Lopez. Martinez. Mautino. McAfee. McGuire. McPike. Moseley. Murphy, H. Novak. Ostenburg. Parcels. Phelan. Phelps. Prussing. Ronen. Rotello. Saltsman. Salvi. Santiago. Schakowsky. Schoenberg. Sheehy. Steczo. Stephens. Stroger. Tenhouse. von Bergen-Wessels. Weller. Wojcik. Mr. Speaker."

Speaker McPike: "Mr. Black, questions of the affirmative?"

Black: "Yes, thank you very much, Mr. Speaker. Representative Flinn?"

Speaker McPike: "Mr. Flinn is here."

Speaker McPike: "Thank you. Representative ...excuse me, let me take a look. Representative Brunsvold."

Speaker McPike: Mr. Brunsvold? Joe Brunsvold? Representative Giolitto would like to be verified. She's right here."

Black: "Yes, that's fine."

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Speaker McPike: "Brunsvold is in the rear."

Black: "I'm sorry, Mr. Speaker."

Speaker McPike: "Mr. Brunsvold is here."

Black: "...Representative Phelps?"

Speaker McPike: "Mr. Phelps? Is...he's right there. Yeah."

Black: "I see. I see."

Speaker McPike: "Mr. Moore changes from 'present' to 'aye', and
Mr. Pugh changes from 'present' to 'aye'."

Black: "Well, I hadn't verified them yet."

Speaker McPike: "I know."

Black: "Oh."

Speaker McPike: "Representative Kaszak would like to be verified.
She's right here."

Black: "Yes, I see her."

Speaker McPike: "Representative Flowers. Miss Flowers, please?"

Flowers: "Would you please change my vote from 'present' to
'aye'."

Speaker McPike: "Thank you. Representative Flowers votes 'aye'."

Black: "Mr. Speaker, I used to ride the railroad trains and I see
this train's leaving the station, so I'll withdraw...I'll
withdraw my request for a verification."

Speaker McPike: "Representative Davis votes 'aye'. Have all
voted? Have all voted who wish? Have all voted who wish?
The Clerk will take the record. On this Motion, there are
71 'ayes' and 38 'noes'. House Bill 1249, having received
the Constitutional Majority, is hereby declared passed.
Personal Health, House Bill 146. The Bill's been read a
second time previously. Mr. Clerk?"

Clerk Rossi: "House Bill 146 has been read a second time
previously."

Speaker McPike: "Any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative

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Skinner."

Speaker McPike: "Mr. Skinner, on Amendment #1."

Skinner: "Floor Amendment #1 says that...the state and...the state in its health insurance program and the state and the Public Aid Department program will have to pay for any complications resulting from an abortion, including emotional, psychological and... other such results that might not be immediately noticeable."

Speaker McPike: "Representative Erwin, on the Amendment."

Erwin: "Thank you, Speaker. I strongly oppose this Amendment. Representative Skinner's Amendment would essentially ask the Department of Public Aid and the Medicaid program to cover unlimited medical treatments by psychiatrists, by counselors, by social workers. The Amendment does not permit the Department of Public Aid to impose any medical necessity standard nor to establish any limits, any limits at all, on the qualifications of the providers nor their frequency nor the duration of treatment. I reiterate: The Department of Public Aid opposes this Amendment. It essentially says that there would be unlimited coverage from...currently providers who are not covered under the Medicaid program for any procedure now, so I would urge a defeat of this Amendment."

Speaker McPike: "The question is, 'Shall Amendment 1...' Representative Skinner."

Skinner: "Yes. May I close and ask for a roll call, please? And let me... Let's let the Amendment speak for what it says right on its face. 'The program shall include coverage for the treatment of any medical, psychological or emotional complications arising from a covered abortion. Surely, such an outcome does occur; even the proponents of this Bill would suggest sometimes. I'm suggesting that we ought

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to cover...the treatment that is necessary to bring the person back to a...a normal state."

Speaker McPike: "Are you finished? I'm sorry. Mr. Skinner, to close. The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'noes' have it. The Amendment's defeated. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 146, a Bill for an Act concerning abortions. Third Reading of the Bill."

Speaker McPike: "Representative Erwin."

Erwin: "Thank you, Speaker. House Bill 146 is really a very simple Bill. It removes the existing prohibitions in the Illinois statute against public funding, whether it be from the federal government or the state government of a medical procedure; namely, abortion. I'd like to point out that this issue has not been raised for a vote or for a public debate in this chamber or across the rotunda since 1979 when this original prohibition was put in the statute, so we have not had a vote on this issue since then. There is...there is a very good possibility that the federal government may repeal the Hyde Amendment and permit federal funds to be available for this procedure. If that, in fact, becomes a reality, Illinois will not be eligible to receive federal funds for abortion because we will not...we, explicitly, prohibit it, so this language simply removes the prohibition in the existing statute. I might add that a Medicaid recipient would still need a doctor to indicate that it is medically necessary, that this is a procedure that for the health and welfare of the patient, that it is medically necessary and medically indicated. My goal is to try and...try and prevent unintended

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pregnancies, which I think are a growing concern in terms of the risks that we see to both young teen moms who are giving birth to unintended pregnancies. It is the single biggest cause of dropping out of high school for girls in the State of Illinois. Currently, 31% of all the live births in the State of Illinois are to unwed moms. I think that while we are considering Bills that are coming from the Senate and we've considered in the House Bills to prevent additional dollars being spent for additional births for welfare mothers, we at a very minimum need to provide the option of public funding of abortion. I would urge your favorable consideration of this piece of legislation."

Speaker McPike: "The question is, 'Shall House Bill 146 pass?' All those in... And, on that Motion, Representative Skinner."

Skinner: "On page 5, lines 11 through 16 of the Bill, it states that abortions are to be paid for reasons related to 'a woman's health including but not limited to physical, emotional, psychological, familial and age.' These reasons are taken right out of Doe vs. Bolton, which is the companion decision that came down in 1973, the same day that Roe vs. Wade was issued. Basically, what these words mean is that anyone can get an abortion upon demand up until the day before birth. Now, if that's what the General Assembly wishes to do, the Majority most certainly ought to vote 'yes'. I am going to vote 'no'."

Speaker McPike: "Representative Davis."

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

Speaker McPike: "Yes."

Davis: "Representative Erwin, have you been...bombarded with

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requests from young people seeking abortions who were on a Medicaid program and they needed those dollars to get an abortion?"

Erwin: "Representative, I think, as many people have in this chamber have been bombarded by concerned citizens from all over this state concerned about this issue on both sides. I raise this as a legitimate issue for public debate in this state..."

Davis: "Well, did you see how much debate you were getting? There was no debate. There was going to be no debate. I've been a Legislator since 1986, and I do represent some poor people. No one has ever come to my office and requested dollars - be they federal or state, Medicaid, public aid - dollars to get an abortion."

Erwin: "Representative, let me add that I know that you are aware of the over 20,000 phone calls that have gone into Cook County Hospital since the repeal of the prohibition of public...of abortions at Cook County Hospital. I know that Ruth Rothstein has...and the county board has been troubled by the thousands and thousands of requests that have gone unanswered and, indeed, there are in the neighborhood of 20,000 to 25,000 additional women who have been seeking this procedure who are unable to have this medical procedure available to them because they do not have the funding."

Davis: "Do you...do you think that the Cook County Hospital is equipped to give abortions to as many as you say, did you say 20,000? Is Cook County Hospital prepared to abort 20,000 babies using state funds?"

Erwin: "Representative, I think that what the numbers indicate are the numbers of women who are seeking an option to prevent pregnancies that were not intended, and at this

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point..."

Davis: "Wait a minute. Wait just a minute. You cannot prevent a pregnancy that was not intended. Now, you could get rid of something; but if...if it wasn't intended and you prevented it, then you don't have a pregnancy. But what do you think this is going to cost? What is this going to cost the state? How many...how many state dollars are we going to use in order to be..., what would you call it, birth control for some groups or something? How much...how much money are you willing to put up on that board to support this program, and where in the Public Aid Department should we take it from? Should we take it from the Education Fund? What...what fund should we take this fund from in order to give these abortions to people."

Erwin: "Representative, the individual procedure will cost the Department of Public Aid about...between \$182 and \$186 per procedure. Clearly, clearly, the fiscal impact to the state in preventing unintended pregnancies will save the State of Illinois hundreds of millions of dollars."

Davis: "How do you prevent unintended pregnancies? How do you prevent unintended pregnancies?"

Erwin: "By making abortion an option available to all women."

Davis: "Well, I'm just very much concerned with this \$180...is it \$186? One hundred eighty-six dollars per, did you say, about 2,000? How many? How many per year?"

Erwin: "Well, Representative, we would have no way of knowing how many women would avail themselves of this option. It is an option. That is all I'm asking, that this option be available. It is legally available to women with private money."

Davis: "To the Bill, ...to the Bill, Reverend...Mr. Speaker. This is a genocidal attempt to remove poor people from the

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City of Chicago, and we're willing to pay \$181 per death. We can kill these African-Americans; we can kill these Hispanics at Cook County Hospital for just \$181 per baby. You prevent pregnancy by not being pregnant. You don't prevent pregnancy by getting an abortion, and I didn't hear you mention the hospital in your district, only Cook County Hospital. I am not paying my taxes for people to lie down in bed, get pregnant and decide, 'I didn't want this baby, let the state pay for this abortion'. If you want an abortion, pay for it yourself or let the man who got you pregnant pay for it."

Speaker McPike: "Representative Ronen. Ronen. Representative Ronen. Ms. Ronen, your microphone is on."

Ronen: "Thank you, Mr. Speaker. I would like to speak in favor of this Bill. Let me remind my colleagues that abortion is legal in this country and this state. All we are talking about in this Bill is giving poor women the same option as other women. It's a... The issue is one of fairness. I urge all my colleagues to support this. This is very simple. Abortion is legal. We're trying to give the same options to poor women as other women have. Support House Bill 146."

Speaker McPike: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker and Ladies and Gentlemen of the House. Thousands of women, once Cook County Hospital offered abortion services, sought that opportunity and are, because the waiting list is so long, unable to avail themselves. These are women who, if they had more income, if they were our daughters, our sisters, our friends, would be able to legally go to their doctors and receive an abortion. It is a legal procedure. This Bill isn't to debate the issue of abortion; it's whether or not we are

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going to discriminate against poor women in the State of Illinois. It's time for us to say that all the women in Illinois have the right to choose, and that's what this Bill would do; and, by the way, it would also say that employees of the State of Illinois who right now cannot be insured for this legal medical procedure would be allowed to be covered by our state insurance policy. I think that's only fair, and you could accomplish that goal by voting for House Bill 146."

Speaker McPike: "Representative Erwin, to close, and then we can explain our votes."

Erwin: "Thank you, Speaker. As I said at the beginning of this debate, the Legislature has not considered this issue since 1979 when we originally prohibited...when we originally prohibited any public funding of abortion. Since that time, the number of teen pregnancies, the infant mortality rate, the dropout rate in high schools due to pregnancy, the rate of low-birth weight babies and the rate of babies born at risk in poverty has increased substantially. I think it's time to reconsider this as a public policy, to take another look at providing an option (a viable option) to preventing unintended pregnancies, and I would support your favorable consideration. Thank you."

Speaker McPike: "The question is, 'Shall House Bill 146 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative Currie, to explain her vote."

Currie: "Thanks, Speaker and Members of the House. Under my husband's health insurance policy, abortions are available and they're paid for. Under your wife's insurance policy, chances are good that that's true as well; but, under our policies, abortions are not covered. What makes the workers of the State of Illinois second-class citizens?"

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What makes the clients at our Department of Public Aid second-class citizens, that they don't have the same opportunity that people in the private sector have? I would say that this is a Bill about equality, about first-class citizenship for all of us, and I would remind the Members of this chamber that people who don't get their abortions paid for, poor people who don't get their abortions paid for, are very likely to find themselves seeking abortions later in their pregnancies when the abortions themselves are less safe and when the development of fetal life is...is greater. So, I would think those of you who are concerned about the health of our...the clients of the department..."

Speaker McPike: "All right, whoever is whistling, you know it's very impolite to the Sponsor of this Bill and certainly this wasn't done last night, and let's not have it tonight. Representative Blagojevich, to explain his vote."

Blagojevich: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. When I look on the board, I can see this is a Bill that is doomed to defeat. The numbers don't lie. Yet there are certain things that I think are important that we shouldn't give up, and we should certainly discuss. In my view, and I would address these remarks particularly to those in the pro-choice community, it seems to me that if we believe that a woman has a right to decide for herself whether or not she wants to have an abortion, then we are clearly discriminating against those people who cannot afford to have an abortion. We, in government, and in the State of Illinois fund Medicare, we fund Medicaid. This is a logical extension of that philosophy. If pro...if abortion is legal in Illinois, for us to deny the right or the option to poor people means we would deny that right

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and option on health care, and it's an inconsistency that I believe we should be very careful about avoiding."

