

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

49th Legislative Day

April 26, 1993

Speaker Giglio: "The House will come to Order. The chaplain for today is Reverend Rick Blazek of the Williamsville Christian Church in Williamsville, Illinois. Reverend Blazek is the guest of Representative Vickie Moseley. All guests in the gallery may wish to rise for the invocation."

Reverend Blazek: "Our most gracious Heavenly Father, we pray for the health and the wisdom of our Governor. We pray, Father, for the strength and wisdom of each Representative here, for personal strength to stand up for principals under pressure. And Father, we ask that You might guide all the legislation and action taken this day that Your Spirit might be in control. In the name of Jesus Christ our Savior and Friend, we pray, Amen."

Speaker Giglio: "We'll be led in the Pledge 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 Giglio: "Roll Call for Attendance. Representative Currie."

Currie: "Representative Bob LeFlore is excused today because of illness."

Speaker Giglio: "Let the record indicate, Mr. Clerk. Representative Kubik."

Kubik: "Thank you, Mr. Speaker. Let the record reflect that Representative Maureen Murphy and Representative Bernie Pedersen are excused today."

Speaker Giglio: "Representative Currie."

Currie: "Thank you, Speaker. I've just been informed that Representative Harold Murphy is also excused because of illness in the family. Representative Harold Murphy."

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Speaker Giglio: "Take the record, Mr. Clerk. On this question, there are 113 present; a quorum is in order. The House is ready to do its business. Introduction to Senate Bills."

Clerk McLennand: "Introduction - First Reading of Senate Bills. Senate Bill 900, offered by Speaker Speaker Madigan, a Bill for an Act concerning ethics. First Reading of the Bill. Senate Bill 928, offered by Representative Flinn, a Bill for an Act to amend the Public Community College Act. First Reading of the Bill. Senate Bill 935, offered by Representative Deuchler, a Bill for an Act to amend the Illinois Savings and Loan Act of 1985. First Reading of the Bill. Senate Bill 937, offered by Speaker Madigan, a Bill for an Act in relation to taxation. First Reading of these Senate Bills."

Speaker Giglio: "Representative Black, are you ready, Sir? Representative Black, are you ready, Sir?"

Black: "Yes. House Bill 561 and 233. We're ready."

Speaker Giglio: "All right. I'll take that under consideration."

Black: "Thank you."

Speaker Giglio: "I just wanted to extend the courtesy...we're ready to do our business that you're prepared?"

Black: "We are pleased to join with you in this wonderful Monday when I think we should meet outside if at all possible, Mr. Speaker."

Speaker Giglio: "Well, perhaps we can get some sunlight in it we go through the Calendar as..."

Black: "Yes."

Speaker Giglio: "...expeditiously as possible."

Black: "Let's do it quickly. Let's move right to Children and Family Law, and I don't think we can get back to that. Is Representative Preston here? Well, that's one out of the road."

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Speaker Giglio: "Lady's not here. We'll have to...we'll have to wait. The Chair would like to inform the Members that there's something mechanically wrong with the board on my left or my right, your left, so the board on the...I guess this is the west side of the chambers is the only one that is inoperable today. So hopefully we can get by and if the electricity doesn't run too fast and the wires get too hot, we'll be able to read off this board. If not, then we'll just have to play it...take it as it comes. Representative Black."

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

Speaker Giglio: "Proceed."

Black: "The...you may...pursuant to Rule 56 on the Electrical Roll Call and the...we may need a ruling of the Chair since one of the boards isn't working, we may have to move for a recess until later tonight. I think that's rule 56. Oh, I'm sorry. It says unless it is not working."

Speaker Giglio: "The roll call is working; it's just the message board that's not working."

Black: "Well, I think that's 56 (e) or something. We could talk about this on the first tee, and perhaps by the time we get back, they'll have it fixed."

Speaker Giglio: "All right."

Black: "All right."

Speaker Giglio: "We'll pursue it."

Black: "Outstanding. If you'll call back there."

Speaker Giglio: "As quick as possible. Yes."

Black: "We're in agreement."

Speaker Giglio: "On the Special Order Call, appears Agriculture and Conservation, Second Reading, and on that call is House Bill 1074, Representative Churchill. Do you wish to call that Bill, Sir? Take the Bill out of the record, Mr.

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Clerk. (House Bill) 1990, Representative Brunsvold. Out of the record. Second Reading, Business and Job Development. Representative Kaszak. Representative Kaszak, House Bill 211 and 212. Out of the record. House Bill 2267, Representative Giolitto. Out of the record. Civil Justice, Second Reading. House Bill 92, Representative Lang. Out of... Okay. Representative Pugh, 224. Out of the record. House Bill 365, Representative Homer. Out of the record. Representative Lang, on 764. Out of the record. House Bill 1468. Blagojevich. Out of the record. House Bill 1917, Mulligan. Mulligan? House Bill 2156, Representative Tom Johnson. (House Bill) 2156. Wish to call that Bill, Sir? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2156, a Bill for an Act to amend the Criminal Code of 1961. The Bill has been read a second time previously. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk McLennand: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 2191, Representative Lopez. (House Bill) 2191. Out of the record. Representative Hoffman, 2386. Out of the record. Representative Lang, you want to go back to 764? Okay. How 'bout 1905? Read 1905, Mr. Clerk."

Clerk McLennand: "House Bill 1905, a Bill for an Act to amend the Illinois Vehicle Code. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Lang."

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

Lang: "Thank you, Mr. Speaker. This is an agreed Amendment to make House Bill 1905 look like a companion Bill coming over from the Senate, which is sponsored by Senator Hasara."

Speaker Giglio: "Any discussion? Hearing none, all those in

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favor of the Amendment say 'aye'; opposed, 'no'. The Amendment is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Do you wish to call House Bill 92? Read 92, Mr. Clerk."

Clerk McLennand: "House Bill 92, a Bill for an Act concerning child support. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Lang."

Speaker Giglio: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Amendment #1 deletes some superfluous language. It relates to fathers acknowledging certain paternity, but we passed a law last year that requires them to do that, so the language is superfluous. I move 'do adopt'."

Speaker Giglio: "Any discussion? The Lady from DuPage, Representative Biggert."

Biggert: "Thank you, Mr. Speaker. Will the Sponsor to the Amendment yield?"

Speaker Giglio: "Indicates he will."

Biggert: "Representative Lang, we discussed in committee on page 34 that there was a question about the word 'person' which was not defined in the Act, and it was my understanding that that was an agreement that when you offered Amendments to this or that you would amend this to read 'obligor' rather than person..."

Lang: "As we discussed, you and I last week, Representative, we neglected to do that in these Amendments. If we get the Bill out, I will make that change in the Senate."

Biggert: "Well, I still have a question about that, since there have been three Amendments, and it was, I think, important to the Bill, since 'person' is not defined in this that

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this be done, and I know that I did mention it twice, so it is of concern to me."

Lang: "Well, the only person that could owe any money, the only person that could be an obligor here is someone that has a child support order entered against him or her. There really can be no legitimate dispute about who that person is, but I will make that change in the Senate."

Biggert: "All right. As long as I will have your word that you will make that change in the Senate? All right, thank you."

Speaker Giglio: "Further discussion? Hearing none, all those in favor of the Amendment say 'yes'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment's adopted. Further Amendments?"

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

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

Lang: "Thank you, Mr. Speaker. Amendment #2 adds an immediate effective date. I move 'do adopt'."

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

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

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

Lang: "Thank you, Mr. Speaker. Amendment #3 does a few things. First of all, it deletes the section which would have provided that unemployment benefits become income. I would frankly like to still leave this in the Bill, but the federal government, under their rules, indicate that we can't do that. It also takes certain error...we talk about creating felonies for not paying child support and making

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it summary criminal contempt, and that's about all the Amendment does. This is in agreement with the Department of Public Aid who has been working closely with me on the Bill, and I move that we adopt."

Speaker Giglio: "Any discussion? Hearing none, all those in favor of the Amendment say 'aye'; opposed, 'no'. In the opinion of the Chair, Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 764. Out of the record. House Bill 2228. Do you wish to call that Bill, Representative Lang? (House Bill) 2228. I'm sorry. (House Bill) 2428. Out of the record. (House Bill) 2433. Out of the record. Constitutional Officers, Representative LeFlore. Is anybody handling Representative LeFlore's, 363. Out of the record. Consumer Protection. Representative Schakowsky, you have two Bills: 793 and 2005. Do you wish to call 793? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 793, a Bill for an Act concerning blood safety. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Schakowsky."

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

Schakowsky: "Thank you, Speaker, Ladies and Gentlemen of the House. I would like to withdraw Amendment #1."

Speaker Giglio: "Withdraw Amendment #1."

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

Speaker Giglio: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker. Amendment #2 is a Bill dealing with beefing up the Medical Disciplinary Board to strengthen some of the protections of health care consumers

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against vis-a-vis physicians and adds two public members to the Medical Disciplinary Board, adds the number of issues that they can consider, and the goal of this is to protect consumers and to protect doctors from those who are bad apples. It was a Bill that was...that did not have a chance to get considered in committee. It wasn't a Bill that was voted down, and I would ask that it become House Bill 793 by adding this Amendment."

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

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. Is...I would ask the Chair to see if Amendment #2 is germane to the underlying Bill."

Speaker Giglio: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd ask, as a point of personal privilege, I'd ask all of you to join me in welcoming to the House floor a former Member of this House and the Cook County Recorder of Deeds who is here to record all of your good deeds, welcome to former State Representative and now Recorder of Deeds, Jesse White. Jesse."

Speaker Giglio: "Welcome to Springfield, Representative...former Representative Jesse White. Did you bring the distinguished Lady that you took away from us, my former aide, Miss Houlihan? Representative Black."

Black: "Thank you very much, Mr. Speaker. If it might assist the Chair, the reason I'm questioning the germaneness of Amendment #2, the underlying Bill created a new Act and the Amendment has nothing to do with that new Act; in fact, it's amending an Act already in statute, so I really question the germaneness of Amendment 2."

Speaker Giglio: "We're looking at that, Representative Black,



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because it does have Blood Safety Act and the Malpractice Act does pertain to blood."

Black: "Oh. Okay."

Speaker Giglio: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker. I'll withdraw Amendments 2 and 3."

Speaker Giglio: "Withdraw Amendment #2 and 3. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Representative Schakowsky."

Schakowsky: "Let me just take House Bill 793 totally out of the record."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. Representative Roskam, for what purpose do you arise, Sir?"

Roskam: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise on a point of personal privilege to point out that over the past weekend, Representative Al Salvi celebrated his 33rd birthday, so will you please join him in a round of applause on his happy birthday, and come on over and join us for cake."

Speaker Giglio: "Representative Schakowsky, you wish to call 2005? Layaway Plan Act disclosure? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2005, a Bill for an Act to amend the Layaway Plan Act. The Bill's been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Giglio: "Third Reading. On the Order of Education, appears House Bill 1087, Representative Churchill. (House Bill) 1087. Out of the record. House Bill 1165, Representative Hoffman. (House Bill) 1165. Out of the record. Representative Currie, 1192. Out of the record."

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Representative Levin, 2107. Out of the record. On the Order of Election and State Government, Second Reading, appears House Bill 660. Representative Schoenberg. Out of the record. Representative Curran, 704. Do you wish to call that Bill, Sir? Out of the record. (House Bill) 1201...excuse me. (House Bill) 1201, Representative Currie. Out of the record. Representative Curran, 1228. Out of the record. Representative Deering, 1562. Representative Deering? Out of the record. Representative Rotello, 1745. Out of the record. Representative Prussing, 2296. Out of the record. Representative Deering, Energy and Environment. Do you wish to call House Bill 1967, Sir? Out of the record. Do you like to call 1562? Vehicle, Official Business? Call that Bill, Mr. Clerk. (House Bill) 1562."

Clerk McLennand: "House Bill 1562, a Bill for an Act to amend the State Vehicle Identification Act. The Bill has been read a second time previously. No Committee Amendment. Floor Amendment #1, offered by Representative Deering."

Speaker Giglio: "Representative Deering."

Deering: "Mr. Speaker, table Amendment #1."

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

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Deering, do you want to call 1967? Out of the record. Human Services, Second Reading, appears House Bill 942, Representative Edley. Do you wish to call that Bill, Sir? (House Bill) 942? Do you wish to call that Bill? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 942, a Bill for an Act to amend the Illinois Public Aid Code. The Bill has been read a second

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time previously. No Committee Amendments. No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 2332, Representative Ryder. (House Bill) 2332. Out of the record. Housing and Economic Development, Second Reading. House Bill 529, Representative Turner. Representative Turner. Out of the record. How 'bout House Bill 1060? (House Bill) 1060. Out of the record. House Bill 1238, Representative Morrow. Morrow. Out of the record. House Bill 737, under Labor, Representative LeFlore. Is anybody handling 737? Out of the record. House Bill 1747, Blagojevich. Do you wish to call 1747? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1747, a Bill for an Act in relation to worker retraining. The Bill has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Giglio: "Third Reading. Representative Blagojevich, House Bill 276, Criminal... Read House Bill 276."

Clerk McLennand: "House Bill 276, a Bill for an Act to amend the Criminal Code of 1961. The Bill's been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Blagojevich."

Speaker Giglio: "Representative Blagojevich, on Amendment #1."

Blagojevich: "Thank you, Mr. Speaker. Floor Amendment #1 would change what was a shell Bill to the following: It would say that if a public official of the state or any of its political subdivisions is the subject of a criminal investigation or charged with a criminal offense, that official is expressly prohibited from having his attorneys' fee paid for by the state or from that political subdivision. This Act also preempts home rule powers."

Speaker Giglio: "Any discussion? On that question, the Gentleman

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from Will, Representative Wennlund."

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

Speaker Giglio: "He indicates he will."

Wennlund: "Does Amendment #... Mr. Speaker, what's the matter with that board over here? We having electrical problems?"

Speaker Giglio: "The Electrician is working on the board on the east side, Representative Wennlund."

Wennlund: "Thank you. Does the Amendment become the Bill?"

Blagojevich: "Yes, it does."

Wennlund: "And exactly what does it do?"

Blagojevich: "It essentially says that if anybody who is a public official at the state level or any political subdivision, be it county or municipality, that state law would preclude the state government or the political subdivision from paying any attorney fees in connection with a criminal investigation that may or may not transpire."

Wennlund: "And does this apply regardless of whether or not it's alleged that the criminal act occurred as a result of the public officials' line of duty as a public official? Under it..."

Blagojevich: "Yeah. It applies regardless of whether you do this within its course and scope of governmental work or whether it's done outside of the employment of a government official."

Wennlund: "So, in the case of Walter Kaszibowsky, which I assume is where it's directed, it would prevent the County of Cook from paying any of his legal fees to defend himself?"

Blagojevich: "That's correct."

Wennlund: "Now, what about the instance where in almost every instance when a municipality, a park district, library district, school district or any other district and governmental entity in this state is sued, it is normally

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sued in the name of the President and Board of Trustees of whatever district, regardless of what the underlying investigation or criminal acts that are alleged, all those suits are normally brought in names of individual mayor and trustees, or park board president, or county board or forest preserve district. It's always brought in the names of the individual members of the board. So, then they could not hire an attorney as the county to defend the individual members and pay the legal fees from the county general fund."