Speaker McPike: "Representative Ostenburg."

Ostenburg: "Thank you, Mr. Speaker. To explain my vote. There's nothing in this Bill that says that someone must have an abortion or someone should have an abortion. This is simply a case of where we're saying for those individuals who can't afford to have an abortion by any other means, that there will be provisions provided. I think that this...that this is an Act that, in fact, creates a more equal distribution of...of a health-related service, and I would encourage others to vote in favor of giving this opportunity to those who want it or need it. Thank you."

Speaker McPike: "Representative Jones."

Jones, L.: "Thank you, Mr. Speaker and Members of the House. I have to agree with the previous speaker. There's nothing in this Bill that tells you...that mandates you to have an abortion or you have to have an abortion. As you know, if you'd be truthful with yourself and stop being hypocrites, ...if you got money, you can afford to go get an abortion. You don't need help to get an abortion. If you live... I mean, I'm...I'm for real, and it's time for you on the other side of the aisle to be real. You clap with us one time, you don't clap with us the next time; if we go along with what you say, it's fine, if we don't then we (sic - we're) the bad guys. There's only two sides to this: Either you're rich or you're poor. Rich women can afford abortions. My district is a poor district. If you check with DCFS, you will find out that over 20% of the kids that die by the hands of a parent or a boyfriend are children that was not wanted in the first damn place. In my district, you're talking about a girl 13, 14, 15 years old

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that gets pregnant. Now, the first thing you're going to say is tell her to keep her legs closed. You in Schaumburg don't keep your legs closed; they don't keep 'em closed at 39th and King Drive either, okay? The only difference is, you can afford to have a damn abortion. The girls in my district can't afford to have an abortion. All this Bill says is stop bringing unwanted children in the world; and if they come into the world, if they come into the world and you do not...they cannot afford to have an abortion, then we get a Bill that say, okay, this girl is 14 years old, on her mother's grant and she's on Public Aid, then we come here with a Bill asking you to fund public aid above the poverty level and you hypocrites will not even give money..."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you, Mr. Speaker. I'm with Lou."

Speaker McPike: "Representative Giolitto."

Giolitto: "Thank you, Mr. Speaker. I'm glad that we're discussing this, and I want to say that it really is strange to me to hear people say, 'Oh, I don't want my tax dollars going for abortions'. Well, that's fine on one hand; but, on the other hand, we've also got people who are saying, 'I don't want to give any more money to a person who is having more children on Public Aid', like another Bill that's going to be coming up. Yeah, let's cut 'em off; let's not pay for any more children that are born to a person who is on welfare. Great. Now what do we do? She doesn't have the choice to have an abortion because she can't afford it, but yet you don't want to spend any more dollars supporting somebody who continues to have children. Stop and think about it. I think, let's be fair about this and...and fund abortions for those who cannot. It's a

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health issue, and Medicaid pays for every other health issue for this type of person. It's the same thing."

Speaker McPike: "Representative Wojcik."

Wojcik: "I...would just like to make a statement...regarding Schaumburg. Yes, I do live in Schaumburg and we do know that people do have problems, but we work things out as we do in every other district and the Lady stated that we ask for things. Well, in my years of working with the Lady, I've never asked for anything that has not been worked out, and we've never had a problem. So, I don't know what's caused my community to be spoken to this evening, but I do want to stand in defense of Schaumburg. Thank you."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 45 'ayes' and 69 'noes'. House Bill 146, having failed to receive the Constitutional Majority, is hereby declared lost. Supplemental #1, House Bills, Second Reading. Mr. Lang, 954. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 954, a Bill for an Act amending the Consumer Deposit Account Act. Second Reading of the Bill. No..."

Speaker McPike: "Any Amendments?"

Clerk Rossi: "No Committee Amendments. Floor Amendment #1, offered by Representative Lang."

Speaker McPike: "Mr. Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 becomes the Bill and embodies an agreement between the Chicago Clearinghouse Association, eight of the major Chicago banks, the Illinois Bankers' Association. And I've been asked to read this into the record for legislative intent. It will take a minute or two. 'Amendment #1 to House Bill 954 makes a technical change to

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the Illinois Commercial Code. The Amendment makes the Illinois law governing check clearing and collection consistent with federal law and with the laws of 49 other states. If this Amendment is not passed, Illinois law and the system of Illinois check collection and payment will be contrary to the principles governing check collection, as embodied in federal law, and could result in increased risk to the check collection system. Last year, we passed House Bill 2134, which made several changes in the Illinois Commercial Code. This Amendment repeals only Amendment #1 to House Bill 2134. Amendment #1 to House Bill 2134 amended Section 4-302(b) as a Commercial Code in order to clarify the existing law in Illinois to prevent the bank from recovering a windfall on a controversy with a second bank, because such result adversely affects the second bank's capital and would tend to threaten the safety and soundness of banks in the State of Illinois. I am offering this Amendment to reinstate the language of Section 4-302, which was in effect prior to last years Amendment, because the eight major Chicago banks and the Chicago Clearinghouse Association, which clears checks drawn on Chicago banks, have ascertained that the actual and unintended effect of last years technical change has been to place in jeopardy the time by which final payment of checks will be deemed to have occurred. Therefore, this Amendment provides an alternative method for such clarification of the Illinois law on this issue by repealing the earlier Amendment and adopting a modification to Section 1-103 of the code. Without this technical change, the check collection and payment process may be slowed and may result in increased risk to consumers in the depository banks. Without this technical change, the process of collecting and paying

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checks presented in Illinois banks could be subject to delay in payment which could have a deleterious effect on the acceptability of Illinois checks as payment instruments elsewhere in the country. The two changes contained in the Amendment will restore the original language of Section 4-302(b) and also provide the same proper for clarification of Illinois law in a manner ensuring that an Illinois banks' capital will not be impaired by reason of unjust enrichment to another bank as a result of a recovery not permitted under general equitable principles'. The Chicago Clearinghouse Association, eight of the major Chicago banks and the Illinois Bankers' Association support this technical change, and I ask you for your 'aye' vote on this Amendment."

Speaker McPike: "Representative Deuchler."

Deuchler: "Mr. Speaker, House Bill 954 was assigned to Financial Institutions Committee. It was not heard; however, I do stand in support. As the Sponsor has stated, the Illinois Bankers' Association and the commissioner of banks and trust companies do support the Amendment."

Speaker McPike: "Thank you. Mr. Lawfer."

Lawfer: "Will the Speaker yield?"

Speaker McPike: "He will yield, briefly. This is an agreed Amendment. What is your question, Mr. Lawfer?"

Lawfer: "Does this apply to state banks? He referred to a federal regulation. I wondered whether this referred to state chartered banks?"

Speaker McPike: "Mr. Lang."

Lang: "I... Yes, it does."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further

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Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. (House Bill) 2207. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2207, a Bill for an Act in relation to games of chance. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Lang."

Speaker McPike: "Mr. Lang."

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

McPike: "Just a minute, please. All right, let's take this out of the record."

House Bill 2287, on Health Care. Mr. Clerk, are there any Amendments?"

Clerk Rossi: "House Bill 2287, Amendment #4 has been adopted to the Bill. Floor Amendment #5, offered by Representative Ryder."

Speaker McPike: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. Amendment #5 is a result of extensive negotiation on both sides of the aisles. Today it represents some concessions and accommodations made to some objections. I'm glad to answer any questions."

Speaker McPike: "The question is, 'Shall Amendment #5 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 497. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 497. The Bill has been read a second

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time previously. Amendment #1 has been adopted to the Bill.
No Motions filed. Floor Amendment #2, offered by
Representative Hoffman."

Speaker McPike: "Mr. Hoffman."

Hoffman: "Withdraw Amendment #2."

Speaker McPike: "The Gentleman withdraws Amendment #2. Further
Amendments?"

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

Speaker McPike: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. Floor Amendment #3 becomes the Bill and essentially
it is much like the Committee Amendment. It says that if
you have a landfill and within five years you don't accept
waste, you'd have to get...a reissue...get reissued a
permit. I ask that it be adopted."

Speaker McPike: "On the adoption of the Amendment, Mr. Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "How does this change the existing...what's known as
the 172 siting procedure?"

Hoffman: "Basically, what it does is, it says...it says if you go
through all the siting procedure and then you don't take
waste for five years in your landfill and you get a permit
and you don't take anything into your landfill for five
years, you'd have to go through it again."

Wennlund: "That's an excellent Bill, an excellent suggestion.
Thank you."

Speaker McPike: "The question is, 'Shall Amendment #3 be
adopted?' All in favor say 'aye'; opposed, 'no'. The
'ayes' have it, and the Amendment's adopted. Further
Amendments?"

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Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Mr. Ryder. I misspoke. (House Bill) 2287. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2287, a Bill for an Act amending the Alternative Health Care Delivery Act. Third Reading of the Bill."

Speaker McPike: "Representative Kotlarz."

Kotlarz: "Mr. Speaker, to House Bill 2287. After a great deal of deliberation and meetings today with Members of both sides of the aisle, (as you noticed we just passed another Amendment), and in the final form, this Bill will be one of the few Bills hopefully to pass this chamber, that will have some kind of cost containment on health care costs in Illinois. I would seriously encourage a 'yes' vote on this. In the Amendment, we've specified exactly where the surgi-centers will be located; and, in its final form, only one will be located in Chicago, only one will be located in suburban Cook County, two would be in Lake County, Kane County or McHenry county, two in municipalities in the state where there are populations of 50,000 or more, and two in rural areas of Illinois. I would like to answer any questions you might have and would suggest ya' all consider a 'yes' vote."

Speaker McPike: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. This reflects a bipartisan effort that...several concessions of a great nature were made as a result of negotiations today, and I stand in support of this issue. Thank you."

Speaker McPike: "Mr. Turner."

Turner: "Thank you, Mr. Speaker. I would like to ask the Gentleman a question."

Speaker McPike: "Yes."

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Turner: "I was curious about the Medicaid reimbursement, in regards to this service. Is that still available or how does that work or is there a reimbursement methodology in this Bill?"

Kotlarz: "As in the earlier Amendment, it is also in this Amendment."

Turner: "That's in Amendment #4."

Kotlarz: "It is. We passed it two days ago."

Turner: "To the Bill."

Speaker McPike: "Yes."

Turner: "I've been informed... Ladies and Gentlemen of the Assembly, I've been informed that the requirement for the Illinois Department of Public Aid to devise a Medicaid reimbursement methodology will not alter the fact that the Illinois Department of Public Aid has no funds for this purpose; and even if there were any state funds, they cannot be matched by federal dollars. The director of the Department of Health Care Finance Authority, Mr. Bladek has stated his opposition to recovery centers, and it is a matter of public record. I represent a district that has three disproportionate share of hospitals and I don't see any way where this is going to help those hospitals or help deliver better medical service to the people that live in my particular district. So, if any reimbursement that will go to these centers, it will have to come from the state GRF fund, which means that there will be a two for one dollar hit from the GRF fund, and that money could be used to help take care of those disproportionate share hospitals that I spoke of earlier. The requirement for a Medicaid Utilization Report is empty. The State of California, which has recovery centers, and also requires such a report to be made on the percentage of Medicaid patients served,

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consistently reports that the figure is 0% on recovery centers, and that they are not established to serve the poor, and it is for that reason that I rise in opposition to House Bill 2287."

Speaker McPike: "The question is, 'Shall House Bill 2287 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. Mr. Hicks votes 'aye'. On this Motion, there are 60 'ayes', 53 'noes'. House Bill 2287, having received the Constitutional Majority, is hereby declared passed. Environment and Energy, House Bill 298. The Bill's on Second Reading. Are there any Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Brunsvold."

Speaker McPike: "Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Amendment #1 really was the Bill in Energy and Environment that was deemed the Barge Bill, and was the final form. I've...talked to a number of Representatives on the floor about this Bill since we had it in committee. There have been two incidents that have occurred on the rivers in this country, Mississippi and Louisiana a spill there on a single hold barge and then one locally that broke a levy, (it didn't spill anything), but it broke a levy, so some concern has been raised about barges on the rivers, and as a Representative from the Mississippi River area, concerned with the hazardous materials that are taking place, being shipped up and down the river. House Bill 1986 is in interim study. Many of the... Mr. Speaker, could I get a little quiet here?"

Speaker McPike: "Give the Gentleman some attention, please."

Brunsvold: "There's been a lot of discussion and a lot of

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controversy on this Bill from all areas, from the Farm Bureau, et cetera, that worked the Bill very hard, and they, I think, agree that we need to look at this some way. So, in an effort to try to solve this problem, I would ask the Chairman of the Committee, Representative Novak, and the Minority Spokesman for that Committee, Representative Persico, that we could form a subcommittee and have a few hearings on House Bill 1986 maybe over the fall and next spring, see if we come to some agreement, and consider a Bill in the spring. If that would be... If that's acceptable to the Chairman of the committee, I would withdraw this Amendment."

Speaker McPike: "Further Amendments?"

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

Speaker McPike: "Any further Amendments? Floor Amendment #2, by Representative Stephens. Mr. Stephens."

Stephens: "Well, thank you, Mr. Speaker."

Speaker McPike: "Floor Amendment #1 was withdrawn."

Stephens: "Floor Amendment #2 deletes everything and becomes the Bill beginning January, 1994, earmarks as the first priority of the use of existing local government landfill and/or incinerator tipping fees, revenues, excuse me, tipping fee revenues, public infrastructure improvements and property value stabilization for residents and facilities located within three-quarters of a mile of any landfill or incinerator. It, also, earmarks such money for the purchase of any methane gas recovered and converted into electricity, where such electricity is purchased by the local electric company, provides a 90% credit to residents on their electric bill for persons living within three-quarters of a mile of landfill or incinerator."

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The... I move its adoption."

Speaker McPike: "Mr. Novak, on the Amendment."

Novak: "Yes, Mr. Speaker. I agreed with Representative Stephens and on the other side of the aisle, but the other... The previous speaker, Representative Brunsvold, when he spoke about the barge Bill that was heard...that was given a fair hearing in the Energy and Environment Committee and it received nine votes, and I know it's a very controversial issue, but I think what Representative Brunsvold indicated is a good message that we sit down and conduct some hearings on the west side of the State of Illinois concerning the..."

Speaker McPike: "We're on Amendment #2."

Novak: "Okay. On Amendment #2. I rise in support of Amendment #2."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Mr. Novak."

Novak: "Yes, Mr. Speaker. Can I move for immediate consideration hearing on Third Reading?"

Speaker McPike: "No. House Bill 299. Mr. Clerk, are there any Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Novak."

Speaker McPike: "Representative... Mr. Novak."

Novak: "Yes, Mr. Speaker. House Bill 299, the Amendment that we want to pass and get out over to the Senate, concerns a...new language that...new language that was...language with Subtitle D in the Environmental Protection Act

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concerning the solid waste industry. Representatives of waste management and all the other landfill operators, we have to deal with some new federal requirements, and we want to continue the discussion and get the Bill over to the Senate, and this has been cleared with the other side of the aisle."

Speaker McPike: "And do you want to adopt this Amendment?"

Novak: "Oh yes, I'm sorry, we need to withdraw Amendment #1."

Speaker McPike: "Amendment #1 is withdrawn. Further Amendments? Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 299, a Bill for an Act to amend the Illinois Pollution Prevention Act. Third Reading of the Bill."

Speaker McPike: "Mr. Novak."

Novak: "Yes, Mr. Speaker, I ask for your 'aye' vote."

Speaker McPike: "Mr. Black, on a 'do pass' Motion."

Black: "Thank you very much, Mr. Speaker. It's my understanding that this Bill is now a vehicle Bill."

Speaker McPike: "Yes."

Black: "...and it deals with the general chapter of Environment, correct? There is no agreement on the Bill as to what form we'll see it in when it comes back?"

Speaker McPike: "Mr. Novak."

Novak: "Representative Black, it's gonna be concerned with Subtitle D, which is a new federal mandate concerning the solid waste management industry. We're gonna be working out language to the agreement as soon as we get over to the Senate, we want to keep it alive."

Black: "All right. Thank you."

Speaker McPike: "Representative Persico."

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Persico: "Thank you, Mr. Speaker. I just wanted to say that I am in full agreement. Representative Novak..."

Speaker McPike: "The question is, 'Shall this Bill 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 91 'ayes', 11 'noes'. House Bill 299, having received the Constitutional Majority, is hereby declared passed. House Bill 300. Mr. Clerk, any Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Novak."

Speaker McPike: "Amendment #1, Mr. Novak."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 300, again is a vehicle Bill. We put an Amendment on. We're dealing with a major rewrite of the Leaking Underground Storage Tank fund. Currently, there is a coalition meeting with the Environmental Protection Agency, the State Fire Marshals office, and every aspect of industry that deals with the leaking underground storage tank. This Amendment, I want to point out to the Members of the Body, is clearly not accepted to by the EPA yet. We're gonna continue to meeet. We want to move the Bill across from the House to the Senate on Third Reading, so we can continue to have negotiations. We are under a mandate that we come up with a complete rewrite of the underground storage tank problem, because of the serious problems that all of us are facing with our constituents in our districts and also on the funding for the proper administration of the program. So, I ask for your adoption of the Amendment."

Speaker McPike: "Representative Persico."

Persico: "Thank you, Mr. Speaker. I want to concur with

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Representative Novak, that we do want to continue negotiations and move this Bill along in the process, and I urge my colleagues for an 'aye' vote."

Speaker McPike: "The Motion is 'do adopt', Mr. Novak. The Motion is 'do adopt'; do you want to adopt this Amendment?"

Novak: "Yes."

Speaker McPike: "The 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 McLennand: "No further Amendments."

Speaker McPike: "Third Reading. (House Bill) 1515, Mr. Novak. Mr. Clerk, are there any Amendments?"

Clerk McLennand: "No Amendments."

Speaker McPike: "Are there any Amendments filed?"

Clerk McLennand: "No Amendments filed."

Speaker McPike: "Mr. Novak."

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

Speaker McPike: "Do you want to put this on Third Reading and pass it?"

Novak: "Yes, Sir."

Speaker McPike: "Third Reading. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1515, a Bill for an Act in relation to environmental protection. Third Reading of the Bill."

Speaker McPike: "Mr. Novak."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. This House... House Bill 1515 has been agreed to by both sides of the aisle and the committee and with the EPA. It seeks to correct the problem with a waste...with a waste management agency up in southside of Chicago, and I move for its adoption."

Speaker McPike: "The question is, 'Shall House Bill 1515 pass?'"

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All those in favor vote 'aye'. Mr. Balanoff."

Balanoff: "A chance to at least to ask a question."

Speaker McPike: "Yes, I didn't see your light, I apologize."

Balanoff: "Is this the XL Bill that in the past we've defeated?"

Novak: "We haven't... We've never defeated it in the past,
Representative Balanoff."

Balanoff: "Not this year, but I mean in previous years."

Novak: "Not to my knowledge."

Balanoff: "Okay. Well is this the Bill that deals with a certain
waste hauler called XL Disposal on the south...in the south
suburban areas?"

Novak: "That's correct. The deal..."

Balanoff: "That's..."

Novak: "Just let me... May I finish please? It deals with the
set back problem that they had with respect to a transfer
station. The Environmental Protection Agency is in
wholly...wholly in agreement with this."

Balanoff: "I think the Illinois Environmental Council is not in
agreement with this, and I would urge an 'aye'...a 'no'
vote."

Speaker McPike: "The question is, 'Shall House Bill 1515 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 is 83 'ayes', 26 'noes'. House Bill 1515,
having received the Constitutional Majority, is hereby declared
passed. House Bill 1821. Mr. Clerk, are there any Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative
Skinner."

Speaker McPike: "Mr. Skinner."

Skinner: "The Amendment takes off the first half of the Bill,

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takes off the part that has to do with the...it takes out the part that talks about siting review for material recovery facility, which is not needed because the EPA does not require such siting."

Speaker McPike: "The 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 McLennand: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1967, Deering. Any Amendments, Mr. Clerk? Out of the record. House Bill 2132. Mr. Clerk, are there any Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Deering."

Speaker McPike: "Mr. Deering."

Deering: "Thank you, Mr. Speaker. All this Amendment does is excludes or exempts the County of Cook."

Speaker McPike: "The 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 McLennand: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 2427. Mr. Clerk, are there any Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Schakowsky."

Speaker McPike: "Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker. Amendment..."

Speaker McPike: "Miss Schakowsky."

Schakowsky: "Can I ask the Clerk how many Amendments are filed?"

Clerk McLennand: "Two Amendments are filed."

Schakowsky: "Okay. I want to table Amendment #1. I mean withdraw, table Amendment #1. I'd like to withdraw the

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table. I mean withdraw the Amendment."

Speaker McPike: "Representative Schakowsky, we can take this out of the record if you're not ready."

Schakowsky: "I am ready. I want to withdraw..."

Speaker McPike: "All right, proceed."

Schakowsky: "I want to withdraw Amendment #1."

Speaker McPike: "The Lady withdraws Amendment #1. Further Amendments?"

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

Speaker McPike: "Representative Schakowsky."

Schakowsky: "Thank you. Amendment #2 makes this Bill apply only to Cook County and, once again, replaces the percentage increase in fees with a dollar increase in fees. This is a Bill that would affect court fees only in Cook County. It is supported by the Clerk of the Court, and I urge the adoption of...and the Chicago Bar Association, and I urge the adoption of Amendment #2."

Speaker McPike: "Representative Biggert."

Biggert: "First, an inquiry of the Chair, Is this Bill germane to the Bill...Amendment germane to the Bill?"

Speaker McPike: "Mr. Clerk, give us the Amendment and the Bill. The Amendment's germane. To the Amendment, Representative Biggert."

Biggert: "Thank you, Mr. Speaker. It's my understanding that this is House...was originally House Bill 2244 and not House Bill 2427, and this House Bill 2244 lost in committee by a vote of 6, 4 and 0. As I've said in the past, to the...in the Judiciary Committee that we really need to respect the committee process, and this Bill was already heard and failed, and I don't think it should be brought back as an Amendment. Thank you."

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Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1902. Mr. Clerk, are there any Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Lang."

Speaker McPike: "Mr. Lang."

Lang: "Thank you, Mr. Speaker. This is an agreed Amendment between parties, and according to the agreement I made with the committee, when it passed out of committee, this is limited to the 13 northeast counties of Illinois."

Speaker McPike: "The 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 McLennand: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1331. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1331, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this Bill."

Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 1331 is a Bill that increases the penalties for the violation of cable television service offenses, when the violation is done with remuneration. This is a Bill that addresses the situation where people sell the kits in decoding and interception devices. It provides for an increased penalty, so that law enforcement aims and objectives will be taken more seriously. Mr. Speaker, I'd answer any questions; if not, I would ask for a 'yes'

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vote."

Speaker McPike: "Mr. Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this legislation. I think it's time that we take those people who are perpetrating fraud and put higher penalties on there to discourage those people who are selling those black boxes. I would ask the Body to support this Bill."

Speaker McPike: "Does anyone rise in opposition? Mr. Hicks."

Hicks: "A question of the Sponsor."

Speaker McPike: "Yes."

Hicks: "Representative Steczo, what's it raise it? From what penalty to what penalty are you raising it in the Bill?"

Steczko: "It raises the penalty from a Class A misdemeanor to a Class IV felony."

Hicks: "Well, I would stand in opposition to the Bill, Mr. Speaker. You know we've set here tonight and we've raised penalty after penalty after penalty. We did so yesterday. I don't know what we're gonna do with all these people we're gonna make felons of the state. I'm a little bit tired of seeing this happen. I think there are penalties out there, there's ways of prosecution of people who are breaking laws, and it's time we stopped some of this. I think we're going way out of shape with what we're doing here, and it's time we look and take a...a stop and look at what we're doing making felony's out of just everybody and anybody. You're talking about a cable T.V. offense here. We're not talking about somebody's who's gone out and robbed somebody. We're talking about a non-serious situation here and we're gonna make a person a felon. I think it's wrong, and I think we oughta stop doing this."

Speaker McPike: "Mr. Black."

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Black: "I just... Quick inquiry of the Chair. Perhaps the board was wrong, but at one time up there we saw...we were acting on a Floor Amendment. Is there no... There are no Floor Amendments on this Bill?"

Speaker McPike: "It's on Third Reading."

Black: "Have any Amendments been added to the Bill, I guess?"

Speaker McPike: "Mr. Clerk, are there any Amendments on the Bill?"

Clerk McLennand: "No Amendments on the Bill."

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

Speaker McPike: "Mr. Hoffman."

Hoffman: "A question of the Sponsor."

Speaker McPike: "Yes."

Hoffman: "Representative, what class felony?"

Steczo: "Mr. Hoffman, the present penalty for this offense is a Class A misdemeanor."

Hoffman: "And it's for stealing cable?"

Steczo: "It's for... No, this is for selling the decoder boxes and the kits to make those decoder boxes, which cost the industry millions and millions of dollars in Illinois per year."

Hoffman: "So, it's only for selling the boxes, not for using them?"

Steczo: "Only for selling the boxes."

Hoffman: "For possessing or obtaining..."

Steczo: "For remuneration."

Speaker McPike: "The question is, 'Shall House Bill 1331 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 63 'ayes' and 38 'noes'. House Bill 1331, having received the Constitutional Majority, is hereby declared passed.

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Mr. Hicks, 1704. (House Bill) 1704. Read the Bill."

Clerk McLennand: "House Bill 1704, a Bill for an Act concerning public aid. Third Reading of the Bill. Mr. Hicks."

Speaker McPike: "Mr. Hicks."

Hicks: "Thank you, Mr. Speaker. With leave of the House, I would like to take this Bill back to Second for purposes of Amendment."

Speaker McPike: "All right. The Bill's on Second Reading. The Gentleman has leave. Are there any Amendments?"