Blagojevich: "Representative, only in criminal cases would this apply. Civil suits are...the law would remain the way it is. This only relates to criminal investigations and criminal matters."

Wennlund: "So, anything brought underneath the Criminal Code, for instance, a violation of the Open Meetings Act, how would that fall?"

Blagojevich: "Well, I'm not aware. Is that a criminal matter? I'm not aware of that."

Wennlund: "I'm asking you."

Blagojevich: "Yeah. This is intended to apply to the Open Meetings Act. This is only for those situations where a public official betrays or violates his or her trust to the public and is investigated pursuant to some sort of public corruption."

Wennlund: "Thank you very much."

Blagojevich: "Thank you."

Speaker Giglio: "Further discussion? Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Would the Sponsor yield for a question?"

Speaker Giglio: "Indicates he will."

Kubik: "As I...as you explained it then, this provision would

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only apply in those instances where a criminal charge is brought against a public official?"

Blagojevich: "No, or an investigation, Representative, not merely a criminal charge. But if any public official becomes the subject of a criminal investigation, then this would apply."

Kubik: "Well..."

Blagojevich: "He or she has to have his or her own attorney's fees paid for by themselves or through some other entity other than the government or the taxpayers."

Kubik: "Well, let's say, expanding a little upon Representative Wennlund's example. Suppose that a local village had something occur within the police department, some kind of a criminal violation that the state's attorney is investigating criminal violations to the police department and, I don't know, let's say somebody hung themselves, and there was...some type of criminal violation. If the individual...wife of a prisoner or something were to sue both the police department and the village, would they be in...would that affect them at all?"

Blagojevich: "No, it wouldn't, Representative. That would be a civil matter, and this law would not apply to that situation."

Kubik: "But, you know, I guess for, basically for purposes of legislative intent, you're not...maybe this is a long term to use, setting up municipal officials for unwarranted or unwanted lawsuit. This is kind of a narrow definition of something that they have done, that they may have done that was criminal and they're...and being investigated or charged with. Would that be a fair characterization?"

Blagojevich: "Yes. If I understand your question, Representative, and I'll make the legislative intent here

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very clear. The legislative intent is strictly for criminal investigations of public officials who have betrayed their trust or are investigated pursuant to that. That's it. It has nothing to do with any civil matters or anything else within the course and scope of the matters of that particular entity. It's strictly intended for criminal investigations relating to a violation or breach of the public trust and would not apply to any civil lawsuits filed as a result of anything that may arise therefrom."

Kubik: "Okay. Thank you for your response."

Blagojevich: "Thank you."

Speaker Giglio: "Representative Johnson."

Johnson, Tom: "Yes. Will the Sponsor yield? Representative, you know, in looking at this Amendment, I think I understand what you're trying to do, but I have a couple problems with it. Number one, in terms of any presumption of innocence, it seems like that is basically going out the door. It's the mere initiation of a criminal investigation on somebody. Is that correct?"

Blagojevich: "That's correct."

Johnson, Tom: "The way it's worded?"

Blagojevich: "The latter part of what you said is correct. The presumption is obviously still part of the law. There is a presumption of innocence, of course. What this Bill is intended to do, it's strictly intended to mirror civil society. In other words, those of us in public who are public officials ought to be treated the same way as the average citizen. When the average citizen becomes the target of a criminal investigation, the average citizen has to go out and pay for his or her own attorney. Those in some areas of government have had the opportunity, when

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they've been the targets of criminal investigations, to have the taxpayers foot the bill. This Bill is only designed and intended to mirror what everybody else, what every other citizen has to be responsible for."

Johnson, Tom: "Okay, but wouldn't this become a rather chilling effect on the part of people wanting to run for school boards, et cetera, and fear of ever being investigated or charged with some offense?"

Blagojevich: "Well, again, this doesn't..."

Johnson, Tom: "Have you considered that?"

Blagojevich: "I have, and I'll tell you my one concern with this, and perhaps we could work out tidying up the language. With regard to the scenario you just mentioned, I'm not concerned about that, because again, this is only designed for criminal matters and the betrayal of the public trust, so anybody who is sued in...pursuant to duties as a school district official, this Bill would not apply. I am concerned in a situation where you might have an overzealous prosecutor who thought that he or she might gain some political advantage to go after a public official. So, I mean, I've contemplated something at the end of a case where if it can be shown that the prosecution was brought merely for political reasons that perhaps then the governmental entity can reimburse the public official. That's something that we should talk about."

Johnson, Tom: "Right. That's what I was getting to..."

Blagojevich: "Yeah."

Johnson, Tom: "...you consider that type of an Amendment and maybe taking this out of the record for purposes of that to get that type of Amendment in there, that...you know, once the trial is over, if it's shown to be a vindictive sort of thing and no basis and fact, that at least the board would



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have the power to reimburse."

Blagojevich: "Representative Johnson, you know, I would be, except for the time constraints here. I'd be happy to work with...if it gets to the Senate, I'd be happy to work along those lines. I am informed, however, that there is a federal remedy in the event that there is the misuse of a prosecutorial office available to public officials and that that remedy then could be exercised by the accused public official who..."

Johnson, Tom: "I believe that would just cause a whole lot more litigation. I just think somewhere... I just don't want to see people being chilled out, not running for offices for fear that you're going to have some runaway prosecutor out there chasing down privileged charges that citizens might bring or whatever. And, you know, these are political offices, and you know, I would just like to see some sort of protections built in there that in the event this was found to be otherwise at the end of a trial...plus, I don't think it's fair to limit the board in that regard. But if you would be willing to do that, then I'd have no problem."

Blagojevich: "Thank you."

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

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 769, Representative John Dunn. Representative Dunn. John Dunn, 769. Do you wish to call that Bill, Sir? Out of the record. House Bill 1475, the Lady from Cook, Representative Currie. Representative Currie? Out of the record. On the Order of Local Government, Second Reading. House Bill 168,

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Representative Lang. Out of the record. House Bill 175, Representative Capparelli. Out of the record. House Bill 550, Representative Lang. Out of the record. House Bill 1236, Representative Steczo. Out of the record. Representative Saltsman, House Bill 1508. Wish to call that Bill, Sir? Saltsman. (House Bill) 1508. Do you wish to call the Bill? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1508, a Bill for an Act to amend the Illinois Municipal Code. The Bill has been read a second time previously. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Saltsman."

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

Saltsman: "Is Amendment #2?"

Speaker Giglio: "Amendment #2. Yes, Sir."

Saltsman: "Yes. What Amendment #2 does, it eliminates the word 'a part time police officer' and states that all he must do is have the basic training provided by the Illinois State Training Bureau."

Speaker Giglio: "Any discussion? The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. If we could bring the noise level down just a little bit, you'll remember what this Bill does. It affects every downstate community in this state. This is the Bill you've been hearing about from every small and medium sized city and village in Illinois. This does away with part-time and auxiliary policemen in every one of your communities. It bars 'em. And I'll tell you what, every one of your communities are going to tell you, 'Look, without the auxiliary and part-time police force, we can't afford police protection in all of our cities and villages

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throughout the State of Illinois'. I'm going to ask for a Roll Call and a Record Vote on this Amendment, Mr. Speaker, because I'll tell you what. Every city and village in this state that depends on part-time police officers and depends on auxiliary police officers for traffic control, protection of the public, whether it's the high school football game, or the parade on Memorial Day. Your cities and villages depend on part-time and auxiliary police officers. This is a Fraternal Order of Police Amendment and Bill that would ban and prevent your cities and villages from hiring part-time police officers and from employing auxiliary police officers to help maintain the peace. Your cities and villages simply can't afford it. It's time we quit sending mandates to every city and village in this state telling them what they can and they can't do, who they can hire, who they can't hire, and what they're going to cost. This is a union effort to provide full employment for full-time police officers that our cities and villages simply cannot afford. That's what this Amendment's all about, and you ought to vote 'no' on this Amendment. I've asked for a Record Vote on this Amendment, and you ought to vote 'no' on it, because you know, you've heard from your cities and villages."

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

Dart: "Will the Sponsor yield?"

Speaker Giglio: "Indicates he will."

Dart: "Does this Amendment, as it's presently written now, would prohibit all part-time police officers?"

Saltsman: "No."

Dart: "What does it..."

Saltsman: "This Amendment does not pro...this is what we took the part-time police officers out of it for. If the man has

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the proper training, he can work two hours in this town, four hours in that town. A deputy sheriff can go out and serve in a small municipality for four hours a night as a part-time police officer, the word 'part-time police officer' with this Amendment is out. All it says is they have to have the proper training. Don't strap a badge and a gun on a person that's not trained, and that's what these mayors and village people are doing. All it says...we took the part time out. This now does not say one word with this Amendment. The previous speaker was wrong. It's never affected civilian defense. It's never affected crowd control. It's people with arresting powers. People that's going to come up to you with a gun and a badge on their strap, and pull you over with your kids in the car, with just a badge and a gun strapped on 'em, it prohibits that. These people have to be trained by more than just a 40-hour shooting course. They're taking 'em out to the range and giving 'em a 40-hour course on the range with a gun. They're not training for anything else. These people really don't have arresting powers. All we're saying...you could be part-time, you could be anything you want, but get trained for it."

Dart: "They have to be trained?"

Saltsman: "They have to be trained."

Dart: "So, as long as they're trained, they can be part-time."

Saltsman: "They can be part time."

Dart: "Have the Municipal League...have they filed an opinion on this of any type...do they have an opinion?"

Saltsman: "They have an opinion on anything, I ain't seen 'em around here in a couple weeks."

Dart: "Okay."

Saltsman: "You want to depend on them for an opinion?"

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Dart: "No, no. My concern is this, Representative."

Saltsman: "I don't think anybody around here does."

Dart: "My concern is this, Representative. I have two small towns in my district who have sent me letters as far as how this would affect part-time police officers."

Saltsman: "I have talked to several of them by phone."

Dart: "Yeah."

Saltsman: "They're not opposed to the training, and they said they can only hire people for so many hours a day; four hours during a certain times there could be problems and so on in small communities. They're not opposed to the training, either. The ones that I have talked to. They just says, we gotta have part-timers. There's nothing wrong with this. If you had the proper and the basic training..."

Dart: "But, this doesn't prohibit part time, it just says you gotta have the training."

Saltsman: "Yes. Even my..."

Dart: "Who's going to pay for the training?"

Saltsman: "Pardon?"

Dart: "Who's going to pay for the training?"

Saltsman: "It's paid for partially by the Illinois Police Training Board and the municipality that they work for."

Dart: "Okay. Thank you."

Speaker Giglio: "Further discussion? Representative Black."

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

Speaker Giglio: "Indicates he will."

Black: "Representative, is it your understanding that the Police Training Board will reimburse municipalities and villages for the training of part-time officers?"

Saltsman: "They will repay...they will give that financial

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services to any municipality that sends their people for training. They'll split the difference. It's a 50/50 split."

Black: "Even if that officer is clearly to be part-time in nature?"

Saltsman: "They haven't rejected anyone yet, and I don't know if they've been faced with this or not. If the municipality wants to send them, I don't know why they would turn him down, and I don't think there's anything there...any reason for them to...I don't think there's any books that even says you have to be part-time or full-time, if a municipality wants you trained. I don't know the real Act, Representative, of that board."

Black: "Okay. Thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House. This is not a partisan issue. The last time we debated this Bill and my Amendment was put on the Bill (which now this Amendment wipes out), this affects almost every city in this state. Now, granted the larger cities don't have this problem and may never have this problem, but I would say be you Democrat or Republican, you better take a close look at this Bill. First of all, I'm not at all certain that the Police Training Board will reimburse the city for the training of a part-time police officer. Secondly, if you're using part-time police officers, under the ordinance of your city and under the advice of your corporate council, what makes you think that a part-timer, who may hold down a full-time job in your community, could go to the police training board. That's always been a problem in downstate communities. These people are exactly that. They're part-time police officers. They are not someone wanting to be full-time officers. They usually have a

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40-hour a week job, and they help out at night, and they help out on weekends, and they help out on various crowd control, or they ride along with a sworn police officer to give them additional help and comfort because we can't afford to have two-person police cars in most downstate communities. Ladies and Gentlemen, you rejected this Bill by...by adding Amendment #1 earlier on a non-partisan vote. This Amendment strips Amendment 1 and make it clear what it does: It says no city, village or town in the State of Illinois can hire or utilize part-time police officers unless they go to the Police Training Board. Now that...if that isn't a mandate that is onerous on a small city who follows the dictates of the people who elected them and their corporation council, I don't know what is. I urge a 'no' vote on House Bill...Amendment #2 to House Bill 1508. I'm joined by Representative Wennlund in seeking a Record Vote Roll Call on this; and, Mr. Speaker, should it get the requisite number, I am joined by the appropriate number of people on my side to seek a verification."

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

Balthis: "Thank you, Mr. Speaker. Could we have a little quiet in the House? You know, last November, 85% of the people of the State of Illinois said it was time for the State of Illinois to stop passing mandates. I want to tell you, my home community of Lansing is 30,000 people. This will cost my home community \$1.5 million, \$1.5 million, which will raise their real estate property taxes by about 45%. Every one of you that vote for this Bill are going to be faced back home with somebody telling you that you raise property taxes by close to 50%. So, when you vote for this Bill, be prepared to listen to your local community officials

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telling you that your property taxes are going up by about 50% because of this Bill and not being able to use part-time policemen."

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

Saltsman: "Yes. I don't know where these figures are coming from 'cause it takes about \$6,000 to train a police officer, and the training board splits 50% of that. I don't know how many hundred thousand cops they got in Lansing; I said hundred thousand to go up to \$1.5 million in taxes. These people are shooting numbers over here and I'm telling you, this Amendment no longer even mentions you can't have part-time police officers. Now, I want a Roll Call on this Bill. This is why I'm calling it now. I want a Roll Call. I want to see how many of you people want to put untrained tin badgers on the street. Tin badgers are what we used to call 'em when I was a kid when they used to volunteer to run around without a gun on 'em and chase us, 'cause they couldn't arrest us. These are the guys...now you're strapping guns on. Years ago, they couldn't carry a gun. These men don't have to be trained. I'm not talking part-timers. They could do it even to full-timers if they want. These village boards and these marriage assembly spaces can strap guns and badges on these people. Now, you got to drive through these towns, you say, 'I don't care, I don't live there', but they got mutual aid with other cities. Every police organization in the State of Illinois is for this Bill, including the Police Training Board. Every police organization in the state is for this Bill as I've got this Amendment: The FOP, the IPA, Police Benevolent Protection Association, and the reason I amended this, was to take the word 'part-timer' out. Now, what I'm



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going to...the reason I want this roll call, and I want it bad, I want to see how many of you respect a certified police officer and how much training he has been through. I got a letter today from Crestwood, Illinois. They have a 24-member police department. They cut it down to five, and hired 50 part-timers 'cause they don't have to pay their pension, they don't have to send 'em to the Training Bureau, so they ended up going from a 27-man department down to five; Crestwood, Illinois. It must be a very, very poor location; I don't even know where it's at. But I got a letter today from this officer begging me, what kind of working conditions he's working under now with only four more officers. That's including the chief. That's all he's got left in the City of Crestwood, Illinois. Now, if you want this to happen in the State of Illinois, and you says, 'We gotta quit puttin' mandates' we mandate liquor licenses, we mandate gambling licenses, there are, several things that we mandate because these are valued to the citizens of the State of Illinois. You go ahead and I want the roll call. You go ahead and you vote against this Amendment, and you're tellin' me, you want unplain...untrained, unqualified, unexperienced, tin badgers in the street. You go ahead and vote 'no' on this Amendment, and I'll guarantee you, every police organization in your district is waiting for this roll call. This Amendment sweetens this Bill up and it does not have anything to do with part-timers; part-timers has been eliminated. I don't care if you got a hundred part-timers. Get 'em trained. I want a trained cop workin' on my child or comin' to an accident if I got a family hurt. I don't want some guy that just got off work at the corner lumberyard and just started work and got home in time to

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put his badge on. I want a trained officer to come to get me. I don't care if he even gets paid. If he gets paid...if he works for free, he's still gotta have training before you strap a gun on this guy. So, I ask for your support on this Amendment."