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

Speaker McPike: "Amendment #2, Mr. Hicks."

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 addresses the problem we have with the Dental Society. I think it's been worked out now to the agreement or very close to an agreement with the Governor's Office, and I'd be happy to answer any questions."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative Hicks, it's my understanding that we were to stand up on this Bill and have you indicate that you have promised to make necessary changes in this Bill in the Senate, and that they would then continue to work on some language until it's in the accepted form; is that your understanding?"

Hicks: "That's exactly my understanding, Mr. Black."

Black: "Thank you very much."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

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Speaker McPike: "Third Reading. The real Speaker in the Chair."

Speaker Madigan: "House Bill 213, Representative Phelps. Mr. Clerk, what order is this Bill on?"

Clerk McLennand: "Third Reading."

Speaker Madigan: "Mr. Phelps, do you wish to call the Bill? Put the Bill on the Order of Second Reading. Mr. Clerk, are there any Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Phelps."

Speaker Madigan: "Mr. Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What Amendment #1 does is become the Bill. It sets up the court reporters that are ready to be court reporters now, we're asking they would be grandfathered in to be classified as Court Reporter A. There are about nine such people throughout the state, and they would be given an A rating with the examination of proficiency rating and be classified as a Class A reporter."

Speaker Madigan: "Those in favor of the Amendment. Mr. Black."

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

Speaker Madigan: "The Sponsor yields."

Black: "Representative, in our files it indicates that this proposal has already passed the House of Representatives. Is that your understanding, or are we confused?"

Phelps: "Well it's a little confusing. It was meant to be passed, and a Bill did pass out of here on Consent Calendar that did not have this language on it but was meant to be. So, it did not say the exact thing."

Black: "All right. So, it's your intention that... You're amending a Bill that's already passed out of here but didn't have everything in it on it, you wanted right?"

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Phelps: "All right. Yes."

Black: "Okay. One last question, how many people is... How many court reporters does this affect, every court reporter in the state, or is it a smaller number than that?"

Phelps: "What we're trying to do, it's... No, a very much smaller work. There are about eight or nine, I think there are eight people that are Class B recorder...court reporters..."

Black: "Okay."

Phelps: "...that have 25 years or more experience, and we're asking them to be phased into a A proficiency examination."

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

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

Clerk McLennand: "No further Amendments."

Speaker Madigan: "Third Reading. On Supplemental Calendar #1 there appears House Bill 2207, Mr. Lang. Mr. Clerk, has the Bill been read a second time?"

Clerk McLennand: "The Bill has not been read a second time."

Speaker Madigan: "Read the Bill."

Clerk McLennand: "House Bill 2207, a Bill for an Act in relation to games of chance. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Lang."

Speaker Madigan: "Mr. Lang."

Lang: "Withdraw."

Speaker Madigan: "Withdraws Amendment #1. Are there any further Amendments?"

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

Speaker Madigan: "Mr. Lang."

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Lang: "Thank you, Mr. Speaker. Amendment #2 to House Bill 2207 would strengthen regulations of riverboat gambling in Illinois by providing an ethical framework for conducting business before the Illinois Gaming Board. We've had some abuses in the past relative to the Illinois Gaming Board, and this Amendment will address this as follows: It will create a revolving-door clause, which will prohibit gaming board members and staff from requiring any interest on a licensee or applicant for three years after employment with the board; require full disclosure of licensee information, now only required at the discretion of the gaming board. This full disclosure will include all parent subsidiary corporations, ownership and interests, as well as detailed plans of our corporate structure and all financial arrangements. It'll set up a Code of Ethics prohibiting board members and staff from gambling on riverboats, receiving complimentary benefits and ruling on and assisting with issues where family or personal ties are involved. It would permit, with annual fee, for all non-gaming vendors designed to reduce the patentable laundering money, as was attempted through the Alton-Bell vendors last year and would provide stiffer penalties for criminal activities, such as operating without a license, permitting underage gambling and evasion of fee payment. I do want to point out that this is not any kind of expansion of gaming in Illinois. There are no new licenses here. This is just simply an ethics package. It's an important ethics package because the...the riverboat people in the State of Illinois have not always, as we know now, adhered to what we believe in the State of Illinois should be proper ethics. It's an important passage, and I ask for your 'aye' votes."

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Speaker Madigan: "Mr. McPike."

McPike: "Question of the Sponsor. What...what did you say about the Alton-Bell?"

Lang: "There was an attempt...to launder money through..."

McPike: "That...that is just absolutely not true. That is just absolutely not true."

Lang: "Well, Mr. McPike, I'm reading from...from a press release; and, if it's incorrect, I withdraw that comment from the record."

McPike: "Yes, it should be withdrawn from...from the record, because it is untrue."

Speaker Madigan: "Mr. Wennlund."

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

Speaker Madigan: "The Sponsor yields."

Wennlund: "Is this the same Amendment that lost in the Senate about a month ago in Executive Committee? A similar Amendment?"

Lang: "I'm sorry. Repeat the question."

Wennlund: "Is the same or a similar Amendment that lost a month ago in the Senate Executive Committee?"

Lang: "I'm not at all certain. I was not at the Senate Executive Committee."

Wennlund: "Representative, on page 12 of the Amendment, beginning at line 19, there's a provision that prohibits members and staff of the gaming board from receiving any complimentary services from a casino owner that is not offered to the public. Is that correct?"

Lang: "Repeat the section you're referring to, Representative."

Wennlund: "It's on page 12, line 19."

Lang: "And, what is your question?"

Wennlund: "The question is, 'There appears to be a provision that prohibits members and staff of the gaming board from

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receiving any complimentary service from a casino owner that is not offered to the public?'"

Lang: "That's correct."

Wennlund: "Okay. So, if that's the case then, if a casino owner can offer to the public a free trip to Las Vegas for the weekend; then, in fact, the casino could do that for himself. Isn't that the case?"

Lang: "Well presumably, but presumably they wouldn't offer it to all members of the general public. This refers to discounts provided to all members of the general public."

Wennlund: "Only to all members?"

Lang: "That's what the Bill says."

Wennlund: "Are you a member? (unintelligible)"

Lang: "That's what the Bill says. That's what the Bill says."

Wennlund: "On...on page 13, line 10, the Amendment appears to prohibit members and staff of the gaming board from pursuing any office. Does that include public office?"

Lang: "The Amendment says (I'm starting at line 10 on that page) that 'a covered person shall not pursue any office, position or business or occupation that may interfere or conflict with his or her official duties'. That's all it says."

Wennlund: "What office are we referring to, here?"

Lang: "We're talking about members of the gaming board."

Wennlund: "Can a member of the staff of the gaming board..."

Lang: "An...and...covered employees. That's correct."

Wennlund: "So...so, a member of the staff would be under the same prohibition?"

Lang: "It covers...it covers a member of the board, any employee or agent of the board."

Wennlund: "Are there any other provisions in any other law that prohibits citizens of this state from running for office,

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with the exception of prisoners in the correctional system?"

Lang: "I'm not certain, Representative. I haven't researched that issue."

Wennlund: "On page 14, Representative, at line 9, the Amendment says that, 'the board may approve the appointment of members who hold an interest in an owner's license that was a publicly held enterprise'. Is...is that correct?"

Lang: "I don't see what you're referring to, Representative."

Wennlund: "On page 14, beginning at line 9, where it says, 'Notwithstanding any other provision of this Act to the contrary. However, any such person may be so appointed, if his or her interest in an owners license that is publicly traded would not, in the opinion of the board, interfere with the objectives'. ...that provision?"

Lang: "Well, you've read it, so what's your question?"

Wennlund: "Well, the question is that, 'The Amendment appears to say that the board may approve the appointment of members who hold an interest in an owner's license that was a publicly-held enterprise'; and, if that's the case, how did the board gain the authority then to appoint its own members? Doesn't that provision create a serious defect in the Amendment?"

Lang: "Under that restriction, line 4, 'no person shall be appointed to or employed by the board', under that restriction, Representative."

Wennlund: "On page 16 at line 32, could you explain to the House Members why we are suggesting that the board conduct background investigations of underwriters?"

Lang: "It's necessary if we're gonna safeguard the ethics here that we take background checks of all people involved in the enterprise and that would include the underwriters."

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Wennlund: "Who else would it include?"

Lang: "It includes all those others listed in the Bill. I don't have to read it for you, right?"

Wennlund: "The...the power company they buy their electricity from?"

Lang: "Well, if I have to, Representative, I'll read it to you. Starting at page, line 33, it 'includes all officers, directors, partners and underwriters'."

Wennlund: "On page 20, there appear to be some specific provisions starting at line 20 that...that are rather unusual and appear to be aimed at some particular individuals. Can you identify to the House Members who those individuals are?"

Lang: "This is broadly written to apply to those listed starting at line 22: 'officers, directors, partners, managerial employees or holders of 1% or greater interest of any kind'."

Wennlund: "It goes on to say to describe 'owes any obligation or debt to the state'. What kind of obligation or debt to the state...what kind of obligation is the Bill intended to...get at?"

Lang: "Well, it says 'any obligation', Representative. That's pretty broad."

Wennlund: "So, this... So, you're saying that this is not aimed at any one particular person in the state or more or two people?"

Lang: "I'm not interested in aiming anything at any one individual. I'm trying to create an ethics...package here that will cover gaming on the riverboats and the Illinois Gaming Board in the State of Illinois."

Wennlund: "Can you tell Members of the House, under this Amendment what the additional licensing requirements are

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and, specifically, why they are needed?"

Lang: "The goal here, Representative, is to go towards greater disclosure and to deal with the...the backgrounds of these companies they're underwriting and to determine whether the officers and directors are the kinds of people who should have licenses to run these riverboats. The whole point here is that there have been some ethics violations here that are of public record, and they need to be dealt with."

Wennlund: "What are the ethical violations? Can you tell us what the ethical violations that you're talking about are?"

Lang: "We have one member of the gaming board that resigned after he was indicted and...and charged with bribery."

Wennlund: "Was...was that related to the gaming operation? Who was it? Tell us who it was. Who are we talking about here?"

Lang: "I'm not here to indict any one individual on the floor of the House of Representatives, and I don't think that's necessary to do."

Wennlund: "Well, it's obvious that the...the provisions of this Bill are...are aimed at a particular individuals. Now..."

Lang: "Well, if you know who that individual is, you name the individual."

Wennlund: "So, what we're saying here is that you..."

Lang: "Are you gonna name the individual?"

Wennlund: "It's your Amendment."

Lang: "Apparently, you're not interested in naming the individual, so I'm not going to either. Do you have another question?"

Wennlund: "Well, the incident was totally unrelated, and there's absolutely no necessity for it, whatsoever. The... On page 25 at line 20, under this Amendment, can a person convicted of murder be an owner of a casino?"

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Lang: "Representative, you're an attorney. You can read as well as I can. Every Member of the House can read line 20. It says, 'you can't get a license if you've been convicted of a felony'. Now, you know what that means. Now, if you're going to continue to waste my time and your time and the time of all these people and all the staff and everybody here to ask me questions to build some sort of record or to do your own press release or whatever it is, don't waste our time. You know what a felony is. I know what a felony is. So, if someone has murdered someone, they can't get a license in this state. Okay? That's what it says."

Wennlund: "It does? That's not what it says. That's not what it says. It says, 'felony or misdemeanor of Article 28'. That's not murder. Gambling only is Article 28."

Lang: "Let...let me...let me..."

Wennlund: "A person convicted of murder, under this Bill, can get..."

Lang: "Representative, let me teach you how to read a Bill. (Section) 3(a)...3(a): 'has been convicted of any felony,' c-o-m-m-a, comma or 'Class A or B misdemeanor under Article 28'. So, murder is a felony. If you've convicted...committed a felony, Representative, and you've been convicted of that, you won't get a riverboat license if this Amendment goes on the Bill."

Wennlund: "Well, if the Bill's drafted that sloppily, it certainly oughta be taken a second look at. Now, let me...let me ask you, 'Why are the current ethics provisions of the Riverboat Gambling Act inadequate?' They have to undergo extensive background checks, there's a \$50,000 fee, and the ethics provisions that are contained in Section 1018 of prohibited activities are very extensive and very serious."

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Lang: "Well, ...what's with the fee? Are you suggesting that a \$50,000 fee is sufficient to keep crooks off the gaming board or out of the riverboats?"

Wennlund: "I'm saying that..."

Lang: "What if the fee was \$1 million? Would that keep crooks off the riverboats?"

Wennlund: "Now, are you saying there's crooks on the gaming board?"

Lang: "No, I'm not saying... Well, one resigned in disgrace, didn't he?"

Wennlund: "Well, I don't know. Tell us who it is."

Lang: "Here we go again."

Wennlund: "What's the need for this Amendment?"

Lang: "The need is that the...the regulations under which we're proceeding today are not stringent enough. The ethics package that is on...in the books today is not enough to make sure that we have a...a gaming board and riverboat gambling in this state that is free from taint, and so that we don't have these things happening again, we need to tighten up these regulations."

Wennlund: "Thank you. To the Amendment, Mr. Speaker. Here's what we've got: Another, yet one more, press release for Patrick Quinn. Now, all of you're gonna be on different sides of that issue when the Governor's race comes up next year. This is pure and simple, not needed. The extensive provisions of the existing gambling Act are more than adequate, and there have been no instances - not one - related to the licensing of riverboat gambling or the operation and conduct of riverboat gambling. It's a smoke screen. It's a big smoke screen intended to get a lot of media attention, and it just simply has not happened. Just like the reference to the Alton-Bell, it didn't happen."

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And anything that the treasurer says he needs this Bill for simply did not happen. This is another Pat Quinn press release. Where are you gonna be on the issue in the next general election for Governor, in the primary election? That's all this is. It is a big giant smoke screen. It's meaningless, and this Amendment oughta be defeated."

Speaker Madigan: "Representative Wyvetter Younge."

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

Speaker Madigan: "Representative, did you ask a question?"

Younge: "Yes, if the Sponsor would yield."

Speaker Madigan: "Yes, he will."

Younge: "For purposes of establishing legislative intent, is there anything in this Amendment that would affect the ownership or the present ownership of the East St. Louis casino gambling boat?"

Lang: "No."

Younge: "Thank you."

Speaker Madigan: "Mr. Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Earlier today, we moved an Amendment that was sponsored by Speaker Madigan to a Bill that was sponsored by Speaker Madigan and Representative Daniels on the issue of ethics. And...I will say that, while I may not agree with everything in that Amendment that they have put forward, I think the Amendment was a thoughtful Amendment. It was one that was crafted in a very complete and thorough and thoughtful manner, and I think that that really is what the whole issue is about. Ethics is...is the new buzz word. You know, it goes around Legislatures throughout this country. Everybody is concerned about ethics, but when we take the issue of ethics and put it into reality, that's where the...the two issues clash. I think this is a

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perfect example of that kind of clash of idealism and reality. We have a Bill or an Amendment, I should say, that is fundamentally flawed by the discussion that we have had between Representative Wennlund and Representative Lang. It is obvious that this Amendment has numerous problems. It is obvious that the Amendment doesn't work. It's been pasted together like a piece of modern art. It doesn't really address the basic problem that...our friend, the treasurer, is trying to get at. I would ask you to look at this Amendment carefully. We all want a gaming board and a riverboat gambling industry and a horse racing industry and God knows what other industries that are free from corrupting influences. But on the other hand, we should also make sure that when we craft a piece of legislation that it properly addresses the abuses and properly...and is measured in its response to any abuses or alleged abuses. So, I would ask you to take a close look at this Amendment. Let's put away the political rhetoric for a minute, and let's look at the body of the Amendment. I think Representative Lang is well-intentioned. This Amendment is flawed. It's not gonna work. It is just a sham. So, let's...let's look at the Amendment, and I think if you examine the Amendment, it is not the kind of Amendment that we wanna move out of this House, and it's not the way to make public policy. Mr. Speaker, I would also, in closing, would ask that we have a Roll Call Vote on this Amendment."

Speaker Madigan: "Representative Cross."

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

Speaker Madigan: "Sponsor yields."

Cross: "Representative Lang, the City of Aurora...my under..."

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It's my understanding that the City of Aurora has had a finding of suitability given to them by the gaming board and they're set to open in June of this year. What, if any, effect will this Amendment, if it becomes law, do to the City of Aurora and their riverboats petition?"

Lang: "If the license has been given, if they've already had a finding and they're ready to go, this won't affect them at all."

Cross: "My understanding is they have the gaming board has said they're suitable for a license; they will not issue the license until they are actually ready to go in June, so the license has not officially been given. If that's the case, what will this Bill do?"

Lang: "Well, the Bill also says that...obviously even if it becomes law, it doesn't take effect until it becomes law, which won't be for some time. By that time, Aurora should have its boat. I don't think you'll have any problem, Representative."

Cross: "Does this Bill authorize the gaming board to take away a license immediately once one's been given; and, if that's the case, could they then take away Aurora's license once the Bill becomes law?"

Lang: "There are provisions in the Bill that, under certain violations, a license can be revoked. Page 21 of the Bill, lines 17 through 19: 'Upon notice and hearing, the board may revoke the owners' license of any licensee if the board determines the licensee is ineligible under Subsection A', which lists all the rules and regulations."

Cross: "I...I have, unfortunately, not had a chance to go through this Amendment. My concern is do we make Aurora or the riverboat or the riverboat that we want to have in Aurora jump additional...through additional hoops after this

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becomes law? I guess that's the bottom line question."

Lang: "I...I'm gonna presume, Representative, that once we pass the law it becomes the law. And if...whoever is...is violating the law once it passes, is going to be responsible for what the provisions of the new law would be."

Cross: "My question is not whether or not they're violating the law, but does the gaming board now or will they have discretion to take away the license regardless of whether or not they're violating the law?"

Lang: "It would have to be upon notice and hearing, and they would have to be in violation of this package of legislation."

Cross: "One other question and thanks for addressing that. Section 25 talks about ex-parte communications, and it reads...it doesn't suggest, it reads that 'no holder or other applicant for any license granted', and you can read the rest of it, 'shall communicate with any state employee'. Is it the interpretation of the gaming board that a Representative is a state employee, a state Representative is a state employee?"

Lang: "It's certainly true that a state Representative is a state employee."

Cross: "Okay. Thank you very much."

Speaker Madigan: "Mr. Persico."

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

Speaker Madigan: "Sponsor yields."

Persico: "Representative Lang, I might have missed this in the early part of the debate, but will you clarify this for me. Are you saying in your Bill that anyone that has ownership or partial ownership in a riverboat cannot run for public office? Is that what your Bill says in here?"

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Lang: "The answer to that is 'no'. That section applies to members of the gaming board and the employees of the gaming board."

Persico: "But not owners of a riverboat."

Lang: "That is correct."

Persico: "Thank you."

Speaker Madigan: "Mr. Johnson. Johnson."

Johnson, Tom: "Yes. Will the Speaker yield?"

Speaker Madigan: "The Sponsor yields."

Johnson, Tom: "Representative Lang, Representative Wennlund was asking you and you gave him a little lesson on reading a Bill. And I call your attention to page 31, and this is dealing with receiving a supplier's permit, which is part of this Bill under C-1; and, under this paragraph, it says, 'has been convicted of any felony or Class A or B misdemeanor under Article 28 of the Criminal Code'. There are no commas. So, I would presume, in this case, as it relates to suppliers, it makes no difference whether they've been...have committed other felonies or murder. Is that correct? Since this is absent the commas."

Lang: "Well, Representative, it still says very clearly 'has been convicted of any felony or Class A or B misdemeanor'. Presum..."

Johnson, Tom: "That's not what it says."

Lang: "Presumably, excuse me, presumably this should have a comma; however, judicial interpretation of this would be just the same as the previous paragraph we discussed."

Johnson, Tom: "Well, I respectfully disagree with that because..."

Lang: "And if that is not the case...and if that is not the case, it would be awful easy to add a comma in the Senate."

Johnson, Tom: "Well, again, this is pretty sloppy draftsmanship."

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Thank you."

Speaker Madigan: "All right. Mr. Lang, to close."

Lang: "This is a package of ethics legislation to make sure our riverboats and our Illinois Gaming Board are free from taint so that the citizens of that State of Illinois know that...that these...these areas are clean. They need to be kept that way so that we can continue moving along to discuss riverboats and discuss gaming in Illinois, and I would ask for 'aye' votes."

Speaker Madigan: "Those in favor of the Amendment signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Will everyone please record themselves. Have all voted who wish? The Clerk shall take the record. On this question, there are 63 'ayes' and 46 'noes'. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 1575. House Bill 1575. It's on the Order of Civil Justice, and Mr. Clerk, is that Bill on Second Reading?"

Clerk Rossi: "House Bill 1575 has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Levin."

Speaker Madigan: "Mr. Levin, on Amendment #1."

Levin: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1 has been agreed to with the Sponsor. It modifies the existing Bill to, I think, make its provisions...acceptable."

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

Clerk Rossi: "Floor Amendment #2, offered by Representative

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Lang."

Speaker Madigan: "Mr. Lang."

Lang: "Thank you, Mr. Speaker. This is a Chicago Bar Associations Condo Bill. The only problems with the Bill are related to negotiations with Mr. Levin. Mr. Levin has signed off on Amendment #2. These are agreed Amendments. I move passage."

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

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 1342. Mr. Clerk, what order is that Bill on? (House Bill) 1342."

Clerk Rossi: "House Bill 1342 is on Calendar Order, Third Reading."

Speaker Madigan: "Read the Bill."

Clerk Rossi: "House Bill 1342, a Bill for an Act concerning minority and female franchise investments. Third Reading of the Bill."

Speaker Madigan: "Representative Flowers."

Flowers: "Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1342 creates the Minority and Female Franchise Investment Act, and it authorizes the Attorney General to administer a program of financial assistance to enable minorities and females to own businesses and to purchase franchises, and I move for the passage of House Bill 1342."

Speaker Madigan: "Mr. Wennlund."

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

Speaker Madigan: "The Sponsor yields."

Wennlund: "Would this put the Attorney General in the position of approving a loan and then if the loan goes in default, of suing to collect on the loan?"

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Flowers: "I'm sorry. Could you repeat that, please?"

Wennlund: "Sure. Apparently, with this loan program that's created, the Attorney General's Office is responsible for approving the loan as well as litigating loans that are in default; in other words, he approves the loan, and then he's got to go back and sue to collect on the same loan that he approved."

Flowers: "Okay. Representative Wennlund, do pardon me, but would you please repeat that question just one more time?"

Wennlund: "Certainly. I'll break it down into two parts for you."

Flowers: "Thank you. I appreciate that."

Wennlund: "Under this loan program, is the Attorney General the...his office, did they approve these loans?"

Flowers: "Yes, he does. He enters into the agreement."

Wennlund: "Okay. So the Attorney General approves the loan. Now, suppose the loan goes in default. Who then is charged with the responsibility of suing to collect the loan that is in default?"

Flowers: "On page 5, subsection g, it says 'takes whatever actions that are necessary or appropriate to protect the state's interests in the event of bankruptcy'."

Wennlund: "So, you don't feel that there is..."

Flowers: "No, it really means that he could hire an independent...he could hire someone to collect for."

Wennlund: "But as the state's legal officer on a state loan, it's his responsibility to collect the loan, also."

Flowers: "Yes. In answer to your question, yes."

Wennlund: "So, we've got the same Attorney General approving loans and then having to go out and sue when they go into default. Second question: Are there any other programs that you know of that duplicate this type of loan program?"

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Flowers: "I don't know. Maybe you...do you know? I really don't know."

Wennlund: "Yes. It duplicates the existing programs we have a IFA, DCCA, and the Small Business Administration who provides exactly the same programs that are in effect today."

Flowers: "Representative Wennlund, I don't believe they are the same exact programs. I think they're similar in nature, but DCCA itself testified in committee that they did something similar, but they also said that they had let a lot of money lapse because they did not actually go out and try to recruit minorities to deal with the franchise aspect of it."

Wennlund: "Does the Attorney General's Office currently approve any other type of loans?"

Flowers: "I don't...I really can't answer that question right now."

Wennlund: "Okay. Thank you very much. To the Bill, Ladies and Gentlemen of the House. I tell you what. There's a whole bunch of gubernatorial candidates that are going to have a big debt to the Speaker of this House for helping them run their campaigns, and this one is for...we've done at least about 85 of 'em for the Treasurer, and now, we're going to do one for Roland Burris, another gubernatorial candidate for another press release. To operate a program that has an obvious conflict of interest where the Attorney General's going to approve the loans and turn around and sue to collect it. Now, that is patently ridiculous. It's just another example of using this House of Representatives as a campaign platform for yet another press release, yet another campaign promise of one kind or another, and I tell you what, they're not going to get anywhere over in the

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Senate but, I got to give 'em credit. This is a ridiculous program and the Bill ought to be defeated."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 65 'ayes,' 50 'noes'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2316. Mr. Clerk, what order is that Bill on?"

Clerk Rossi: "House Bill 2316 has been read a second time previously. Amendment #1 has been adopted to the Bill. No Motions filed. Floor Amendment #2, offered by Representative Lou Jones."

Speaker Madigan: "Representative Jones on Amendment #2."

Jones, Lou: "Mr. Speaker and Members of the House. Amendment...Amendment #2 allows people employed as full-time court reporters under this Act to apply for a waiver from the continuing education requirement.

The waiver will be granted when the person submits satisfactory evidence to the Department of Professional Regulations that they are employed as certified shorthand reporter on a full-time basis. This is an agreed Amendment between myself and the Sponsor and also the... Some problems that came up in the committee on the other side of the aisle, and this is an agreed Amendment, and I ask for the passage of the Amendment."

Speaker Madigan: "Mr. Saviano. Mr. Saviano."