Speaker Giglio: "All right. The question is, 'Shall Amendment #2 pass?' All those in favor signify by voting 'aye'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 29 voting 'yes' and 68 voting 'no'. The Amendment fails. Are there further Amendments?"

Clerk McLennand: "No further Amendments, but a fiscal note...fiscal note request has been filed for the Bill, as amended."

Speaker Giglio: "Leave the Bill on the Order of Second Reading. Fiscal...been filed, Mr. Clerk? Has the fiscal note been filed? Withdraw the fiscal note? Withdraw the fiscal note. Third Reading. Representative Schoenberg, on House Bill 1635. Read the Bill."

Clerk McLennand: "House Bill 1635, a Bill for an Act to amend the Counties Code. The Bill's been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Giglio: "Third Reading. On the Order of Professional Regulations, appears House Bill 618. Steczo. Representative Steczo. Out of the record. Representative Santiago, on House Bill 715. Do you wish to call that Bill, Sir? Out of the record. Representative Deering on House Bill 1554. Deering. Representative Deering? (House Bill) 1554. Out of the record. Representative Moore, for

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what purpose do you arise, Sir?"

Moore, E.: "Mr. Speaker, I'd like to acknowledge on House Bill 1386, I'd like to be recorded as voting 'no' on that House Bill; accidentally was reported as voting 'yes'. It should be reported as voting 'no' on that Bill. House Bill 1386."

Speaker Giglio: "Let the record so indicate, Mr. Clerk. On the Order of Revenue, Second Reading, appears House Bill 7. (House Bill) 549. (House Bill) 1420, Representative Levin. House Bill 2371, Representative Ryder. Read the Bill."

Clerk McLennand: "House Bill 2371, a Bill for an Act to amend the Disabled Persons Rehabilitation Act. The Bill has been read a second time previously. Amendment #1 was adopted in committee. No Motions filed. No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 897, Representative Balanoff. Out of the record. State and Local Government, appears House Bill 103, Representative Novak. Novak. Representative Schoenberg, 140. Still on Order of Third Readings, Business and Job Development. House Bill 1047, Representative Turner. Out of the record. Representative Deering, on 1292. Third Reading. Out of the record. Representative Kotlarz, 2268. Out of the record. House Bills, Third Reading. Civil Justice, appears House Bill 381, Representative Hoffman. (House Bill) 381, Third Reading. Do you wish to call that Bill, Sir? Read the Bill."

Clerk McLennand: "House Bill 381, a Bill for an Act to amend the Code of Criminal Procedure of 1963. Third Reading of this Bill."

Speaker Giglio: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 381 gives discretionary authority to the court in release of bail where the court may order as a

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condition of release that an individual be tested for the presence of an illicit drug and that they can't have that in their system if the person is charged with a drug offense or has a previous conviction of such and the court finds a history of drug use. I ask for an 'aye' vote."

Speaker Giglio: "Any discussion? Hearing none, all those in... The question is, 'Shall House Bill 381 pass?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 111 voting 'yes', 0 voting 'no'; and House Bill 381, having received the required Constitutional Majority, is hereby declared passed. House Bill 408, Representative Steczo. Out of the record. Representative Pugh, House Bill 513. Court, fix-release dates. Out of the record. Representative John Dunn, 743. Out of the record. Representative Leitch, 1154. You wish to call this Bill, Sir? (House Bill) 1143? Do you wish to call the Bill? Consideration Postponed? Representative Turner, 1187. Do you wish to call this Bill? Read that Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1187, a Bill for an Act to amend the Jury Commission Act. Third Reading of this Bill."

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

Turner: "Thank you, Mr. Speaker. Can I ask a question? Is Amendment #1 adopted on this Bill?"

Speaker Giglio: "Mr. Clerk, what's the status of the Bill?"

Clerk McLennand: "Amendment #1 has not been heard. Amendment #1 is not on the Bill."

Speaker Giglio: "It hasn't been adopted on the Bill. Do you wish to bring this Bill back to the Order of Second to adopt the Amendment?"

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Turner: "Yes, Mr. Speaker."

Speaker Giglio: "Does the Gentleman have leave? Hearing none, leave is granted. The Bill's on Second. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1187. The Bill's been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Turner."

Speaker Giglio: "Representative Turner."

Turner: "Thank you, Mr. Speaker. Amendment #1 clarifies a point in the Bill where you're saying that...as far as the jury list is concerned that the person has to be a U.S. citizen. I move for the adoption of Amendment #1 to House Bill 1187."

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

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 1277, Representative Santiago. Out of the record. Representative Lang, 1369. Out of the record. Representative Homer, 1691. Homer? Out of the record. Representative Hoffman, 1929. Representative Hoffman. Jay Hoffman. (House Bill) 1929. Read that Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1929, a Bill for an Act to create the offense of reckless corporate conduct and a civil remedy in relation to that conduct. Third Reading of this Bill."

Speaker Giglio: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This House is...or this Bill is an extremely important piece of legislation which is sponsored on behalf of the Illinois Trial Lawyer's Association. This would

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amend the...this would create the offense of criminal reckless corporate conduct and create the sanctions for certain types of activities which are created. For instance, in the Pinto situation where a corporate entity knows of the problems and they knowingly or recklessly disregard them, endanger the lives of individuals. I ask for an 'aye' vote."

Speaker Giglio: "Any discussion? Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think you ought to take a real close look at this Bill which is on Third Reading now. It creates a whole new class of offense, and I'm talking about a criminal offense against every corporation in this state. Now, this includes all the small grain companies, all small corporations, the plumbing company, the lumber company, all small businesses in Illinois would be now subject to a criminal offense; creates a whole new class of offenses..."

Speaker Giglio: "Excuse me, Representative Wennlund. Representative Hoffman."

Hoffman: "I think we should take this out of the record at this time."

Wennlund: "That's a good idea. Thank you."

Speaker Giglio: "Take the Bill out of the record. House Bill 1930, Representative Lang. (House Bill) 2111. Out of the record. Representative Dart, you have two Bills: 2408 and 2422. Read 2408, Mr. Clerk."

Clerk McLennand: "House Bill 2408, a Bill for an Act to amend the Juvenile Court Act of 1987. Third Reading of this Bill."

Speaker Giglio: "Representative Dart."

Dart: "Thank you, Mr. Speaker and Members of the House. This Bill deals with a specific instance which is called 'no-fault' or lock-out cases in child abuse cases. This would extend

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the period of time. Right now there's an arbitrary six-month period, which is the present period that's allowed for these children. This would expand it depending on how far the court would need to deal with the child as far as his medical needs may go. I move for the passage."

Speaker Giglio: "Any discussion? Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. An inquiry of the Chair first. Were Amendments 1 and 2 adopted? Floor Amendments 1 and 2?"

Clerk McLennand: "Amendments #1 and 2 have been adopted."

Wennlund: "Have been adopted?"

Clerk McLennand: "Have been."

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

Speaker Giglio: "He indicates he will."

Wennlund: "As amended, with Floor Amendments 1 and 2, could you tell us what this does again, Representative?"

Dart: "Basically, what it does, there's a special scenario that plays out where a child is not being able to get the medical attention they need from their parents through no fault of the parent, and so they're what they call lock-out cases where they physically are not allowed into the house by the parents. What this Bill would say is that the court, in these specific cases, could allow for the court to monitor the cases longer than six months. Right now in statute, we have a six month period of time that's delineated, and everyone agrees it was an arbitrary number that was put together. In certain instances, it takes more than six months to get the child back into the house, and we just want the period of time to reflect however long it's going to take to get the child in."

Wennlund: "And what's the lock-out portion? I don't..."

Dart: "The lock-out basically is the term that they give it in

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the juvenile court system for the situation where there's nothing physically that is allowing the court to take the child out right now, but what they're saying is that the parent and the child basically are the mother's not letting the child into the house and physically the kid's on the street, and this would allow the court to intervene in that situation. Right now, they are allowed to, but it's presently limited to six months. The six months figure, from what I understand, was an arbitrary figure that they came up with, and this is just saying that they allow it for as long as necessary to remedy the problem."

Wennlund: "Thank you very much."

Speaker Giglio: "The Gentleman from McLean, Representative Brady."

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

Speaker Giglio: "Indicates he will."

Brady: "I listened to what you said, Representative Wennlund, but I still don't understand why did you amend the Bill? It seems to me that the original Bill said exactly what you said."

Dart: "There was a typo. They were removing a word that didn't need to be."

Brady: "Two Amendments for a typo?"

Dart: "The first one was a...put the immediate effective date on there. I forgot that."

Brady: "Pardon?"

Dart: "I forgot it."

Brady: "I'm sorry. I still didn't hear you."

Dart: "I bet you didn't, and the second one took out a typographical error which it took out the word 'or'."

Brady: "Thank you."

Speaker Giglio: "Representative Dart, to close."



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Dart: "I would just move for passage of this Bill."

Speaker Giglio: "The question is, 'Shall House Bill 2408 pass?'

All in favor vote 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 104 voting 'yes', 0 voting 'no'; and House Bill 2408, having received the required Constitutional Majority, is hereby declared passed. Criminal Justice, Third Reading. House Bill 2422, Representative Dart. Out of the record. Representative Homer, on 1052, Constitutional Officers. Do you wish to call that Bill, Sir? Out of the record. Representative Schakowsky, you have four Bills under Consumer Protection. House Bill 1017. Do you wish to call that Bill? Read that Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1017..."

Speaker Giglio: "Out of the record. House Bill 1504. House Bill 1017 is on Postponed Consideration, Representative Schakowsky. We're not on that Order. House Bill 1504. Wish to call... Out of the record. How 'bout House Bill...well, 1505? Out of the record. Representative Currie, 1928. Out of the record. Schakowsky, 2006. Out of the record. On the Order of Education, Representative Levin, 125. Out of the record. House Bill 658, Representative Currie. Education, 658. Out of the record. Representative Churchill, 1089. Out of the record. Representative John Dunn. Representative Dunn? (House Bill) 1195. Out of the record. Representative Currie, 1919. Barbara Currie. (House Bill) 1919. Out of the record. Representative Flowers, 2249. Out of the record. Representative Brunsvold, 2274. Representative Brunsvold. Out of the record. Elections and State Government, appears

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House Bill 820, Representative Ostenburg. Wish to call that Bill, Sir? Out of the record. Representative Currie, on 1202. Out of the record. Representative Edley, on 2414. Edley. Out of the record. On the Order of Energy and Environment, Third Reading, appears House Bill 350, Representative McGuire. McGuire? Out of the record. Representative Dart, on House Bill 815. Out of the record. Representative Skinner, 1821. Representative Skinner, do you wish to call this Bill, Sir? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1821, a Bill for an Act in relation to environmental protection. Third Reading of this Bill."

Speaker Giglio: "The Gentleman from McHenry, Representative Skinner."

Skinner: "Mr. Speaker, I would refer everybody who's bought a Sun-Times today to the middle editorial which talks about the State of Illinois' household hazardous waste removal program being wasteful. Apparently, it's costing about \$5 to \$10 for each gallon of paint, pesticide, motor oils and other household wastes which are being removed under the state program. House Bill 1821 is an attempt to make it possible for local counties and municipalities to zone centers for household hazardous wastes without having to go through the siting authority of the EPA. That's all it does. I ask for your support in passing this Bill."

Speaker Giglio: "Any discussion? The Gentleman from Clinton, Representative Granberg. Representative Novak."

Novak: "Yes, Mr. Speaker. Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Novak: "Representative Skinner, the first part of the Bill concerns the..."

Skinner: "Which one?"

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Novak: "Siting approval..."

Skinner: "That's gone."

Novak: "It's gone?"

Skinner: "Yes."

Novak: "Okay, so what's left in the Bill?"

Skinner: "The whole first seven pages is gone."

Novak: "Okay. That dealt with the local government approval for the household hazardous waste..."

Skinner: "No."

Novak: "...Regional collection center?"

Skinner: "No, the first...well, I don't know... I can describe what it is, but it's irrelevant to the Bill at the present time. It had to do..."

Novak: "That's okay. If it's gone, that's all right. It's irrelevant. What's left in the Bill?"

Skinner: "What's left in the Bill is something very similar to what's left in your House Bill 436."

Novak: "Very similar to House Bill 436."

Skinner: "What is... Well, there's part of your House Bill 436."

Novak: "You said similar. Is there...what are the differences, then?"

Skinner: "Well, just in wording. We're only dealing with household hazardous waste sites here."

Novak: "No, I understand that, but what...you said...what's the difference between your Bill and my Bill? Can you take it out of the record just for a second?"

Skinner: "Sure. I'd be happy to."

Speaker Giglio: "Out of the record. House Bill 2065, Representative Morrow. Representative Morrow in the chamber? Out of the record. On the Order of Third Reading, Health Care and Human Services, appears House Bill 258, Representative Phelps. Phelps, on 258. Read the

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Bill, Mr. Clerk."

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 Giglio: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker. (House Bill) 258 is the Committee Bill that the subcommittee took care of with health care, and there was agreement with everything that we have talked about in the subcommittee."

Speaker Giglio: "Any discussion? The Gentleman from Logan, Representative Olson."

Olson: "Thank you, Mr. Speaker. The underlying Bill here is a good Bill, Ladies and Gentlemen. The Amendment put on the other night was when I spoke rather rehemently, I guess. Anyway, I spoke up on the Amendment. The Amendment deals with the Inspector General relative to mental health and developmental disabilities. It is not an Amendment that is welcomed by the department itself. Repeat: The underlying Bill is good. There are many of us who have problems with the Amendment. Vote your heart. I'm going to have to vote 'no' on this."

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

Krause: "Just to lend support to the Bill to House Bill 258, it was a Committee Bill with a great deal of work on it."

Speaker Giglio: "Representative Phelps, to close."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Outside of the Amendment that Mr. Olson referred to (which may or may not be friendly to whatever view the Department of Personnel might have), the overall Bill is agreed to and I gave my commitment to support all the way through, so I ask for your 'aye' vote."

Speaker Giglio: "The question is, 'Shall House Bill 258 pass?'"

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All those in favor vote 'aye'; opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 78 'ayes', 33 'noes'. House Bill 258, having received the required Constitutional Majority, is hereby declared passed. House Bill 453, Representative McGuire. (House Bill) 453. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 453, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of this Bill."

Speaker Giglio: "The Gentleman from Joliet, Representative McGuire."

McGuire: "Thank you, Mr. Speaker. Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 453 is a Bill that I have to try and promote a pilot program of physical examinations for people on public aid. Now, we've had this Bill discussed in committee, and we've had a couple of Amendments put on the Bill, and what the Bill finally is going to try to do, if you will allow, to have a pilot program in Will County and Saline County (a large county and a small rural county), both with high unemployment. Public Aid is in approval of the Bill, and I will try to answer any questions."

Speaker Giglio: "Any discussion? Question is, 'Shall House Bill 453 pass?' All those in favor vote 'aye'; opposed, 'no'. The voting is open. Have all...have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 110 voting 'yes', 0 voting 'no'. House Bill 453, having received the required Constitutional Majority, is hereby declared passed. Representative Phelps, on House Bill 552. Read the Bill. It's on Consideration Postponed. House Bill 928,

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Representative Davis. Out of the record. You want to run this Bill? (House Bill) 928. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 928, a Bill for an Act to amend the Lead Poisoning Prevention Act. Third Reading of the Bill."

Speaker Giglio: "Representative Davis."

Davis: "Thank you, Mr. Speaker. House Bill 928 states that when children have their school physical exams and there is a high incidence of lead in their community, the professional can make the judgment that that child should be screened for lead poisoning. And I'm available for questions."

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

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. Is Amendment #2...has Amendment #2 been adopted to the Bill?"

Clerk McLennand: "Amendments #1 and 2 have been adopted."

Black: "It's my understanding that Amendment #2 is the Amendment that the Department of Public Health wanted on the Bill, and I think the Sponsor concurred with that, so as amended, I don't think we have any problem with the Bill."

Speaker Giglio: "Further discussion? The question is, 'Shall House Bill 928 pass?' All those in favor vote 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 113 voting 'yes', 0 voting 'no'; and House Bill 928, having received the required Constitutional Majority, is hereby declared passed. Representative Curran, on 971. Out of the record. Representative Ryder, on 1390. Out of the record. Representative Ronen, 1995. Read the Bill, Mr. Clerk."

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

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Bill."

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

Ronen: "Thank you, Speaker, Members of the House. The Amendment that we passed on Friday now becomes the Bill. This Bill now has nothing to do with health finance trauma data. What this does, House Bill 1995 makes distinct part certification of a nursing home illegal. The Nursing Home Care Act now provides that Medicaid-certified facility may not discharge a resident who exhausts his or her savings, and becomes Medicaid-eligible while living in the nursing home. The federal government, however, has said that Illinois must amend this Act if we want to continue to protect all residents against discharge when they become Medicaid-eligible, and House Bill 1995 makes this change. I recommend 'do pass'."

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

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

Speaker Giglio: "She indicates she will."

Black: "Amendment #2 becomes the Bill; is that correct?"

Ronen: "That's correct, Representative."

Black: "I need to just clear up something about... It says for the developmentally disabled. I'm not sure I understand our synopsis here. Are you increasing the number of beds?"

Ronen: "No Sir, we're not. We're just saying for those facilities that exist distinct part certification is illegal, we're not changing anything else but that. We had thought that the Nursing Home Care Act already did this; the federal government tells us otherwise. So, we're making this change to make sure that this, in fact, is the law which everybody thought was the law previously."

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Black: "So, this, this puts us in compliance with federal law.  
Is that your understanding?"

Ronen: "Yes."

Black: "So, basically I guess it would be all right to say this  
is kinda of a technical cleanup of something we already  
thought was a statute. Right?"

Ronen: "A little more. It's a re-emphasis and re-assertion, yes,  
a technical cleanup."

Black: "Okay, thank you very much."

Ronen: "Thank you."

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

Schakowsky: "I just wanted to emphasize that this legislation is  
supported by the Department of Public Health."

Speaker Giglio: "Representative Ryder."

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

Speaker Giglio: "Indicates she will."

Ryder: "Thank you. Representative, I apologize, the noise level  
was such I didn't understand in your conversation with  
Representative Black exactly what this Bill does."

Ronen: "This Bill just merely makes distinct part certification  
of a nursing home illegal. We had thought the Nursing Home  
Act already did so. The federal government tells us we  
have to take this extra step to make sure that this, in  
fact, is the law in Illinois."

Ryder: "Representative, have you received any input or positions  
on this piece of legislation from those people in the  
nursing home industry?"

Ronen: "No, I have not."

Ryder: "Either for or against?"

Ronen: "I have not."

Ryder: "Senator Dudycz would know."



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Ronen: "I understand that the Illinois Department of Public Health supports this legislation, but I have not heard from others."

Ryder: "Okay. Thank you very much."

Ronen: "You're welcome."

Speaker Giglio: "Representative Ronen, to close. The question is, 'Shall House Bill 1995 pass?' All in favor vote 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 107 voting 'yes', 1 voting 'no'; and House Bill 1995, having received the required Constitutional Majority, is hereby declared passed. House Bill 2063, Representative Currie. Out of the record. On the order of Housing and Economic Development, Third Reading, appears House Bill 527, Representative Turner. Art Turner. Out of the record. Representative Younge, Wyvetter Younge, you have two Bills: House Bill 637. Do you wish to call this Bill? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 637, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of this Bill."

Speaker Giglio: "The Lady from St. Clair, Representative Younge."

Younge: "Right. Thank you, Mr. Speaker. House Bill 637 is a job-creating Bill that would establish within the Department of Commerce and Community Affairs, within the office of Urban Assistance, a unit that would form cooperatives in urban areas, and the cooperatives would be places for young people to work. This program has been very, very successful in Canada, in the urban area of Canada, and what this unit would do would be when a group of four or five young people would come to the office with

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an idea for a cooperative, the unit, the Cooperative Assistant Unit would assist the group in putting together these... I move for the passage."

Speaker Giglio: "There must be something wrong with your mike, Representative Younge. Could you move to the next one, please?"

Younge: "Thank you very much, Mr. Speaker. The unit, the Cooperative Assistance Unit, would assist the group in putting together a feasibility study and financial package, and assist in getting a loan for the Cooperative and all things necessary to make it a successful venture. There are many areas in Illinois, particularly the urban areas, where a place to work is a problem, and I ask the House to pass this legislation, because it will create more places to work for young people, and that is what is needed."

Speaker Giglio: "Any discussion?. The Gentleman from McHenry, Representative Skinner."

Skinner: "Yes, Mr. Speaker. I reluctantly rise to oppose House Bill 637, and the reason is cost. The Department of Commerce and Community Affairs, just does not have the money to administer this program. I've suggested to the Sponsor that some of the same results could probably occur if she would contact state Universities, such as the university of Illinois, or some of the universities in St. Louis that have active co-op programs, and she might be able to induce them to give voluntary assistance. But at this time, we just don't have the money in the budget for DCCA to do this."

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

Younge: "I think that this...the voting up of this Bill should not be based on cost. I believe that these are funds that

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could come from the Joint Partnership Training Act, or I think that for one staff person these cooperatives could be put together, and that would mean it would be a savings to the State of Illinois because the people who would work in the cooperatives would not be on Public Aid, would not be on general assistance, would not have medical cards, would not be in prison, would not have all of... We would not have all of the bills that we have for people if they are working. Work is a good policy, and this Bill will help with that policy."

Speaker Giglio: "The question is, 'Shall House Bill 637 pass?' All those in favor vote 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 71 voting 'yes', 34 voting 'no'. Representative Olson, do you seek recognition, Sir?"

Olson: "Thank you, Mr. Speaker. On the last Order, Health Care and Human Services, House Bill 1995, I wish to be recorded as a green, 'yes' vote."

Speaker Giglio: "Let the record indicate. On this question, there are 70... Did you take the record, Mr. Clerk? On this question, there are 71 voting 'yes', 34 voting 'no'; and House Bill 637, having received the required Constitutional Majority, is hereby declared passed. Representative Younge, you have another Bill: 984. Do you wish to call that Bill? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 984, a Bill for an Act to amend the Illinois Housing Development Act. Third Reading of this Bill."

Speaker Giglio: "(House Bill) 984, Representative Younge."

Younge: "Thank you very much. This Bill would make it permissive for the Illinois Housing Development Authority to set aside

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\$2 million of its funds for a single room occupancy facilities for low income individuals. These single room occupancy facilities are basically for the homeless. The Amendment is the Bill. The Amendment has been written by the lobbyist for IDA, and there is obviously a need for single family occupancy units for homeless people."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I just...rise to support the Representative's Bill, and I appreciate the fact that she has worked with our side of the aisle. I believe this Amendment was proposed by Representative Skinner, and with the adoption of the Amendment, it has removed what opposition we had to the Bill. And I thank the Representative for working closely with us, and we now join her in support of this Bill."

Speaker Giglio: "Further discussion? Representative Younge."

Younge: "I ask for the passage of the Bill. Thank you."

Speaker Giglio: "The question is, 'Shall House Bill 984 pass?' All those in favor vote 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 111 voting 'yes' and 0 voting 'no'; and House Bill 984, having received the required Constitutional Majority, is hereby declared passed. On the Order, Insurance, Third Reading. Representative Hicks, you have two Bills Sir: 1067 and 1829. Do you wish to call these Bill? (House Bill) 1067? (House Bill) 1829? Out of the record. On the order of Labor, Third Reading, appears House Bill 925, Representative Davis. Representative Woolard, that's on Postponed Consideration, Sir. We're not

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on that Order. House Bill 925, Representative Davis. Out of the record. On the Order of Third Reading, under Law, Representative Laurino. Is Representative Laurino in the chamber? Out of the record. On the Order of Local Government, Third Reading, appears House Bill 430, Representative Balanoff. Postponed Consideration. Representative Santiago, you have three Bills, Sir: 1279, 1280 and 1282. (House Bill) 1280. Read 1280, Mr. Clerk."

Clerk McLennand: "House Bill 1280, a Bill for an Act to amend the Township Law of 1874. Third Reading of the Bill."

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

Santiago: "Thank you, Mr. Speaker and Members of the General Assembly. I would like leave to bring the Bill back to Second for an Amendment. Mr. Speaker, I would like to have leave to bring the Bill back to Second for an Amendment."

Speaker Giglio: "Does the Gentleman have leave? Hearing none, leave is granted. The Bill is on the Order of Second. Read the Bill."

Clerk McLennand: "House Bill 1280. The Bill has been read a second time previously. Amendment #2 has been adopted. Floor Amendment #3, offered by Representative Leitch."

Speaker Giglio: "Representative Leitch."

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. When I presented this Amendment the first time, there was concern that the township audits might be watered down by not requiring CPA's to conduct them. What this Bill does is restore the fact that CPA's would have to conduct the required mandated township audit, and I ask for your approval of this Amendment."

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

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Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Ryder."

Ryder: "Mr. Speaker."

Speaker Giglio: "Yes Sir."

Ryder: "I would rise... Earlier this afternoon, I filed a Motion to reconsider on Senate Bill 686; and, having voted on the prevailing side of that issue, I ask that the Clerk...I ask that the Clerk and the Speaker would allow that Motion to be reconsidered. Now I understand, Mr. Speaker, from the rules that that Motion was not timely filed because it was not filed on the same day that the vote took place, and I understand that. So, at this time, I'm asking leave of the Chair for unanimous consent, so that we might suspend the necessary rule to reconsider that vote, and I would so make that Motion, Mr. Speaker."

Speaker Giglio: "Representative, the Motion does not appear on the Calendar."

Ryder: "We filed that Motion before hearing, and I would ask that that Motion be considered. I believe that with leave of the House, we can consider it at this time, and I make that request."

Speaker Giglio: "Representative Black."

Black: "I just simply stand in support of the Gentleman's Motion. I believe if you'll check, the Motion was filed in a timely fashion, and it was always my understanding that the Calendar was a joint effort of both parties, and in inherent fairness, I don't know why the Motion wasn't picked up and put on the Calendar; it truly should have been. But, we'll assume that was an oversight, so I simply rise to say that the Gentleman's Motion would certainly should be in order, and I would hope that the Chair would

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so rule."

Speaker Giglio: "Well the Parliamentarian informs the Chair that the Motion was filed today, so it's gotta be printed. We'll print it today and we'll file it tomorrow. Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Having the Chair so ruled, I would move to suspend Rule 73(a) so that we can proceed with this issue right now. We're very serious about this matter, and we believe that the Chair, in fairness with the abilities that the House has to consider these kinds of matters, can clearly ease the way so that we can consider the merits of this issue. And, Mr. Speaker, in the event that you need another telephone up there so that you can call a third party, we'll be glad to get ya' an extra extension."

Speaker Giglio: "Representative Ryder, the Motion's out of order. It hasn't been filed, so the request..."

Ryder: "Mr. Speaker, the Motion has been filed. I've checked with the Clerk of the House. Mr. Rossi assured me that he had that Motion in his possession, and I checked with him during this time period. If the Chair will give the Chair's word that this matter will be on the Calendar tomorrow and will be heard tomorrow, we'll be glad to allow the debate to continue. But, I'm afraid if the Chair's intention is to shut off debate on this particular issue, then I have to stand in strong opposition to what the Chair is just doing."

Speaker Giglio: "Representative, you haven't filed the Motion to suspend Rule 73(a)."

Ryder: "If the Chair will grant me the indulgence, I'll have it to the Chair at this moment. In the event that the Chair is going to persist in the Motion to block this Motion,

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then I would further move to suspend the appropriate rule for the requirement that it be in writing, and ask the Chair to so rule, and to cite to me the rule that requires it to be writing. I've made an oral Motion to suspend the appropriate rules so that this matter can be heard, Mr. Speaker. Mr. Speaker, if you may. Mr. Speaker, to the Motion, if I may? I believe that the Assistant Clerk has just placed on the Speaker's podium..."

Speaker Giglio: "He has, and this will be heard tomorrow."

Ryder: "Pardon me?"

Speaker Giglio: "It will appear on the Calendar tomorrow. Let's..."

Ryder: "Fine, then if that's the case, I appreciate the courtesy of the Chair. The Chair has allowed the matter to be heard, I would ask that it be heard immediately."

Speaker Giglio: "Leave is not granted."

Ryder: "All right, if that's the case, Mr. Speaker, I would ask a Roll Call Vote so that we might immediately proceed to this matter, and the Motion would be to immediately suspend the rules and to allow this matter to be heard instanter. I so make that Motion. I ask the Chair to put that Motion to the Members of the House, and I believe that I would have 50 votes on the Republican side, and if anyone else wishes to join us and show their support in seriousness on this issue, we're ready to go. We are serious. We mean business..."