Saviano: "Thank you, Mr. Speaker. This is an agreed Bill, and I concur with Chairman Jones. We worked this out between two court reporter associations and the Department of

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Professional Regulations, and I would ask for an 'aye' vote."

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

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Is there leave to hear this Bill on the Order of Third Reading? Leave is granted using the Attendance Roll Call. On the Order of Third Reading, those in favor of the passage of the Bill signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 'ayes', no on e voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2353, Mr. Granberg. Mr. Clerk, what order is that on? (House Bill) 2353."

Clerk Rossi: "House Bill 2353 is on Calendar Order, Third Reading."

Speaker Madigan: "Has the Bill been read a third time?"

Clerk Rossi: "The Bill has not been read a third time."

Speaker Madigan: "Mr. Granberg, what is your pleasure, Sir?"

Granberg: "Yes."

Speaker Madigan: "Do you want to call the Bill on Third Reading? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2353, a Bill for an Act amending the Illinois Insurance Code. Third Reading of the Bill."

Speaker Madigan: "Mr. Granberg."

Granberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2353 at the current time is a vehicle. We'd like to pass it to the Senate to continue negotiations. I've cleared this with the other side of the

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aisle, and I would move for its passage."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 110 'ayes', 4 people voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 799. Mr. Clerk, what order is that Bill on? (House Bill) 799."

Speaker Madigan: "House Bill 799 is on Calendar Order, Third Reading."

Clerk Rossi: "House Bill 799, a Bill for an Act in relation to privatization of government services. Third Reading of the Bill."

Speaker Madigan: "Representative Davis. (House Bill) 799."

Davis: "Thank you, Mr. Chairman. House Bill 799 shapes the privatization that occurs when government entities privatizes a section of their business. What it states is that the government bid that comes in must include any materials that will be used that belong to that government entity, for example trucks, phones, machines, and it attempts to give those workers who are currently working some protection in the privatization Act."

Speaker Madigan: "Mr. Parke."

Parke: "Thank you, Mr. Speaker. Will the Sponsor yield, please? I presume you'll yield, Sponsor? Thank you. Now, isn't this something that is not unique, I mean is unique that allows for...it says here in my analysis, it allows for contracts with private entities if the private entity is paying prevailing wage. Is this a prevailing wage Bill then?"

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Davis: "No, it is not a prevailing wage. It states that when a company does privatize, he should not take over the responsibility and then pay a minimum wage."

Parke: "Well, it says here the Bill would, in fact, eliminate the state's ability to contract out of services by imposing so many conditions that it makes it virtually impossible to do so. CMS is opposed to that. It also states must retain the flexibility to carry out its statutory mission by the use of contractors, especially if the cost savings can be realized for taxpayers."

Davis: "Representative, that section was put in to protect the construction workers and it was requested by them, so we did put that in."

Parke: "Well, I will tell you that the Department of Central Management Services oppose, the Management Association, the construction industry, the Associated General Contractors and the Department of Transportation, so a lot of people think this is a bad Bill, and I would ask the House to defeat this Bill."

Speaker Madigan: "Representative Davis, to close. Representative Davis, to close."

Davis: "Thank you, Mr. Speaker. The consulting engineers requested that section that you just mentioned be put in the Bill. I think IDOT was a part of that, and this was language that they requested. This is the first piece of legislation in which privatization is being shaped. As most of us know, when divisions of government start to privatize, they've been doing it without any kind of form or consistency or stability or protection of the service provided or the workers, so we think that this is an attempt to simply give business a hand, so I ask for a favorable vote."

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Speaker Madigan: "Those in favor of the passage of the Bill will signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Have all voted who wish? The Clerk shall take the record. On this question, there are 61 'ayes', 50 'noes'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair has two announcements. The first announcement is that Senator Philip has sent the liberal Representative of his Leadership team to join us tonight, Senator Aldo DeAngelis. Aldo, nice of you to join us. Liberal wing of the Republican Party, and then an announcement that we can all join in at the end of the first overtime, Detroit Pistons 103; Chicago Bulls 109. Final. Mr. Olson."

Olson: "Thank you, Mr. Speaker. I would like to be recorded as a 'no' vote on House Bill 146."

Speaker Madigan: "Let the record reflect the Gentleman's request. House Bill 240. Mr. Pugh. Mr. Clerk, what order is that on?"

Clerk Rossi: "House Bill 240 is on Calendar Order, Third Reading."

Speaker Madigan: "Read the Bill."

Clerk Rossi: "House Bill 240, a Bill for an Act amending the Unified Code of Corrections. Third Reading of the Bill."

Speaker Madigan: "Mr. Pugh."

Pugh: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Due to the lateness of the hour, I will attempt to be as brief as possible. House Bill 240 amends the Unified Code of Corrections and provides that a majority of a three-member panel is required of the Prison Review Board in hearing and deciding upon cases for parole conditions

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and violations of parole for prisoners sentenced under the law existent prior to 1978. This Bill, in essence, will...would merely allow for a three-member panel to review the cases of the C number inmates that we previously discussed.

Right now as it stands, there is a 12-member board that's in place to review the cases of C number inmates. What happens is, one member of the 12-member board goes down and reviews the case and sometimes they'll make the tape...sometimes they'll make a tape of the interview, take the tape back and play it to a 12-member board and the 12 members will make the decision based on the interviewers...the one person that's interviewing based on his presentation. This Bill would merely require that at least three of the 12-member board members are in the room when the individual is presenting his case for parole, and I think it's only fair that at least three of a 12-member board is in place when a decision is made on the life of an individual. In that, I'll humbly request a 'do passage', and I'm available to answer any questions."

Speaker Madigan: "Mr. Parke."

Parke: "Thank you, Mr. Speaker. We rise in opposition to this, and let me try and explain to you in essence. They want to make it so that they're going to split the parole boards into separate boards of at least three which will interview prisoners. What they've found that they did this before 1984, and they found that the results were inconsistent. Three members interviewing one prisoner came up with one result, three members interviewing another prisoner came up with another standard of result, and it was inconsistent and unfair to the prisoners; so quite frankly, this is not the direction. It has been tried. It is not a good idea. I know the Sponsor is well-intended,

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but this is not something that we should be doing. We should leave it the way it is, and I would ask the Body to vote 'no' on this legislation."

Speaker Madigan: "Mr. Salvi."

Salvi: "Thank you, Mr. Speaker. I rise in support of this Bill. If three people can be inconsistent, just having one person as opposed to another person, you can have just as much of an inconsistency. It's absolutely necessary to have at least three people listen to the story, rather than have one person listen and go back and talk to...about what he or she saw to the other 12 and have the 12 vote. All Representative Pugh is trying to do here is to guarantee that at least three of the prisoner review boards have the opportunity to hear, and I want to point out that they have the opportunity to hear not only the prisoners' side, they also have the opportunity to hear the victim, and I don't want...I just don't feel comfortable with only one person hearing the victim, and then going and reporting back to the other 11. I'd rather have all three hear the story of the victim and the victim's family before a decision is made. I think this is a good Bill. I recommend a 'yes' vote on this."

Speaker Madigan: "Mr. Homer."

Homer: "I agree with the previous Gentleman. This is a good Bill. You know, he got...Representative Pugh took a lot of flak for the other Bill that he introduced regarding C-inmates. He took the Bill from the record. This Bill clearly is fair. What it says is that a majority of those who actually hear the parole hearing can...it takes a majority of those who hear it to effecy a decision. Right now, what happens is, one person goes out and hears the case, and then all 12 members vote on it, and it takes

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seven votes in order to grant parole. There's nothing fair about that. Now, if all 12 of 'em want to go hear the case, fine. It still would take seven. If six go hear it, it would take four. What is says is it takes a majority of those who actually hear the case. What could be more fair and more democratic than that? It's a good Bill. It's fair. It ought to be supported."

Speaker Madigan: "Mr. Tom Johnson. Mr. Johnson."

Johnson, Tom: "Yes. Thank you, Mr. Speaker. Will the Sponsor yield? Representative Pugh, in this Bill, were there any Amendments that have been filed on this?"

Pugh: "Yes, Sir. There was an Amendment to...and the Amendment merely stated...changed the...requires that three members that actually heard the case to be the ones that make the decision. At first, we were requiring three members to be...to be in the room when the case was made, and the Amendment made it mandatory for those three members that heard the case to be the ones to make the decision."

Johnson, Tom: "I'm not sure I understand that. Is it three members now who interview the prisoner?"

Pugh: "Yes, Sir."

Johnson, Tom: "Okay. At least three members interview a prisoner. They now report back to the full board for a decision? Because your Bill as I see it here, three people interview and three people decide."

Pugh: "At least three members. At least three members interview, and at least three members decide."

Johnson, Tom: "Okay. To the Bill."

Speaker Madigan: "Mr. Johnson."

Johnson, Tom: "I have worked somewhat with Representative Pugh on this, and I concur with what he was attempting to do here. It's my feeling that if we've got a parole board comprised

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of 12 people, we definitely should expect that those 12 people can hear the evidence and make the decision, or at least the majority thereof. What I had problems with and where I thought this Bill was going was that we only had one person going out and interviewing and coming back and reporting to a board of 12. I wanted at least three, and I agreed fully with Representative Pugh that at least three should go hear it, and certainly more should be sitting and hearing the final decision; and, therefore, Representative Pugh, at this point I'm going to have to vote 'present'."

Speaker Madigan: "Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker. I have an inquiry of the Chair. Perhaps the Chair could contact the Electrician. The clock on the board appears to be 34 minutes fast, so we'd all be on the same page and have the right time."

Speaker Madigan: "Yes. We'll do that."

Wennlund: "Thank you."

Speaker Madigan: "Now, on the Order of Third Reading, those in favor of the passage of this Bill will signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Everyone record themselves, please. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 63 'ayes', 48 'noes'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1237, Mr. Clerk. What order is that Bill on? (House Bill) 1237."

Clerk Rossi: "House Bill 1237 is on Calendar Order, Third Reading."

Speaker Madigan: "Put the Bill on the Order of Second Reading. Are there any Amendments?"

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

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Santiago."

Speaker Madigan: "Mr. Santiago, on Amendment #3 to the adult education Bill."

Santiago: "Thank you, Mr. Speaker and Members of the General Assembly. Amendment #3 to House Bill 1237 limits the intent of the legislation to the City of Chicago only. The purpose of this Amendment is to permit state funding for adult education to become available on a competitive basis to community-based organizations. I move 'do adopt'."

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

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Is there leave to hear the Bill on the Order of Third Reading? Leave is granted using the Attendance Roll Call. On the Order of Third Reading, the Chair recognizes Mr. Morrow; and Mr. Clerk, has the Bill been read a third time?"

Clerk Rossi: "The Bill has not been read a third time."

Speaker Madigan: "Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1237, a Bill for an Act amending the Adult Education Act. Third Reading of the Bill."

Speaker Madigan: "Mr. Morrow."

Morrow: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. What House Bill 1237 does now with Floor Amendment #3 on, it limits the Bill to the City of Chicago only. It will allow community-based groups and the city colleges of Chicago to vie for the same pool of state dollars for adult education programs. Right now, they are both on the same playing field as far as federal dollars, and what we're trying to do with House Bill 1237 is to allow them to apply for the same pool for state dollars. I urge passage of

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House Bill 1237."

Speaker Madigan: "Mr. Levin."

Levin: "...yield?"

Speaker Madigan: "The Sponsor yields, Mr. Levin. Please proceed."

Levin: "There's a very good program in the Chicago Board of Education on adult education, the Hilliard Center. Would...this Bill effect the funding of the Hilliard Center program?"

Morrow: "Representative Levin, I really haven't heard any response or any calls from Hilliard on this, nor have I heard from the Teacher's Union, so I would have to say 'no'."

Levin: "Okay, 'cause I can't seem to get an answer to that question. I've asked it of several people have talked to me about this Bill, and until I can get an answer..."

Morrow: "Representative Levin, it doesn't affect Hilliard."

Speaker Madigan: "Mr. Weaver."

Weaver: "Thank you very much, Mr. Speaker and Ladies and Gentlemen. I know the hour is late, but be careful what you do. We have been dealing with the adult ed government question for several years now, and although this restricts it to the City of Chicago, it still moves adult education money from the city colleges of the City of Chicago into private and community-based organizations. Now, you make that decision based upon what you think is best; but nonetheless, it's a foot in the door to movement of adult ed money. Be careful."

Speaker Madigan: "Mr. Morrow, to close. To close, Mr. Morrow."

Morrow: "Yes. Thank you, Mr. Speaker. I have to disagree with the comments that were just said. As I said before, when it comes to the federal dollars that go into this program

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dealing with the adult education, the CBO's and the colleges now vie for that same pool of money. What this Bill would do would allow CBO's to be in the same pool with the colleges when it comes to state funding. And as to the issue of Senate Bill 950, which will change the transfer of adult ed, this Bill has nothing to do with Senate Bill 950. That's a separate issue. We've tried to put the language in Senate and House Bill 1237 to keep it separate from that Senate Bill 950. So I would urge green votes on House Bill 1237."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 39 'ayes', 73 'noes'. The Bill fails. We shall stand in Perfunctory Session for a short time for the Clerk to read the Senate Bills on the Order of First Reading; and, with that, the Chair is prepared to adjourn. Mr. McPike moves that the House stand adjourned until 9 a.m. tomorrow morning. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until 9 a.m."