Speaker Giglio: "The Motion, Representative. Representative Ryder, the Motion's out of order, and if you want to..."

Ryder: "I move, Mr. Speaker, if I may. Mr. Speaker, if I may. I believe that the Chair unwittingly at this point is attempting to stonewall this issue. That's not the manner in which we wish to proceed; and, as a result, I would ask



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the Speaker to allow us to vote on the issue. If that takes a Motion to overrule the ruling of the Chair that this matter's out of order, I so move and ask for a Roll Call Vote."

Speaker Giglio: "Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. As I understand where we are right now, Representative Ryder has filed a Motion to proceed to this order of business, and that requires a reconsider the vote, requires 60 votes in which to adopt. But because it's now on Monday, he's asked to suspend the appropriate rule, which also would require 60 votes if you go to that order of business. Both of these Motions are in writing, and both of 'em are made at appropriate time, because he's made the Motion to suspend the rules, and that's before the Body and should be called for a vote. Now, what you have said, as I understand, to Representative Ryder, that that's out of order. How do we get to that point? How do you say that's out of order, when the rules provide for all these, and he's followed the rules? And then as your Parliamentarian is considering that, let me just state: All we're doing here is very simple. The Democrat Party, through the Majority, and your side of the aisle presented a property tax cap Bill, and that Bill was voted upon in the House, but it took 16 minutes to call a Rules Committee hearing, have that hearing, come out to the floor, Representative Currie moved an Amendment, the Amendment was adopted, placed on the Bill, and the Bill was moved to Third Reading; 16 minutes. Then it was called later on after she got her name off of it, 'cause she decided she didn't like what she sponsored, and you put four suburban Democrats on that, and you called it for a vote. Some of our...many of our Members voted for

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it. Only 13 of your Members voted for your own Bill. Now, we have a Bill that has 50 sitting/standing Members right now (we have 51, but Representative Pedersen, as you know, is excused), 50 Members saying that right now we'll vote for the Amendment to your Bill, which will pass this House with just a minimal of help from the Democratic side of the aisle, and we can send this on its way, and all we're saying is, 'Why not take that same courtesy, the same effort on behalf of the taxpayers of Illinois, and give them the same opportunity to have property tax caps in this state become a reality?' And so as I listen to Representative Ryder's Motion, it seems to me that every suburban Democrat in particular and every Democrat on that side of the aisle that has a pocket in their district that has property tax cap problems because of escalating taxes, would wanna vote for this, for the very simple reason that this Amendment calls for you to have the opportunity in downstate Illinois, on a county by county basis, to determine whether or not you want property taxes. And so, Mr. Speaker and Ladies and Gentlemen of the House, this is an opportunity to tell the people of Illinois that we are going to implement property tax caps statewide, and so I support Representative Ryder's Motion, that he has made. They are all in order, and there's no excuse for not allowing a vote to take place, and I think there are 60 votes there, and we're ready to roll."

Speaker Giglio: "Representative Daniels, the Chair has ruled that Motion is out of order."

Daniels: "Override the Chair. Well then, Mr. Speaker... Representative Ryder."

Speaker Giglio: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Rule 81 allows us to move to

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override the Chair. I would indicate to you that we have attempted to bring to the Body an opportunity to deal with this issue. In one more minute, at 5:05, we will have spent as much time debating this issue on the floor as we had to have debated the second Amendment and the rules when this Bill was popped on us several days ago. It is now 5:05, and we have the opportunity to now meaningfully discuss. There are votes on this side for that issue as you are well aware. With respect for the person that occupies the Chair, I do, however, rule...ask for the Motion to be placed to overrule the Chair on this issue, and that this vote, it may be the opportunity for all of us to work on meaningful tax caps, and I believe this vote will be on that issue. Thank you."

Speaker Giglio: "The question is, 'Shall the Chair's ruling be overruled?' And, on that question, Representative Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, I read with great interest the front page story in the Tribune this morning. I was very pleased to see that those on the other side of the aisle were making a good faith effort to get up to speed on the issues before us during this Session of the General Assembly. What we saw earlier on this particular question, is what normally happens over there, because over there things are usually about ten steps behind what's going on over here. So, it was with great pleasure that I read the article this morning, and I wanted to publicly compliment all of you for your good faith effort in this regard. I did receive the letter which was referenced in the newspaper article. It came into my office about 2:00 this afternoon, and it's a very interesting letter, because the article in the Tribune, in the thrust of the letter, talks about relief on real estate

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taxes, okay. This is a five-point program contained in the letter, and point number one talks in terms of eliminating a provision of House Bill 686, which you know failed, but would have imposed a cap on real estate taxes. And so point number one in the program which I am reading is really the elimination of the closing of a loophole. House Bill 686 tried to make the cap better. Point number one in this program is...is making the cap more porous, it's providing for more taxes to be imposed. The second item in this letter talks in terms of local hotel/motel taxes. So, again, we go back to the thrust of the newspaper article and the letter that we're tryin; to relieve the burden on real estate taxes, and suddenly we're talking about hotel and motel taxes. Next we talk about another exemption from the cap. So, remember Ladies and Gentlemen, we're talking about relief for taxpayers. Now we're at item number three, and they're talking about another exemption from the cap, more taxes. Next they talk about letting two districts...two types of districts out from under the cap. Remember we talked about helping the real estate taxpayers, well item number four provides that forest preserve districts and park districts are not subject to the cap on their non-referendum bondings (small little thing, nothing to get real excited about), and then lastly they get to the question of downstate counties opting for property tax caps through referendum, which by the way is paid for with real estate taxes. When you put those referendum questions on ballots there is never any relief from the Legislature or from the current administration, that's all real estate tax money that pays for referendums. Then, of course, there's a big exemption that you can drive a truck through, because you go back to the stuff about whether the EAV is lower now

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than it was in 1982, and you're not subject to it, and then they go on in their press conference later today, where they explain that you can actually have a situation where a particular township, by referendum either becomes subject to the cap or it does not become subject to the cap; and, of course, you'll get different special districts and school districts that run through the township, and so a particular school district, or a particular water protection district might find that part of its district is subject to the cap, the other part is not subject to the cap, bringing out all kinds of administrative problems, and if the cap were to be imposed, then one section...the people in one section of the district would complain, 'Well we're getting treated differently than the other section of the district'. And so the whole thing must have been dreamt up in a nightmare; that's where it must have been dreamt up. Anyhow, as I said earlier, in my view it's a futile attempt to get up to speed. If you're really interested in providing relief on real estate taxes, go across the rotunda, talk to your friends on the Republican side of the aisle over there, talk to the Governor and get all of them to support House Bill 685, which would provide relief for homeowners through an increase in the homestead exemption, it would provide relief for senior citizens through an increase in the senior citizen exemption, and it would provide an incentive for people in this state that want to improve their homes, by providing up to \$45,000 of improvements would not be subject to the increase in real estate taxes. House Bill 685 is a good sound approach to holding down the increases in real estate taxes. First two elements only operate against increases in real estate taxes, and so in a response to some of you who went to your

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press conference today, if you're concerned about holding down increases in real estate taxes and at the same time protecting local governments and school districts, then House Bill 685 is the Bill that you should support. All most all of you supported the Bill. Now just go two more steps, go over and see Senator Philip and his legion, and then talk to Governor Edgar, a man of vision, and get him to sign the Bill. Thank you very much."

Speaker Giglio: "And on that question, Representative Daniels."

Daniels: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Thank you for the response. As the Speaker knows, the downstate counties can opt for property tax caps through referendums; and, in doing so, they will have an opportunity to determine whether or not they want to buy referendum...bind referendum be part of the tax cap activity that has taken place in suburban collar counties. Now the fact of the matter is, no matter what you say, if you wanna talk about who's behind the curve, who's not in front, let me suggest, Mr. Speaker, that's it's about time you joined the Governor of this state, the father of property tax caps, the Senate Republicans, who have sent a Bill over here, and the House Republicans, we are in favor of property tax caps, all 51 Members. What we did was very simply took your Bill that you presented, that Representative Currie sponsored the Amendment, and then withdrew from, we took your Bill and amended that, and that's why you have the point program along with the rest of the items. So, yes we provide coverage for home rule municipalities. We provide downstate counties an opportunity for property tax caps. We provide that taxing districts in Cook County and the collar counties will be able to capture growth, resulting from new property for the

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first year, before it is added to the limiting rate, something that your Amendment did not do, and we think it's important to correct. We believe the municipalities ought to be given the opportunity to use their hotel/motel tax to take care of the problems they have within the municipality, and that's why we have it, and we believe that there ought to be the provisions that are stated in there. So, when we talk about this effort, and unfortunately what you put up before on your property tax cap, you only put up 13 votes. Now are you serious about that effort? Do you realize we've spent more time right now having a debate on property tax caps than it took you to run your Bill into Rules Committee, come out, put in on Second Reading and then run it up to Third Reading stage; more time. Why are we playing games with this? The simple fact of the matter is, all we have to do is present this for a vote, let the Gentleman's Motion be put, and we can then be debating the passage of property tax caps for suburban Cook County. Boy I'll tell you, all we need from your side of the aisle are a few votes; we're in front of the curve on this one. You know it. We're joining the Governor on this one, and the loss of \$185 million that House Bill 685 will cost is not something I think's very palatable to the very municipalities that you're saying you serve. So, I think that it's obvious. You put this Motion, we'll have all of our Republicans on it. If you're really for tax caps, this is perhaps the only meaningful vote that you'll an opportunity to present, if the Speaker stops it, as he has on other efforts."

Speaker Giglio: "The question is, Shall the Chair be overruled? All those in favor vote 'aye'; opposed, 'no'. Representative Black, one minute to explain your vote."

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Black: "Thank you very much, Mr. Speaker. A lot of rhetoric in the last few minutes, I'm not sure that much of it was directed at the rule, the appeal of the rule that we are trying to vote on at this moment. If, indeed, as the Gentleman from the other side says, we're usually ten steps behind (and I don't agree with that), we may be a step-and-a-half behind. Whose fault is that? Operation Cobra, hatched in secret, delivered in secret to the floor late one night. (House Bill) 686 hatched in secret, a secret rules meeting, brought to the floor and slam-dunked. Yeah, we're gonna be a step and a half behind, because you used the Calendar as your personal thieftom. We're all elected by people here. We're willing to work with you. We're willing to participate. The fact of the matter is, and the media should take note, you don't let us. You do things for the impact in the media, and for the bs of the process, involve us. If we're a step-and-a-half behind, I submit to you that's your fault, not our fault, because you will not involve us in the process; you run this as a personal thieftom. You.. The Open Meetings Act, which you don't even consider abiding by, because we're exempt, how not to put us in that. Secret meetings, rules meetings that are a sham, Bills that are brought to the floor that have no intention of having...being voted on in any meaningful form, involve us in the process. Who knows, you might find the people of Illinois are better served, than by the secretive, manipulative methods you've used for ten years in this chamber."

Speaker Giglio: "Representative Ryder."

Ryder: "Mr. Speaker, I wish to thank the person that occupies the Chair at this moment, because you've allowed us to debate this issue far more than we've had an opportunity to debate



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it when other Amendments and other Motions hit the floor. For that I thank you. And to the real Speaker, who came out to join us today, I have the roll call on Bill 685. There were 114 'yesses'. There was one Republican and one Democrat who voted 'no'. I suggest that we be just as serious on this issue about property tax caps as we have been on that issue, and let me also suggest to you folks that are voting on this issue, that when the real Speaker was talking about holes and driving trucks through them, there was one roadblock that he hit, because you see our Amendment does call for property tax caps, complete property tax caps in Cook County. I think that particular roadblock derailed the express that was otherwise going through. Thank you."

Speaker Giglio: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is the first time I've been criticized on the House floor for being prompt, getting my work done on time, being in committee when I'm supposed to be in committee; I thought that's what we were sent here to do was to pay serious attention to the work of this Legislature. I would point out that the people who are making this Motion had every opportunity to have their property tax cap Bill heard in the House Revenue Committee. We had weeks of hearings, but they never came forward asking for a vote. They never came forward to press for the contents of that legislation. We had some proposals of our own to make, and I think those proposals were sound and reasonable. We offered them to this entire chamber, and they were defeated. Now we're offered the option of rushing to judgment. We must overrule the Chair, so Representative Ryder's Motion on reconsidering the vote can be heard today. Well,

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Representative Ryder and Daniels, my understanding is, that you haven't even filed your Amendment to House Bill 686 at this time. How slow, how far out of it, do you wish to be? If you don't even have the Amendment filed, what's the rush to judgment in considering your Motion to ignore the Rule so we can go to a Motion to reconsider a vote, so we can bring the Bill back from Third Reading to Second, so then we can finally get to the language that you want to consider. You had your chance, you blew it. I'm not ashamed that I was there and I did my work, I did it promptly. I did it, as the Gentleman points out, in 16 minutes. There are other Bills that have come across to us from the Senate, Senate Bill 1 is now in the Revenue Committee. You have your chance, you can go for it then. I think this Motion to overrule the Chair should be totally rejected on its merits."

Speaker Giglio: "Representative Kubik."

Kubik: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. While, I would not dispute some of the other items that the previous speaker talked about, including her promptness and her ability to get things done quickly, I would take issue with one of the points she raised, and that was that those...the tax cap Bills were called in committee, they were called in a sub-committee of the House Revenue Committee, they were defeated by a 3 to 2 vote. Would it surprise you that the three votes against were Democrats and the two votes for were Republicans? I think not. But the fact of the matter is, that those Bills have been killed consistently in the Revenue Committee. They have never even been called for a vote in the full committee of the Revenue Committee. So while I certainly would not take issue with the Representative's work on the House

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Rules Committee, I would take issue with her reference to the Revenue Committee, because those Bills were called, as Senate Bill 1, will be called if we get that opportunity, and I would hope that perhaps maybe some of our friends on the other side of the aisle might want to join with the two Republicans, so that we can get that Bill out of committee, and debate it on the floor of the House, where it rightly should be debated."

Speaker Giglio: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I mean isn't the real issue here that the Bill that was already presented failed? Maybe it was crafted to fail, I mean isn't that how things are done in this process? If you don't want something to work, but you want to give somebody a roll call they can use back home in election, you craft it such a way so that it won't get all the votes to pass? And why won't you hear our Motion, why won't you hear our Bill today? Maybe because it is crafted to pass. Because you know that if we put our Amendment on, that it's something that you're going to have to support and that you are going to pass it, and maybe there are interests around that don't want that passed. So, why don't we just consider it today? We're ready to go. Representative Currie, we're ready to go, put it on Second. Watch it happen, see it go, we're ready right now, let's call it, what ya got to worry about? I mean you're for this. You're for property tax caps, right? And for something that'll work? We're ready to go. We have a compromise situation that will work. Give it an opportunity."

Speaker Giglio: "Representative Krause."

Krause: "Thank you, Mr. Speaker. One of the issues down here,

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and certainly for all of us freshmen, was to sincerely address finally some of the changes that we felt were necessary here in the House and for the benefit of the state. The issue that is presented here before us now comes right to the point, and that is that a number of us did come down here to make changes and one of the changes was to address the issues that were important in our district. For those of us in suburban Cook County, there is probably no issue of more prime importance than the one that is before the House right now. For those of us here, we do want it to be called. We do want it to be heard, and we ask at this point that we do proceed. We think that there is support here in this state, and here in the House on this issue, and we urge again a reconsideration, urge both sides to be bipartisan here and to present an issue that is indeed important to our constituents, urge again for those on both sides of the aisle, that this issue be brought up, that the Amendment be able to proceed, and that people legitimately be able to vote on the key issue of property tax caps."

Speaker Giglio: "Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 49 'yes' and 56 'no', and the Gentleman's Motion... Vote Representative Schoenberg, 'present'. The Gentleman's Motion fails. Representative Ryder."

Ryder: "Thank you for recognizing me, although it was a tad bit late. My name was used in debate, and I wish to rise in response to that. I would indicate that on that previous roll call, just before I looked at it, not a single Democrat had joined with us to meaningfully discuss property tax caps. But in direct response to the speaker who was complimenting herself on getting her work done, I

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would also compliment herself for getting a Bill snuck out of Rules Committee on a partisan roll call, for having it rammed...an Amendment prepared and rammed through on a voice vote much to our chagrin and opposition, and then having it moved to Third within 16 minutes. That's how much debate our friends on the other side of the aisle wish to give to meaningful property tax caps. That's how much debate they wish to talk, 16 minutes, and yet we have an Amendment ready to go. We look forward to the opportunity to present that Amendment."

Speaker Giglio: "Representative Steczo, on House Bill 1922. We should call that Bill, Sir? Representative Dart, 2003. Out of the record. House Bill 2240, Representative Erwin. Representative Erwin, 2240? Out of the record. Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. Just to set the record straight. We do have the Amendment here for House Bill 686, contrary to what the Lady spoke earlier and mentioned my name in debate. We are prepared to file that Amendment, and to correct her because once again she's wrong. As you know, House Bill 48, which was our property tax cap Bill, was presented in committee. It went down in sub-committee by a vote of 3 to 2, and did not make it out of committee. So, unlike the previous Lady speaker from Cook County, from the City of Chicago, where she did not go through the committee process and snuck her Amendment in through the darkened Rules Committee controlled by the Majority, We followed the committee process, and now are forced to take this action. If, in fact, we were allowed to present this, we have the Amendment ready to file immediately and will so do...so at the appropriate time."

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

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of Third Reading, Professional... Representative Pugh, for what purpose do you rise, Sir?"

Pugh: "Mr. Speaker, Ladies and Gentlemen of the House. I rise... I rise to acknowledge a special past Member of the House of Representatives and a current sitting judge, Judge Anthony Young."

Speaker Giglio: "Professional Regulations, Third Reading, appears House Bill 213, Representative Phelps. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 213, a Bill for an Act to amend the Podiatric Medical Practice Act of 1987. Third Reading of this Bill."

Speaker Giglio: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What this Bill does is attempt to put court reporter B status and A status in the same plane and to be viewed as the same rating without examination; and, therefore, receive the same benefits. I ask you for your support."

Speaker Giglio: "Any discussion? The question is, 'Shall House Bill 213 pass?' All those in favor vote 'aye'; opposed, 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 110 voting 'yes' and 1 voting 'no'; and House Bill 213, having received the required Constitutional Majority, is hereby declared passed. Representative Younger."

Younger: "Yes, I'd like to recognize the fact that Judge Al Greiman is here on the House floor, and we welcome him. Judge Greiman."

Speaker Giglio: "Representative you have two Bills: 214 and 215. Representative Lou Jones. Lou Jones. Out of the record."

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On the Order of Public Utilities, Third Reading, appears House Bill 572, Representative Schoenberg. Schoenberg? Read the Bill."

Clerk McLennand: "House Bill 572, a Bill for an Act to amend the Public Utilities Act. Third Reading of this Bill."

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

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 582 deals with appointing successors to vacancies of the Illinois Commerce Commission. It says that a successor has to be appointed by the Governor and confirmed by the Senate, or until 60 days after his or her term expires, whichever comes first. This is in order to have timely filling of replacements. It also makes a number of provisions for additional disclosure, in light of the renewed commitment to higher ethical standards. It requires greater disclosure of financial interests or associations, and I would urge your support. Be happy to answer any questions."

Speaker Giglio: "Any discussion? The Gentleman from Will, Representative Wennlund."

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

Speaker Giglio: "He indicates he will."

Wennlund: "Under the terms of your Bill, if the Governor either doesn't nominate a successor by the end of the term or if the Senate doesn't confirm within the 60 day period, what happens?"

Schoenberg: "A commission member would serve until a successor would be appointed, and that successor would be confirmed, or until 60 days. This provides for some closure and in the past, as you know, we've seen some inordinate delays, inordinately long time periods in filling vacancies. The

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filling of the vacancies is one provision. What's equally important to this is to a...is to increase the criteria for financial disclosure and potential conflicts of interest."

Wennlund: "Well, my point is, is that in the event that the Governor does not appoint a successor prior to the expiration of his term, and if...or if the Senate doesn't confirm an appointment, the office is declared vacant. How does it get filled then?"

Schoenberg: "The office, I believe, the office would remain vacant; however, what this does, is set up specific criteria determining how long, when that vacancy should be filled. We want...we have very complex rate cases before the ICC. We want to set...my intention to this legislation is to establish some parameters, some guidelines by which those vacancies would be filled, in addition to also increase the disclosure criteria."

Wennlund: "Well, you can't...you can't pass a law that says that the Governor's gotta appoint within 60 days of the end of the term and force him to do it if he doesn't do it, which is what the current law is. I mean, currently there is an appointee, as a matter of fact, he's from Vermilion County, my colleague in the House Representative Black's district, as a matter of fact. I mean if the Governor is not going to appoint, you can't just pass a law and say, 'Well he's gotta do it'. And so..."

Schoenberg: "Representative, this is specifically designed so that board members who are a...board members who are up for reappointment don't twist in the wind or go on in limbo or however you want to call it indefinitely, that it would provide for some immediate action."

Wennlund: "The question is, and what I've been trying to get at, Representative, is, 'What is the action that happens?' I



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mean fine you declare the seat vacant, but if the Governor doesn't appoint or if the Senate doesn't approve it, how does the office get filled?"

Schoenberg: "Well by... Well, in making this formal declaration, not only would we all know and would the public know, but even perhaps more importantly the actual commission member whose reappointment might be...whose reappointment might be in question and who does not know his or her own personal status, this provides them with an opportunity to know exactly where they stand and that they can't go on for an indeterminate period of time. Unfortunately, it's not uncommon that we do see people who serve on, whether it's the ICC or any other public board or commission pertaining to state government, that they are willing to publicly admit that they don't know whether or not they're going to be reappointed. This would provide for some specific guidelines, and some specific timeframe as for when that appointment has to be, and people will ultimately know where they stand."

Wennlund: "Now, in the case of Paul Foran, for instance, whose term expired in January of this year, who has not been reappointed. How would this Bill affect Commissioner Foran?"

Schoenberg: "In the case... Hypothetically, if this Bill were to become law and signed by the Governor and become law, the seat would be vacant, because...if the 60 day period did in fact expire."

Wennlund: "Okay. So, it..."

Schoenberg: "But conversely, he would not have to wonder whether publicly or privately, he wouldn't have to wonder as to what his fate would be; and, more importantly, neither would the people who look to the ICC to try to determine

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what their course of action's going to be on literally multi-million dollar decisions affecting Illinois utilities."

Wennlund: "Well, if...if his seat was declared vacant back in January, due to a failure to reappoint, there'd be only six instead of seven commissioners. The question is, the bottom line is, 'How does that seventh position get filled if the Governor doesn't seek to make a reappointment or to appoint a new person?'"

Schoenberg: "The seat... Hypothetically, the seat would, in fact, remain vacant after that 60-day period until there was, in fact, a confirmation and there was an appointment and confirmation."

Wennlund: "Thank you very much. To the Bill, Ladies and Gentlemen of the House. So, if you've been listening to the question and answers, you would have heard that, in fact, the Bill does nothing. If the Governor fails to appoint either a replacement or a new member of the commission to fill a vacancy, nothing, in fact, happens. There are no criminal sanctions or civil sanctions against the Governor for failing to either reappoint or appoint a new person. The Bill actually does nothing; that's why it should be defeated, it does absolutely nothing. It's good for a press release. It's a good slam to the Governor maybe. That's it. It does nothing and it should be defeated."

Speaker Giglio: "Representative Schoenberg, to close."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The need for increased financial disclosure by ICC appointments is absolutely critical, particularly in light of the fact that we all seemed to have found religion recently in the area of ethics last week, and I would urge

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an 'aye' vote."

Speaker Giglio: "The question is, 'Shall House Bill 572 pass?' All those in favor vote 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 63 voting 'yes', 46 voting 'no'. House Bill 572, having received the Constitutional Majority, is hereby declared passed. Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen. If I could have your attention for just a moment for the purpose of an announcement. So, this announcement has got good and bad; it's just like the legislative process. The bad is that we plan to work tonight until 10:00 rather than 8:00, but the good is that in light of that we will cancel the Session for Friday, which means we can finish this week on Thursday. Our approach here is that relative to the Senate receiving our Bills, once you get to Friday, the Senate will be required in all cases to suspend the posting requirements to consider your Bill, and so once you get to the end of Thursday, why it just doesn't make any sense to stay around for Friday, and so the plan again is to work tonight until 10:00, and then cancel the Session for Friday. Thank you."

Speaker Giglio: "House Bill 633, Representative Younge. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 633, a Bill for an Act to amend the Public Utilities Act. Third Reading of this Bill."

Speaker Giglio: "The Lady from Sinclair, Representative Wyvetter Younge."

Younge: "Mr. Speaker, Amendment #1 of House Bill 633 becomes the Bill. This Amendment was filed by Representative, and it

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basically says that any sewer treatment facility in which the majority of the people live outside of the village that owns the facility, that that facility will be regulated by the Illinois Commerce Commission. I'd like to turn this over to Representative Wennlund to explain the Amendment. Would you call for Representative Wennlund?"

Speaker Giglio: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Representative's Bill. Basically, the Bill only affects two small portions of the State of Illinois: One in Wyvetter Younge's district. And one in my district, and it only occurs in instances where a majority of the residents of a municipally owned utility live outside of the corporate limits of that utility, and it will provide some rate regulation where they have none now. They can't vote for the municipal officials and they can't go to the Commerce Commission. It will provide them an avenue of relief, and I move its adoption."

Speaker Giglio: "Further discussion? Representative Deering."

Deering: "Representative Wennlund. I'm sorry. Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Deering: "Representative Wennlund, are we saying then that any municipality that has a utility service, such as water, sewer, if they're serving people out of their municipal boundaries, they have to go the commission for a rate increase?"

Wennlund: "Only where a majority, only where a majority of the customers live outside of the corporate limits; and, therefore, are not entitled to vote for the mayor and the village board and have no recourse to the commission."

Deering: "So, then you're saying this only affects two

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communities statewide?"

Wennlund: "As far as we know."

Deering: "Okay, thank you."

Speaker Giglio: "Representative Younge, to close."

Younge: "I move for the adoption of the Bill."

Speaker Giglio: "The question is, 'Shall House Bill 633 pass?'

All those in favor vote 'aye; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Younge."

Younge: "This is an important measure, because there are two municipalities in Illinois that don't have representation on the boards of the pollution facilities; and, therefore, they cannot participate, and they do not participate in the decisions having to do with what the rate is, and it...really it boils down to taxation without representation and, also, the facilities themselves are not up to par so far as their meeting the pollution standards, and there needs to be more regulation of 'em, and there needs to be a public forum in which the people who are affected by the facilities have some way to influence and affect the rate; and, therefore, I ask you..."

Speaker Giglio: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to Amendment #2. People outside that municipalities, when they want to get on their systems, they do that voluntarily. Now, we as a state, are telling local residents that we have to have a government entity control their rates; A rate they voluntarily took part in. Here, once again, we're intruding with what local units of government want to do. I don't believe that's our role. I think those people who voluntarily get on a system

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for water and sewer, they know what they're doing. I don't think for us to second guess what those people had the intelligence to do is the right thing for us in Springfield. We should allow them to do what they want to do. We should not put those rates in the hands of the Commerce Commission, that's up to the municipality. They voluntarily went to the municipality. This would hamstring them even further, and I think we ought to let the locals and the individuals decide what to do themselves and keep it out of Springfield. So, I'd ask for a 'no' vote."

Speaker Giglio: "Have all voted who wish? Representative Balthis."

Balthis: "Mr. Speaker, I just rise in support of the Gentleman that just spoke, and congratulate him for supporting us on mandates. Would ask for a 'no' vote."

Speaker Giglio: "Representative Flinn."

Flinn: "Well actually it's doing pretty good now, Mr. Speaker. Why don't we just take the record and kill the Bill? It's a bad one, real bad."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 33 voting 'yes' and 70 voting 'no'; and House Bill 633, having failed to receive the Constitutional Majority, is hereby declared lost. Representative Currie, in the Chair."

Speaker Currie: "Consent Calendar, Third Reading. Clerk, read the Bill."

Clerk Rossi: "House Bill 1119..."

Speaker Currie: "The question is, 'Shall the... Wait a minute, we haven't finished reading the Bill.'"

Clerk Rossi: "A Bill for an Act amending the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Currie: "The question is, Shall the Consent Calendar

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pass?' All in favor vote 'aye'; opposed, 'no'. Voting's open. Voting is open. Consent Calendar, Third Reading. Have all voted who wish? Have all voted who wish? Clerk. Clerk will take the record. On this question, 105 voting 'aye', 1 voting 'no'; and this Bill... Sorry, Representative Deering, 'aye'. Representative Dart, 'aye'. Representative Weaver."

Weaver: "Thank you, Madam Speaker. I'm not really sure if this board is now malfunctioning as well. Is this Consent Calendar only contain one Bill?"

Speaker Currie: "You've got it."

Weaver: "That's a big Calendar. Thank you."

Speaker Currie: "Have all voted who wish? Representative Prussing, 'aye'. Representative Black, for what reason do you rise?"

Black: "Well, an inquiry of the Chair, Madam Speaker. It's nice to vote on the Consent Calendar, but I don't think anybody in here heard any explanation of what Bill they just voted on; that's why I'm not voting. I know this is the Private Detective's Act, but this is sneakier than private detectives."

Speaker Currie: "Representative, we traditionally do not discuss Bills that are on the Consent Calendar. This Bill has been on the Consent Calendar for about three weeks."

Black: "I can't remember what we did Friday, let alone three weeks ago."

Speaker Currie: "Why don't you consult your staff and see if they can't bring you up-to-date. If in 16 minutes, you can't meet the record."

Black: "They say the file has been erased. The file has been erased, because it's a private detective Bill."

Speaker Currie: "Representative McAuliffe, for what reason do you

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Black: "So do I. So do I."