Clerk Rossi: "Introduction - First Reading of Bills. Senate Bill 25, offered by Representative Dart, a Bill for an Act to amend the Code of Civil Procedure. Senate Bill 41, offered by Representative Persico, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 89, offered by Representative Saviano, a Bill for an Act to amend the Illinois Dental Practice Act. First Reading of the Bill. Senate Bill 139, offered by Representative Pankau, a Bill for an Act to amend the Job Referral and Job Listing Services Consumer Protection Act.

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First Reading of the Bill. Senate Bill 149, offered by Representative Churchill, a Bill for an Act to amend the Child Care Act of 1969. First Reading of the Bill. Senate Bill 435, offered by Representative McGuire, a Bill for an Act concerning language assistance services. First Reading of the Bill. Senate Bill 504, offered by Representative Cowlshaw, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 545, offered by Representative Wirsing, a Bill for an Act to amend the Toll Highway Act. First Reading of the Bill. Senate Bill 554, offered by Representative Skinner, a Bill for an Act concerning unfunded mandates. First Reading of the Bill. Senate Bill 561, offered by Representative Churchill, a Bill for an Act to amend the State Finance Act. First Reading of the Bill. Senate Bill 582, offered by Representative Parcells, a Bill for an Act concerning continuing education requirements for insurance producers. First Reading of the Bill. Senate Bill 594, offered by Representative Moffit, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 601, offered by Representative Biggins, a Bill for an Act in relation to administrative proceedings and judicial review. First Reading of the Bill. Senate Bill 609, offered by Representative Brady, a Bill for an Act to amend the Business Corporation Act of 1983. First Reading of the Bill. Senate Bill 623, offered by Representative Churchill, a Bill for an Act to amend the Appellate Court Act. First Reading of the Bill. Senate Bill 626, offered by Representative Tom Johnson, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 719, offered by Representative Cross, a Bill for an Act to amend the Counties Code. First Reading of

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the Bill. Senate Bill 764, offered by Representative Pankau, a Bill for an Act in relation to the environment. First Reading of the Bill. Senate Bill 776, offered by Representative Biggins, a Bill for an Act to amend the Ambulatory Surgical Treatment Center Act. First Reading of the Bill. Senate Bill 792, offered by Representative Cowlishaw, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 795, offered by Representative Noland, a Bill for an Act to create the Illinois Distance Learning Foundation. First Reading of the Bill. Senate Bill 891, offered by Representative Deuchler, a Bill for an Act to amend the Savings Bank Act. First Reading of the Bill. Senate Bill 641, offered by Representative Schoenberg, a Bill for an Act to amend the Clinical Psychologist Licensing Act. First Reading of the Bill. Senate Bill 642, offered by Representative Currie, a Bill for an Act to amend the Chicago Park District Act. First Reading of the Bill. Senate Bill 666, offered by Representative Kubik, a Bill for an Act to amend the Public Aid Code. First Reading of the Bill. Senate Bill 671, offered by Representative Rutherford, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 672, offered by Representative Kubik, a Bill for an Act to amend the Revenue Act of 1939. First Reading of the Bill. Senate Bill 677, offered by Representative Rutherford, a Bill for an Act to amend the Nursing Home Grant Assistance Act. First Reading of the Bill. Senate Bill 684, offered by Representative Mulligan, a Bill for an Act concerning prison industries. First Reading of the Bill. Senate Bill 735, offered by Representative Currie, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 766, offered by Representative

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Laurino, a Bill for an Act to amend the Court Reporters Act. First Reading of the Bill. Senate Bill 851, offered by Representative Wennlund, a Bill for an Act to amend the Park District Code. First Reading of the Bill. Senate Bill 870, offered by Representative Maureen Murphy, a Bill for an Act to amend the Jury Commission Act. First Reading of the Bill. Senate Bill 881, offered by Representative Turner, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1000, offered by Representative Maureen Murphy, a Bill for an Act to amend the Education Labor Relations Act. First Reading of the Bill. Senate Bill 1034, offered by Representative Wennlund, a Bill for an Act concerning illicit drugs. First Reading of the Bill. Senate Bill 1078, offered by Representative Flowers, a Bill for an Act in relation to the destruction, vandalization, or defacing of Metropolitan Transit Authority and Regional Transportation Authority property, amending named Acts. First Reading of the Bill. Senate Bill 525, offered by Representative McPike, a Bill for an Act making certain appropriations for education, higher education, and education grant programs. First Reading of the Bill. Senate Bill 528, offered by Representative Edley, a Bill for an Act making appropriations to the Illinois Student Assistance Commission. First Reading of the Bill. Senate Bill 525, offered by Speaker Madigan, a Bill for an Act making certain appropriations to the Board of Trustees of the University of Illinois. First Reading of the Bill. Senate Bill 532, offered by Representative Hawkins, a Bill for an Act making appropriations to the Board of Trustees of Southern Illinois University. First Reading of the Bill. Senate Bill 944, offered by Representative Curran, a Bill for an Act making appropriations for the ordinary and

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contingent expenses of the Board of Regents. First Reading of the Bill. Senate Bill 34, offered by Representative Novak, a Bill for an Act relating to energy conservation. First Reading of the Bill. Senate Bill 231, offered by Representative Cross, a Bill for an Act to amend the Illinois Controlled Substances Act. First Reading of the Bill. Senate Bill 533, offered by Representative Churchill, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 577, offered by Representative Tom Johnson, a Bill for an Act to amend the Counties Code. First Reading of the Bill. Senate Bill 590, a Bill for an Act to amend the Revenue Act of 1939. First Reading of these Senate Bills. Being no further business, the House Perfunctory Session is adjourned. The House will reconvene tomorrow morning at the hour of 9:00 a.m."

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Speaker Turner: "The hour of 3:30 having arrived, the House will come to order. The Chaplain for today is Reverend Gary McCants of the Bethel-African Methical...Methodist Episcopal Church in Kewanee, Illinois. All guests... All guests in the gallery may wish to rise for the invocation. Reverend McCants."

Reverend McCants: "May we bow our hearts. I will extoll the Lord at all times. His praise will always be on my lips. When I sought the Lord, He answered me and delivered me from all my fears. Oh, Lord, bless the leaders of this House and all the Members who serve in it. May all those who know You, call on You for guidance in addressing the affairs of the people of this great State. It is my prayer that You grant them knowledge, wisdom, and the understanding appropriate for the meaningful resolution of the matters within the jurisdiction of this Body. It remains my prayer and belief that Your angel encamps around those who respect and seek Your face, and that He will deliver them from all their fears. This is my prayer. In Thou dear Son's name, we pray. Amen."

Speaker Turner: "We will be led in the Pledge of Allegiance by Representative Kaszak."

Kaszak - 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 Turner: "Roll Call for Attendance. The Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker. Let the record reflect that Representative Bernard Pedersen is excused today."

Speaker Turner: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker. Representative Monroe Flinn is

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excused today because of illness."

Speaker Turner: "Mr. Clerk, there are a 115 Members present. A quorum being present, you shall take the record. Mr. Clerk, Introduction of House Bills."

Clerk Rossi: "House Bill 2450, offered by Representative Younge, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 2451, offered by Representative Younge, a Bill for an Act to amend the Illinois Housing Development Act. House Bill 2452, offered by Representative Younge, a Bill for an Act to amend the East St. Louis Area Development Act. House Bill 2453, offered by Representative Younge, a Bill for an Act to amend the Public Community College Act. House Bill 2454, offered by Representative Younge, a Bill for an Act to amend certain Acts in relation to foreign trade zones. House Bill 2455, offered by Representative Younge, a Bill for an Act to amend the Civil Administrative Code of Illinois. House Bill 2456, offered by Representative Younge, a Bill for an Act to amend the Public Community College Act. House Bill 2457, offered by Representative Younge, a Bill for an Act concerning families, amending named Acts. House Bill 2458, offered by Representative Younge, a Bill for an Act making an appropriation to the Board of Trustees of State Community College. House Bill 2459, offered by Representative Younge, a Bill for an Act to amend the Illinois Enterprise Zone Act. House Bill 2460, offered by Representative Younge, a Bill for an Act in relation to a demonstration enterprise zone in the East St. Louis First Reading of these House Bills."

Speaker Turner: "Committee Reports."

Clerk Rossi: "The Committee on Rules has met, and pursuant to Rule 14(a)6, recommends consideration and the following

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Bill be placed on the Order of Second Reading: Senate Bill 128. The Rules Committee has met, also, pursuant to Rule 14(a)5, and recommends consideration and the Bill be placed on the Order of Concurrence: House Bill 436, 611, and House Bill 1587. The Committee on Rules has met pursuant to Rule 14(a)4, and recommends consideration and the Bills be placed on the Order of Conference: House Bills 293, 596, 1331, 1526, 2053 and Senate Bills 586 and 951. Signed by Frank Giglio, Chairman."

Speaker Turner: "Supplemental Calendar 1 is being distributed. House Bill 1854, on the Order of Concurrence, Representative Saltsman."

Saltsman: "...Yes, Mr. Speaker, could I take this out of the record for just a few minutes? I'm waiting for a staff person."

Speaker Turner: "Out of the record, Mr. Clerk. Senate Bill 406, Representative Deering. Read the Bill, Mr. Clerk. Out of the record. The House would like to welcome to the chamber former Representative Jerry Washington down front. Representative Jerry Washington. The Special Order Concurrence, House Bill 611. Read the Bill, Mr. Clerk. Representative Balanoff."

Balanoff: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House concur in Senate Amendment 1 to House Bill 611."

Speaker Turner: "Are there any questions? Seeing none, the Gentleman moves... The Gentleman from Will, Representative Wennlund."

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

Speaker Turner: "He indicates he will."

Wennlund: "Can you explain to the Members of the House what the genesis of Senate Amendment #1 is? Three model homes in a

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three mile radius?"

Balanoff: "My understanding is it's from the...the Amendment submitted by the Home Builders."

Wennlund: "I'm sorry."

Balanoff: "It was... It was an Amendment that was suggested by the Home Builders."

Wennlund: "This is a result of current law that...that provides that a model home does not go on the tax rolls at its fair market value?"

Balanoff: "Yes. It was a compromise between the Home Builders and the Township Assessors. Yes, but that is correct."

Wennlund: "Thank you very much."

Speaker Turner: "Any further questions? Seeing none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 611?'. All those in favor should say 'aye'. All those opposed say 'no'...should vote 'aye'. All those opposed should vote 'no'. The voting is now open. Have all voted who wish? Representative Meyer votes 'aye'. Have all voted who wish? ...Have all voted who wish? The Clerk shall take the record. On this question there are 114 voting 'yes', 1 voting 'no', no voting 'present', and the House does concur in Senate Amendment 1 to House Bill 611, and this Motion is hereby declared passed. Under the Order of Concurrences, you have House Bill 436, Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I now move that we concur in Senate Amendment #1 and nonconcur in Senate Amendment #2 to House Bill 436."

Speaker Turner: "Do you want to concur in Amendment #1?"

Novak: "Yes. Yes, Mr. Speaker, I move that we concur in Senate Amendment 1."

Speaker Turner: "Okay. The Gentleman moves that we concur in Senate Amendment 1 to House Bill 436. Are there any

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questions? Seeing none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 436?'. All those in favor should vote 'aye'. Those opposed should vote 'no'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 111 'ayes'... Add Representative McGuire. On this question there are 112 'ayes', no 'noes', 1 voting 'present', and the House concurs in Senate Amendment 1 to House Bill 436, and this Bill having received the Constitutional Majority is hereby declared passed. Representative Novak on Senate Amendment 2 to House Bill 436."

Novak: "Mr. Speaker, Ladies and Gentlemen of the House, thank you. I now move that we nonconcur on Senate Amendment 2 to House Bill 436."

Speaker Turner: "The Gentleman moves that we...that we nonconcur on Senate Amendment #2 to House Bill 436. All those in favor should vote 'aye'. Those opposed vote 'no'. The voting is now op... NO. All those in favor should vote 'aye'...should say 'aye'. Those opposed say 'no'. The 'ayes' have it, and the House does not concur on Senate Amendment 2 to House Bill 436. House Bill 1587, Representative Pankau."

Pankau: "Mr. Speaker and Members of the Assembly, I move to nonconcur with Senate Amendment 1 to House Bill 1587."