Speaker Currie: "Clerk, why don't ya' open the roll. Open the roll. Okay, Representative Tenhouse. Vote, Representative Tenhouse, Representative Stephens, 'present'. Representative Zickus, Representative Brady. Representative Brady wishes to vote 'no'. Representative Giolitto wishes to vote 'yes'. Representative Black, 'present'. Representative Parke. Representative Parke wishes to vote 'present'. Representative Tom Johnson wishes to vote 'present'. Representative Stephens... Didn't we get you? Representative Stephens, for a question of the Chair."

Stephens: "Madam Speaker, in the history of the House, have we ever had just one Bill on the Consent Calendar; and if we have, just for purposes of clarification, who's the Sponsor of this Bill? They must be a very special person."

Speaker Currie: "In fact, I think it has happened before. The Sponsor is Representative Capparelli. This has been on the Consent Calendar for a long time. I think what happened was there were other Bills on the Consent Calendar, too. Perhaps this one needed an Amendment and would not move as quickly."

Stephens: "You're sure we're not running roughshod over Representative Capparelli's rights?"

Speaker Currie: "Representative Capparelli. Is Representative Capparelli in the chamber? He doesn't look as if anyone's..."

Stephens: "He's coming over here. He's on our side now. He is so disgusted, he's on our side of the aisle now."

Speaker Currie: "He doesn't look as if anyone's running roughshod over him. Representative Ryder, you wish to vote a different way from the way you are are recorded?"



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'Present'. Representative Ryder wishes to vote 'present'.  
Representative Weller wishes to vote 'present'.  
Representative Ackerman wishes to vote 'present'.  
Representative Moffitt wishes to vote 'present'.  
Representative Lawfer wishes to vote 'present'.  
Representative Capparelli, you might get out there and  
begin explaining why this Bill was on the Consent Calendar.  
Representative Hoeft wishes to vote 'present'.  
Representative Roskam wishes to vote 'present'.  
Representative Parcells wishes to vote 'present'. Let's  
dump the roll call. We'll start fresh. Go ahead. All  
right, the roll call's open, vote your switches. This is a  
Consent Calendar Bill. It's been on the Consent Calendar  
for weeks. Representative Black, to explain his vote."

Black: "Thank you very much, Madam Speaker, and no disrespect to  
the Chair. Now that Representative Capparelli has come out  
and explained the Bill, as amended. You know, three weeks  
on the Consent Calendar, has to be the all time record for  
any Bill to be on the Consent Calendar. But, as he has  
explained the Bill, as amended, the Secretary of State  
would like to have the Bill, and he also reminded me that I  
was the one who put the Bill back on Consent Calendar. So,  
now that my memory is brought up-to-date. See, I'm a  
step-and-a-half behind, I'll admit that, but now I vote  
green."

Speaker Currie: "Way to go, Representative Black. Are there  
further people who would like to join in this George Ryan  
effort?" Representative Weaver, to explain his vote."

Weaver: "Well, thank you very much, Madam Speaker. I haven't  
been watching the clock. Have we spent 16 minutes on this  
yet?"

Speaker Currie: "Not yet, but, Representative Black moves a lot

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more quickly than I expected he might."

Weaver: "Thank you."

Speaker Currie: "Representative Ryder, for a minute fourteen."

Ryder: "Speaker, now you know you promised me 16 minutes on this issue. I think it's unseemly for the Chair to use the name of the previous speaker, George Ryan, who just happens to support this measure, and I think on behalf of Secretary of State, George Ryan, who supports this measure, I'm standing and questioning the motives of the Speaker, indicating that some person like George Ryan might be in favor of it. Have I done 16 minutes yet?"

Speaker Currie: "Yes. I would say pushing 17, best hold your peace, Representative."

Ryder: "Thank you."

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 measure, there are 90 voting 'aye',; 5 voting 'no',; and the Consent Calendar, having achieved the required Constitutional Majority, House Bill 1119 is hereby declared passed. On the Special Order of Call, Revenue, Third Reading, House Bill 808, Representative Steczo. Representative Steczo. Out of the record. House Bill 1059, Representative McGuire. Representative McGuire? Out of the record. Representative Hicks, are you ready with House Bill 1711? Representative Hicks? Out of the record. (House Bill) 1736, Representative Hicks. Clerk, read the Bill."

Clerk Rossi: "House Bill 1736, a Bill for an Act amending the Revenue Act of 1939. Third Reading of the Bill."

Speaker Currie: "Representative Hicks."

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

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Speaker Currie: "Representative Hicks, asks leave to return the Bill to Second for purposes of Amendment. Does he have leave? Leave is granted. Mr. Clerk."

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

Speaker Currie: "Representative Schoenberg."

Schoenberg: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 is an agreement that was reached and supported by the Illinois Manufacturers Association. It provides the cancellation and repayment of tax benefits with interest, if a benefited business which receives a tax incentive, takes...accepts an incentive from another state. It would provide essentially... It's limited just to property tax abatements, and would...and it's solely limited to instances where a business concern would take an economic incentive package from another state."

Speaker Currie: "Representative Schoenberg, moves 'do adopt' on Amendment #1 to House Bill 1736; and on that Motion, is there any discussion? Representative Kubik."

Kubik: "Yes. Could the Sponsor yield?"

Speaker Currie: "He will."

Kubik: "Representative, quick question. This only has to do with property tax abatements, correct?"

Schoenberg: "That's correct. Property tax abatements only."

Kubik: "So, there's no state dollars involved here."

Schoenberg: "No. That's correct."

Kubik: "Okay, and this is signed off by the IMA?"

Schoenberg: "Yes. This, if you recall, I held the original version of this in the Revenue Committee, pending an agreement with the IMA. The IMA has been very gracious in their negotiations and they've signed off on this, and I

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know of no opposition."

Kubik: "Now they have to take an incentive package in another state in order for this to kick in?"

Schoenberg: "That's correct. It's limited to the context of accepting an incentive in another state."

Kubik: "Thank you."

Speaker Currie: "Further discussion? Representative Hicks."

Hicks: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I stand in support of the Gentleman's Amendment."

Speaker Currie: "Further discussion? Representative Hawkins."

Hawkins: "What is the position of the Illinois Coal Association? Will the Sponsor yield?"

Speaker Currie: "Representative Schoenberg will respond to question."

Schoenberg: "I'm sorry, I didn't hear the question."

Hawkins: "What is the position of the Coal Association?"

Schoenberg: "To the best of my knowledge, the Coal Association has not weighed in with an opinion on this. As I said before, what we really wanted to do was limit...the intention of this, is in the event that a state, I should say a business, wants, accepts a property tax abatement from Illinois and then it goes and tries to play let's make a deal and leverages that, and accepts an incentive elsewhere. What we want to do is not let ourselves get used in this. So, it's only limited in that context."

Speaker Currie: "Further discussion? Representative Black."

Black: "Thank you very much, Madam Speaker. I rise to support of the Gentleman's Amendment and my colleague on the other side of the aisle. The underlying Bill had some impact on the coal industry. As amended, I don't believe it has any impact at all on the coal mining industry in any way, shape or form, and it's a good Bill. Quite frankly, I compliment

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the Sponsor. It's about time that these people who want to bounce around from state to state to seek incentives, if they leave, they're gonna pay that property tax incentive back. I think it's good legislation. I can't imagine anybody being opposed to it."

Speaker Currie: "Representative Hawkins, you already spoke. Do you have a...Representative Hawkins."

Hawkins: "Mr. Churchill, does this mean that I can vote for this Bill now?"

Speaker Currie: "The question is, Shall Amendment #1 to House Bill 7036 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 Currie: "Third Reading. Representative... Let's see, let's move to... Representative Giorgi, House Bill 1188, on State and Local Government. Out of the record. Representative Dart, House Bill 2171. Representative Dart? Out of the record. Well let's try Business and Job Development, Third Readings. House Bill 1047, Representative Turner. Representative Turner? Are you ready for this? Clerk, read the Bill."

Clerk Rossi: "House Bill 1047, a Bill for an Act amending the Prevailing Wage Act. Third Reading of the Bill."

Speaker Currie: "Representative Turner."

Turner: "Thank you, Madam Speaker. This is merely a shell Bill that we'd like to move over to the Senate."

Speaker Currie: "Is there any discussion? Hearing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. Voting is open. Representative Parke, one minute to explain his vote."

Parke: "Yes, the Sponsor of this vehicle Bill said it was such,

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but can we tell...can he tell us what the subject matter is? I mean what code does it affect?"

Turner: "I have no idea. I have no intention, no intention. Just trying to keep the legislative process alive."

Parke: "Thank you, Representative Turner."

Speaker Currie: "Have all voted who wish? Have all voted who wish? Representative Wennlund, one minute to explain his vote."

Wennlund: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Every time you vote for one of these shell Bills, remember it may come back as a tax increase, and it may come back to bite ya' a year from November, and that happens every time you send one of these vehicles out, or one of these shells out, you don't know how it's gonna come back, but you will be recorded as having voted 'yes' on a vote you absolutely know nothing about, a Bill that contains nothing at this point in time, but if it comes back as a tax increase or causes a property tax increase, you're gonna get hit with it by a direct mail piece in the next election. That's what happens every time. Let me warn you, that's what happens. We should be voting 'no' on this."

Speaker Currie: "Representative Davis, one minute to explain..."

Davis: "I hope this Bill gets the prerequisite number of votes, because perhaps I can put my apprenticeship program on this Bill."

Speaker Currie: "Have all voted who wish? Have all voted who wish? Have all voted? Have all voted who wish on this vehicle Bill that contains nothing in it? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this vehicle Bill, there are 55 voting 'aye', 51 voting 'no'; and this measure...this Bill, having

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failed to receive the Constitutional Majority, is hereby declared lost. Representative Deering, on House Bill 1292. Representative Deering? Out of the record. Representative Kotlarz, House Bill 2268. Representative Kotlarz. Out of the record. Civil Justice, Third Readings. House Bill 408, Representative Steczko. Representative Steczko, House Bill 408. Out of the record. Representative Pugh, House Bill 513. Out of the record. Representative John Dunn, House Bill 743. Out of the record. Representative Leitch, House Bill 11... I'm sorry, that was postponed, I think. Representative Santiago, House Bill 1277. Out of the record. Representative Lang, House Bill 1369. Out of the record. Representative Homer, House Bill 1691. Clerk, read the Bill."

Clerk Rossi: "House Bill 1691, a Bill for an Act in relation to the distribution of drug related fines. Third Reading of the Bill."

Speaker Currie: "Representative Homer."

Homer: "Thank you, Madam Speaker. This Bill is promoted by the state's attorneys. It would make the distribution of drug fine money consistent with what is already in the statutes regarding distribution of narcotic forfeiture assets. So, I ask to take 12.5% to the money that was going into the county general fund, and putting that in a special fund in the state's attorneys office for use for administration of that office. The Bill, as amended, exempts Cook County; Cook County would not be in the Bill. I would try to answer questions. I would urge support for the Bill."

Speaker Currie: "Representative, the Chair would just like to inquire as you have an Amendment filed but not yet adopted to the Bill. Did you intend to move on that Amendment? Representative Homer? It would be Amendment #3,

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Representative."

Homer: "Madam Speaker, an inquiry of the Chair? Does Amendment #3, do we have a Parliamentarian there?"

Speaker Currie: "The Clerk suggests that it's not yet adopted. What is your question of the Parliamentarian?"

Homer: "Well the question is the... Does Amendment #3 change the title of the Bill?"

Speaker Currie: "Amendment does not change the title of the Bill."

Homer: "I'm sorry. Madam Speaker, it's simply a technical Amendment. I'm going to go ahead and move...and try to move the Bill now. I don't need that Amendment."

Speaker Currie: "Representative Homer moves 'do pass' on House Bill 1691; and. on that Motion, is there any discussion? Representative Balthis."

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

Speaker Currie: "He will."

Balthis: "Representative, I think I heard you say this did not apply to Cook County?"

Homer: "Yes. It does not apply."

Balthis: "Does it affect any share of the money that would go to local governments?"

Homer: "No, it does not affect any distribution of money to local governments. It's only an internal accounting change within the share that goes to counties."

Balthis: "Okay. Thank you."

Speaker Currie: "Further discussion? Representative Pankau."

Pankau: "Will the Sponsor yield?"

Speaker Currie: "He will."

Pankau: "Representative Homer, I thought when this Bill came up in committee that I had expressed a concern that since these were moneys that were being used from drug seizures,



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that the amount can vary from year to year, and if the intent of the state's attorneys were to use any of this money for personnel, in other words, adding additional state's attorneys to the office, that since it varied from year to year; for instance in the first year you might have \$2 million worth of seizures, the state's attorney goes into the county board, says, 'Can we have five or six additional people, because we have the money to support them out of the seizure money?' In subsequent years, maybe they only have half a million dollars worth of seizures, but now they have the people on the payroll and the payroll has to be met. So, they go back to the county board and said, 'Well, we didn't get as much as we had anticipated but we still have the people on the payroll. You, county board, have to make up the difference now out of your General Revenue Fund. And I thought we had a general understanding during the committee that we would be discussing this and maybe be considering an Amendment that would say could be used for everything except for personnel purposes, and I never heard anything from you, nor did I ever hear anything from the representative of the state's attorneys, who I did talk to out in the hall after our committee meeting, and I was wondering maybe if we could hold this on or move it back to Second to put such an Amendment on? Otherwise, I'm afraid, at least myself personally, I'll have to vote against this."

Homer: "Representative Pankau, I remember the discussion in committee, and as I recall, I asked the spokesperson from the state's attorneys to meet with you and try to resolve your concerns. I guess you had the one meeting and didn't really resolve the concerns. Let me... Let me..."

Pankau: "No, we spoke out in the hall after the committee meeting

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as he was walking out. But we never spoke after that. He kept going."

Homer: "I see. I see. The... Only because the lateness of the process would I decline to honor that request. I respect your right to...to...oppose the Bill, but let me just point out to you that...we're not talking about asset forfeiture money. That... That law's already on the books. That already goes into the special fund. This just simply says that the same distribution formula will apply to drug fine money. So, I think your concern or your...concern is with the whole concept. This Bill doesn't even deal with the forfeiture moneys that your comments addressed. It only extends the concept further by adding the drug fine money to the same distribution formula. So, I don't want to put words in your mouth, but I think your concern is...is to the current law on drug forfeiture money. And while I respect your...your position on not wanting to enlarge that, this Bill does not create the separate fund, it simply provides another revenue stream to go into it. But...perhaps we can discuss it in the Senate."

Pankau: "To the... To the Bill, then, Speaker. I...I urge the fellow Members to look at this thing very carefully. There is currently a seizures law in place. They can be used for very specifically...for very specific things, and that is basically to help them seize more assets. I would urge you to leave it the way it is and vote against this Bill. I think this has some hidden costs for county government that are not being understood by the interpretation of this. This is simply moving money from one fund to the other. I think down the road, it can have some operational effects on county government. I urge you to vote 'no'."

Speaker Currie: "Further discussion? Representative Prussing."

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Prussing: "Madam Speaker, will the Sponsor yield?"

Speaker Currie: "He will."