Speaker Turner: "Are there any questions on this issue? The Lady moves that we nonconcur on Senate Amendment 1 to House Bill 1587. All those in favor should say 'aye'. All those opposed say 'no'. In the opinion of the Chair the 'ayes' have it, and the House does nonconcur on Senate Amendment 1 to House Bill 1587. Under the Order of Conference Committee Reports, Supplemental Calendar 1, we have House Bill 293,

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Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm a Co-sponsor hand...handling this for Representative Flinn. On House Bill 293 is a Conference Committee Report which will allow counties to file one annual aggregated petition on delinquent tax properties on which they wish to bid in the absence of other bidders. It finally allows counties to recover their costs from the proceeds of tax sales as an offset prior to distribution to the taxing districts. It also limits a sale in error due to municipal liens for those liens of less than \$5,000. The application of limitation is restricted to downstate counties only. And also, it...Representative Brady has a portion of this Bill relating to the Diamond Star Manufacturing Corporation. It provides such agreements of...and it sets out a settlement reached between the parties in...before the Property Tax Appeal Board decision in favor of Diamond Star. Representative Brady can...give you the information about, if there are any questions. I ask for a favorable roll call on House Bill 293."

Speaker Turner: "The Gentleman from Knox, Representative Moffitt."

Moffitt: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Moffitt: "Just a question on the Bill. I had some municipalities express concern that this Bill would really...where they had filed mechanics' liens for mowing and different things on bare lots, that this would wipe those out and they would lose their money. Is that correct?"

Hoffman: "If it... If it's downstate and it's under \$5,000, there could be no sale in error. That is correct. So, in other words, what is happening now is, in those situations, a tax

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buyer may buy the taxes. May buy the back taxes. A year from now, they'll come back and they'll say 'Oh, we didn't know about this municipal lien.' They'll say it's a sale in error. So what then they're entitled to, is they're entitled to the money that they have paid, plus one percent interest. What is happening, this money is coming directly out of the taxpayers' pockets, paying the interest to these tax buyers, when in fact, they knew all along that there was a possibility of a sale in error. So, if it's under \$5,000, yes, that is true. If the lien is under 5,000."

Moffitt: "Then, if my understanding is correct, I...I think a lot of Representatives would be concerned that...that they're really giving away something that belongs to the municipalities, and...based on that, I would urge a 'no' vote."

Hoffman: "Well, Representative, I guess my answer to you is...is that what is happening is when we declare a sale in error, that property is totally taken off the books, and it's totally taken off the tax rolls. So, the municipalities are losing by not having that...that...not having anybody paying taxes on that land. And when you declare a sale in error, they're losing out that way, which in the long run, is a greater loss than they are through the lien process."

Moffitt: "Thank you."

Speaker Turner: "The Gentleman from McLean, Representative Brady."

Brady: "Thank you, Mr. Speaker and Ladies and Gentlemen. I rise to speak in favor of the Motion here to adopt. A very important piece of legislation that will help us settle a long tax...property tax dispute in my county, and I ask for your favorable vote."

Speaker Turner: "The Gentleman from McHenry, Representative

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Skinner."

Skinner: "Well, as I read this thing, it sounds to me like we're sticking it to municipalities here. And if that's what we want to do, I guess a 'yes' vote would be appropriate. I am told that the Municipal League is opposed to this. I'm trying to figure out who wins. It sounds to me like the tax buyer wins. Is that correct, Mr. Sponsor?"

Hoffman: "I didn't hear... I didn't know you were asking a question. Could you repeat it, please?"

Skinner: "Well, obviously it's an unimportant Bill, or else we wouldn't all be talking. My question is, who is the winner and who is the loser in Section 271.1? The municipal lien part."

Hoffman: "The winner... The winner is the taxpayer. And the reason the winner is the taxpayer is because if a sale in error is declared, number one, it's taken off the tax rolls, and we're not receiving any taxes for that; and number two, if...if it's a sale in error, the municipal lien isn't paid anyway. So, I don't see how the Municipal League could be against it. What we're talking about is...is not allowing individuals to make one percent interest per month by simply having a small municipal lien on there. If there's a substantial...a substantial municipal lien, sure, then I understand the argument. But to take it off the tax rolls where municipalities aren't getting any taxes because a sale in error has been declared, is in the long term, is a loss to the taxpayers and a loss for the municipalities."

Skinner: "Is it discretionary on the part of the county treasurer to issue a sale in error certificate?"

Hoffman: "No, it isn't. I believe sale in errors are applied for and...and then possibly have to be litigated before a judge

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in that court...a judge in that circuit in that county."

Skinner: "Well, Representative, you may be right in your argument, but I sure wish you would convince the Illinois Municipal League of the correctness of your argument."

Speaker Turner: "The Gentleman from Cook... The Gentleman from Kankakee, Representative Novak."

Novak: "Yes, Mr. Speaker, will the Sponsor yield?"

Hoffman: "Yes. Yes."

Novak: "Okay. Representative Hoffman, I know I spoke to Representative Flinn concerning some communications I received from the University Park a village in my district in the northern end. All I want to do is for the record and for intent, does this corrected language correct the situation for the Village of University Park?"

Hoffman: "Yes."

Novak: "Okay, thank you."

Speaker Turner: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I rise in support of the Conference Committee Report. I think the question that this Bill raises may look very different depending on which part of the State you live in, depending on what's happening in the property values and development in your individual area. Representative Flinn, from St. Clair County, was responding when he introduced this Bill to the problem of...of properties that stay off the tax rolls, that do not get developed, and with tax buyers who are able to win their one percent in interest because they've bought a piece of property against which a municipal lien is outstanding. On the other hand, there are in the northeastern part of the State, communities that are able to use those liens to leverage sensible responsible development. The new language in this Conference Committee

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Report, the \$5,000 limit, I think responds to the problems of people in areas like University Park, who were able to use the lien to their advantage. At the same time, it permits the possibility of worthwhile development and it stops the holding up of tax buyers that we were seeing in places like St. Clair. I think this is a good compromise. I think it's one that is responsive to different needs in different parts of the State, and I urge your 'aye' vote."

Speaker Turner: "The Gentleman from Peoria, Representative Leitch."

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

Speaker Turner: "He indicates he will."

Leitch: "I would be very interested to know what is a 'sale in error?' Can you describe what that is and what that does?"

Hoffman: "Yes. What a sale in error is, if a tax buyer...a tax buyer buys back taxes, he has a certain amount of time, I don't...I can't tell you if it's a year or 18 months, but he has a certain amount of time; and there's eight reasons in the statute why that individual could have a sale in error declared. For instance, the people declared bankruptcy, therefore, he can't...he can't get the property on back taxes. I believe, maybe internal revenue service type liens. If the property has been substantially destroyed. For instance, he's bought something, he didn't know at the time that he bought it that there was...that...that it existed after due diligence and finds it out later. Therefore, he can have a sale in error declared. It goes... He gets his money back, the tax buyer, plus one percent interest per month. And then it goes back off the tax rolls. And nobody essentially owns it."

Leitch: "I see. And what does your Bill do in regard to this?"

Hoffman: "Just regard to that limited...that limited portion, it

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says if there's a municipal lien, and those liens are for less than \$5,000, and only in downstate, that that is not reason for a sale in error. So, in other words, if the lien is for less than \$5,000, the tax buyer can't come back and say I want my money back and I want one percent per month interest, if it's for less than \$5,000."

Leitch: "Thank you."

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

Granberg: "Will the Gentleman yield? Representative, is there a... Does this affect a pending Tax Appeal Board decision?"

Hoffman: "Yes. This... Representative Brady and Representative Maitland's provision, which is also the Taxpayers Federation provision, having to do with Diamond Star, yes. That is the Taxpayers Federation provision."

Granberg: "Thank you. To the Conference Committee Report. Ladies and Gentlemen, the parties have agreed, for the most part, on this language. This brings to culmination negotiations. They've tried to assist all the parties. This has received good bipartisan support, and I would rise in support of the Conference Committee, and urge all Members to support this Report."

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

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

Hoffman: "Yes. Yes. Yes."

Biggins: "Sponsor, ...if...would this encourage people not to pay their taxes if their tax bill is less than \$5,000?"

Hoffman: "No. This...has nothing to do with the tax bill being less than \$5,000. We're talking about a municipal lien of less than \$5,000."

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Biggins: "Okay."

Hoffman: "No. This has nothing to do... No. No."

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

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

Speaker Turner: "He indicates he will."

Meyer: "Sponsor, down here."

Hoffman: "Oh, there you are."

Meyer: "My understanding of your answer to a previous question was that the Municipal League portion only affects downstate counties. Am I misled by my understanding?"

Hoffman: "No, that's correct."

Meyer: "Well, I refer to line 26 of page 4...25 and 26 of page 4. They're talking about counties with a population of less than three million. Where do you define downstate as starting?"

Hoffman: "Well...I guess everybody's definition of downstate is different, but I guess that I define downstate south of I-80. But I guess maybe some of the...some of the mis...some of the counties north of I-80 are also involved in this."

Meyer: "Okay. Well..."

Hoffman: "I read from... I read from Representative Flinn's analysis. I didn't mean to mislead you."

Meyer: "Okay. Thank you."

Speaker Turner: "The Gentleman from Cook, Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I believe that Representative Skinner hit the nail on the head, when he suggested that the Municipal League read this Bill backwards. This Bill helps municipalities by insuring that a tax buyer cannot use, as an excuse, a small municipal lien to get out of a tax sale; that

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municipalities will still get their money because of the sale will go through and there will not be a need to pay interest to that tax buyer. Representative Flinn has worked hard on this Bill. It was one of the first Bills he introduced, as you can tell by the low number that it has. It went through the House Revenue Committee and I urge your support for this Conference Committee Report #1."

Speaker Turner: "The Gentleman from St. Clair, Representative Hoffman, to close."

Hoffman: "I would like to thank all the Representatives on behalf of Representative Flinn, who spoke in favor of this Bill; and particularly I'd like to point out a couple of things. The first thing, is we're talking about taxpayer savings here. We're talking about savings...savings to taxpayers and getting property taxes back on the rolls, so that we can spread the burden of taxes out, and ensure the people have reasonable taxes throughout the counties. Secondly, this is an agreement and a bipartisan Bill that contains provisions of Representative Brady and Senator Maitland's Bill, and it's supported by the Taxpayers Federation. I ask for a favorable vote."

Speaker Turner: "The question is, 'Shall the House adopt Conference Committee 1 to House Bill 293?'. All those in favor should vote 'aye'. All those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there 89 voting 'yes', 25 voting 'no', 1 voting 'present', and the House does adopt Conference Committee Report 1 to House Bill 293. The Bill having received the Constitutional required Majority is hereby declared passed. Under the Order of Conference Committees, we have House Bill 596, Representative Black."

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Black: "Thank you very much, Mr. Speaker. Conference Committee Report #1 to House Bill 596 keeps intact the language that this House passed...I believe it was 578, and it was...or 596. Whatever it was. It was my House Bill that creates a license plate for the Korean War veterans. They have been working for this for about three years, and the 40th anniversary of the armistice of the Korean War is this July, and they would very much like to have this plate. Also, I would move that the House concur in Senate Amendment #1. And everything we do down here is a compromise, and this is a compromise that brings Elvis Presley back and puts the Elvis plate on this Conference Committee Report. And, of course, that plate will be available for sale. Nobody has to buy it if they don't want to, but the proceeds of the plate, as Representative Balanoff can tell you, is earmarked for many a good cause. And so with that compromise in effect, I would move that we concur or accept Conference Committee Report #1 to House Bill 596."

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

Balanoff: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this great Conference Committee Report. As Representative Black suggested, it also includes what was in House Bill 318, a very popular idea, and that is the Elvis license plate, which will help raise very badly needed revenue for drug and alcohol treatment and prevention programs in the State of Illinois. In Florida, it's raised a \$160 million in new revenue in six years. In California, they've sold over one million preorders for specialty license plates. It really is a win-win for everybody. People get something they love and enjoy, and at

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the same time, we can raise badly needed revenue for the State of Illinois without raising taxes."

Speaker Turner: "The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you, Mr. Speaker. Will the Sponsor yield? Just a... Just a brief question, Representative. Are these plates restricted to people that are dead?"

Black: "Well, I certainly hope not."

Weaver: "Well..."

Black: "We don't even know if Elvis is for sure."

Weaver: "Well, the question is, if he's spotted in a shopping center in Kalamazoo, are we gonna have to rescind all these plates?"

Black: "Well, I'll tell you what. If he's spotted in Kalamazoo, I'll just explode right here on the floor."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, to close."

Black: "Thank you very much, Mr. Speaker. I think both of these Bills incorporated in the Conference Committee Report have been debated at some length, and I'm willing to accept this compromise. I think, if you'll talk to any of the Korean War veterans, and there are 200,000 of them that served in that conflict, who live in Illinois, their time has come. This July will be the 40th anniversary of the end of that conflict that cost over 53,000 American lives. Their time has come. They deserve this plate. And the time is now. How better to honor them than on the 40th anniversary of the armistice. I ask for your 'aye' vote."

Speaker Turner: "Mr. Black, I know you've closed. There was one more light flashing. Would you want to yield before we proceed to the roll call? The Gentleman from Cook, Representative Giglio."