Prussing: "Representative Homer, we had a problem in Champaign County with the state's attorney using drug money...for giving picnics in neighborhoods, and we asked the Attorney General for an opinion. And I'm very concerned about isolating money...from the budgeting control of the county board or from the auditing authority of the county auditor, as a former county auditor. Would you comment on that, please?"

Homer: "Well, that's the first I had heard of that. That certainly would violate my...understanding of the purpose for these moneys is for the operation of the state's attorney's office; and I would, as a personal opinion, would suggest that use of those moneys for a picnic would be analogous to what DCCA did a few years ago when they used some sort of funds for...some sort of a party...for which the press...condemned and indicted them, justifiably in my opinion. But this Bill does not...does not define the methods in which that fund can be expended; it simply provides a new revenue stream for that fund. And if we need to address that issue with some clarifying language, I would certainly be open-minded to that in some future legislation."

Speaker Currie: "Further discussion? Representative Granberg."

Granberg: "Thank you. Representative Homer. Tom, I couldn't hear all the discussion. What happens to those dollars now? You're talking about adding a new revenue stream. Where do those dollars currently go?"

Homer: "Yeah. It's... Again, this is the State's Attorney Association Bill. The money currently... The money we're talking about is the county's share of the fine money. It

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currently all goes into the county general fund. The State's Attorneys want to take 12.5% of that and put it in their line-item in their budget. So, it's really juggling funds within the county operations. And it would make the distribution scheme the same as is in effect for the Narcotic Forfeiture Act assets. So, this only applies to drug fines. And it's a intra-county shift. It doesn't take any money from any local government."

Granberg: "Yeah, those...those drug fines currently go to where...the county general fund..."

Homer: "County general fund and then... They go in the county general fund currently."

Granberg: "Okay, thank you."

Homer: "This would put them in...a portion of them in the state's attorney special fund for prosecution of drug cases."

Speaker Currie: "Further discussion? Hearing none, Representative Homer to close. The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Have all voted who wish? Representative Homer, one minute to explain his vote."

Homer: "You know, I think more is being made of this Bill than...is there. This is a request of the State's Attorneys Association. This...this money that we're talking about is money that would be going to the county. The state's attorneys want to take a portion of that money, it's drug fine money, put into a special account that's set up within the state's attorney's office to be used to prosecute drug offenses. Now, obviously the counties...if they wished to do like we did with the lottery, all they would have to do, the county board would have to do would be to subtract that amount of money from the otherwise amount appropriated. So, it looks like we're not doing too well on the vote here,

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and..."

Speaker Currie: "I'd say that's right."

Homer: "So, the more I'm talking, the fewer votes. Maybe if some Members would be courteous enough to get us up to 47, I could ask for Postponed Consideration."

Speaker Currie: "On this...on this Bill, there are 49 voting...48 voting 'yes', 57 voting 'no', and Representative Homer asks for Postponed Consideration. Representative Hoffman, House Bill 1929. Representative Hoffman? Representative Hoffman. I think we... Out of the record. Representative Lang, House Bill 1930. Representative Lang. Out of the record. Representative Lang, how about 2111? Out of the record. Representative Dart, House Bill 2422. Representative Dart. Out of the record. Constitutional Officers, Third Readings. Representative Homer, House Bill 1052. Out of the record. Consumer Protection, Third Reading. Representative Schakowsky, House Bill 1017. Out of the record. Out of the record. Out of the record. Education, Third Reading. House Bill 125, Representative Levin. Out of the record. House Bill 1089, Representative Churchill. Representative Churchill. Out of the record. House Bill 1195, Representative Dunn. Representative Dunn. Out of the record. Representative Flowers, House Bill 2249. Representative Flowers. Out of the record. Representative Brunsvold, House Bill 2274. Out of the record. Elections and State Government, Third Reading. Representative Ostenburg, House Bill 820. Out of the record. Representative Edley, House Bill 2416. Representative Edley. Out of the record. Environment and Energy, Third Reading. Representative McGuire, House Bill 350. Out of the record. Representative Dart, House Bill 815. Out of the record. Representative Skinner, House Bill 1821.

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Representative Skinner, do you wish to bring this back to Second for purposes of Amendment. It's not printed, so why don't we take this out of the record. Representative... Representative Skinner, you want the Bill heard on Third without your Amendment? Clerk, read the Bill."

Clerk Rossi: "House Bill 1821, a Bill for an Act in relation to environmental protection. Third Reading of the Bill."

Speaker Currie: "Representative Skinner."

Skinner: "Madam Speaker, this is a Bill we visited once before, this evening or this afternoon. It has to do with allowing local governmental entities, such as county government or municipal governments, to site using their zoning authority a...a transfer station, which...the Amendment would have made a collection center. It's a place where you can bring household hazardous waste, and you can bring them from more than just the community which is granting the zoning power. Right now, the City of Naperville has a...a hazardous waste collection center, but nobody except the people in the Village of Naperville can bring hazardous...household waste to that center. So, what I'm trying to do is to allow McHenry County or some municipality in McHenry County to...to site such a facility. You'll note in the Sun-Times editorial today, that for every day that the EPA had...a special household hazardous waste collection, it cost them \$95,000. Now think what would happen...think how much more good that money could be if it were given to a permanent site. So I'm... If we allow this zoning change, we will perhaps be able to get rid of more household hazardous waste."

Speaker Currie: "Representative Skinner moves 'do pass' on House Bill 1821. Does anyone rise in opposition? Representative Dart."

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Dart: "Will the Sponsor yield?"

Speaker Currie: "He will."

Dart: "The... The... The fee charges are out of the Bill now?"

Skinner: "Totally."

Dart: "Okay. And so basically all the Bill does now is it removes...it provides transfer stations...of hazardous waste are not subject to local siting approval?"

Skinner: "No, that's not what it says. It says that they're subject only to local zoning approval, not... Well, excuse me, not siting approval. Yes."

Dart: "So, just zoning approval?"

Skinner: "Yes."

Dart: "And why is this necessary?"

Skinner: "Well, it's necessary if you want to have...collection centers...in your local community, without having to go through an enormous expense."

Dart: "And the expense comes about via the siting hearing?"

Skinner: "Yes."

Dart: "Will the...the public still be allowed to have input, even without the siting hearing?"

Skinner: "Sure. Zoning... I don't know about your area, but zoning hearings in my area are sometimes, there's a lot of public input."

Speaker Currie: "Further discussion? Representative Hoffman."

Hoffman: "I just want to clarify this, Representative. This would... This is for transfer stations, or what is it exactly for?"

Speaker Currie: "Representative Skinner."

Skinner: "The Bill drafter has put the word 'transfer station' and that might lead you to believe that garbage trucks were gonna come in and dump it down and somebody's gonna sort it out. What we're really talking about is the...is you're

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coming in with your household hazardous waste in your car trunk..."

Hoffman: "Hazardous waste?"

Skinner: "Household hazardous waste. We're talking paint. We're talking...turpentine."

Hoffman: "Okay."

Skinner: "Stuff like that."

Hoffman: "And you bring it in, and right now, in order to run one of those facilities, you have to get siting approval by the EPA, is that correct?"

Skinner: "If you're going to collect for more than just your own community."

Hoffman: "So you would go, and you would go through the siting approval locally, number one, local siting, plus you would have to get zoning, plus you would have to go through EPA."

Skinner: "Right. Now."

Hoffman: "And you want to take away the local siting approval and the EPA approval, and just have zoning approval."

Skinner: "Yes. I trust my local officials."

Hoffman: "Speaker, to the Bill..."

Speaker Currie: "Proceed."

Hoffman: "I think this...this is an extremely dangerous, dangerous way of going here. We have trouble in the Metro-East and...and some of the neighboring communities of these type of transfer stations coming from railroads into the Metro-East and then being picked up by trucks and being taken to landfills elsewhere in the Metro-East. I think that the EPA and the state EPA, as well as the local counties and the local groups, should have local siting approval; we shouldn't just have zoning approval, because the zoning may already be there in place for these types of things. They can then open it really without any hearing



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because the zoning is already in place. I am a proponent of local siting. I don't think we want to take that away, as well as oversight by the EPA."

Speaker Currie: "Further discussion? Representative Novak."

Novak: "Yes, I think there's a little bit of confusion about this Bill. This Bill is very similar to the one that I passed shortly on behalf of the agency. In the City of Naperville accepts household hazardous waste, but on a regional basis. So they wanted to get the siting 172 exemption process waived provided that the local municipalities approve it. All they are is... They're not transfer stations. If you've been fortunate enough to have one in your community, and we had a very successful one in Kankakee last year. People come to these things and they drop off these hazardous wastes that we want to keep out of landfills. It's as simple as that. We'd like to ban 'em from landfills, all this stuff. We just don't have the money to do it. So they come over here and turn these things in... Usually, it's a one or two day operation. The EPA's been doing this for the last couple years. They're very successful programs. Then they cart the stuff off. They take it and put it in containers, and they take it to an approved hazardous waste landfill or reclamation center to neutralize the stuff. So, the more we keep out of local landfills, the toxic materials, the better off we're gonna be. So that's all it is. I ask for everyone's 'aye' vote."

Speaker Currie: "The question is, 'Shall House Bill 1821 pass?' All in favor vote 'aye'; opposed, 'no'. 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, there are 98 voting 'aye', 9 voting 'no'; and this Bill, having received the required Constitutional Majority,

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is hereby declared passed. Representative Morrow, House Bill 2065. Clerk, read the Bill."

Clerk Rossi: "House Bill 2065, a Bill for an Act amending the Environmental Protection Act. Third Reading of the Bill."

Speaker Currie: "Representative Morrow."

Morrow: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Do I have leave to bring this Bill back to...Second Reading for purposes of an Amendment?"

Speaker Currie: "Representative Morrow asks leave to return this Bill to Second Reading for Amendment. Is leave granted? Leave is granted."

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

Speaker Currie: "Representative Morrow."

Morrow: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 would make House Bill 2065 a shell Bill. This...this is being asked by the chemical industry. We're gonna try to pass this out eventually. For right now, we want to make this a shell Bill. So, I urge to adopt Amendment #1 to House Bill 2065."

Speaker Currie: "Representative Morrow moves 'do adopt' on Amendment 1 to House Bill 2065; and, on that question, Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. First, an inquiry of the Chair. Has the Amendment been printed and distributed?"

Speaker Currie: "We're checking that right now."

Wennlund: "We don't have it."

Speaker Currie: "The answer is 'no', the Amendment has not been printed and distributed. Out of the record."

Wennlund: "Thank you."

Speaker Currie: "Moving to Health Care and Human Services, Third Reading. Representative Phelps on House Bill 552. You want

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to call the Bill? Out of the record. Representative Curran, on House Bill 971. Representative Curran? Out of the record. Representative... (House Bill) 1390, Representative Currie. Out of the record. Housing and Economic Development, Third Reading. House Bill 52...sorry, 527, Representative Turner. Representative Turner. Out of the record. Let's move to Insurance, Third Reading. Representative Hicks, House Bill 1067. Representative Hicks. Out of the record. And 10...1829, Representative Hicks. Out of the record. Labor, Third Reading. House Bill 925, Representative Davis. Representative Davis? Out of the record. Representative Dunn on House Bill 769. Out of the record. Third Reading, Law, appears House Bill 2357, Representative Laurino. Representative Laurino. Out of the record. Local Government, Third Reading, appears House Bill 1279, Representative Santiago. Representative Santiago. Out of the record. How about 1280, Representative Santiago? Representative San...1280? House Bill 1280? Sorry, we've already moved that today. House Bill 1282. Representative Santiago, how about 1282? Out of the record. Representative Steczko, are you ready to go on House Bill 1922? Representative Steczko, 1922. Clerk, read the Bill."

Clerk Rossi: "House Bill 1922, a Bill for an Act amending the Park District Code. Third Reading of the Bill."

Speaker Currie: "Representative Steczko."

Steczko: "Thank you, Madam Speaker, Members of the House. House Bill 1922...is a Bill that deals with contracts from park districts that...that are exempt from bidding requirements as they are for other governmental agencies; however, this Bill adds requirements regarding the bid openings and due advertisement for bids and provides that conformity with specifications and terms of delivery, quality and

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servicability shall be considered in letting contracts to the lowest responsible bidder. So, this is...this is an attempt to try and provide language in the Act and in the statutes which govern contracts and bidding requirements by park districts where it is silent now. I would answer any questions, Madam Speaker, that the Members might have."

Speaker Currie: "Representative Steczko moves 'do pass' on House Bill 1922; and, on the Motion for discussion, Representative Black."

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

Speaker Currie: "He will."

Black: "On the sealed bid trigger amount of \$10,000, that's no change under current law, is that correct? You're not lowering or raising it."

Steczko: "I believe it's...it's standard language, Representative Black."

Black: "Standard language that you are now attempting to put into statute, is that your intent?"

Steczko: "If you look on page 2, line...line 20."

Black: "Okay."

Steczko: "It already sets the \$10,000 limit."

Black: "Okay. This would be similar language then that appears in the School Code."

Steczko: "That is correct."

Black: "Okay. I...I have no questions, Representative. I just want to thank you for calling a Bill. It's the first one called, I think, in about 20 minutes. For that reason alone, I intend to vote 'aye'."

Steczko: "It's always my pleasure, Representative Black, to be accommodating."

Speaker Currie: "Further discussion? Representative Roskam."

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Roskam: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Currie: "He will."

Roskam: "Representative, just for my edification, 'cause there's a high noise level. Just so I can understand what...what you're concerned about here."

Speaker Currie: "Could the Chair have a little order, and if Representative Wennlund would stop bashing about with the yard stick, we would appreciate it. Continue, Representative."

Roskam: "Does your Bill take...take some bidding activities outside the coat...scope of competition? Am I...am I understanding that right?"

Steczo: "Well, in the...in the School Code, presently, there are certain exemptions from bidding requirements which relate to data processing equipment and software and those kinds of services. This Bill seeks to exempt some of those, but also provides, as the School Code does, language which sets forth the...on bidding requirements, the notices and the things that have to be done that govern the entire process."

Roskam: "Why... It...it seems to me that the School Code situation is a bad idea, and why are we...why do we want to emulate that?"

Steczo: "I think that the problem that you have, Representative Roskam, in terms of software and data processing...and things of that nature, that sometimes when you're dealing with low-bid specifications period, that those items may not be able to conform specifically to...to...to a low-bidder situation. I think that's been proven in some cases. So, if you are having software...software designed for you, or there's certain specifications that you have on either the software...the software that you need or the

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data processing equipment, sometimes in...the...to find the equipment or the software that meets your needs specifically, low bidding may not actually be the...the...the best method."

Roskam: "Okay. Thank you. Thank you, Madam Speaker."

Speaker Currie: "Further discussion? Representative Skinner."

Skinner: "If my memory serves me correctly, this is...the Bill is emulating language in the School Code which allowed local school principals in Chicago to go on junkets to Arizona or perhaps California, where they demonstrated a special software program that lots of Chicago school districts...school syst...schools, I guess we're talking about in Chicago, ended up buying. And there seemed to, if I remember correctly, there was an expose on the front page of the Sun-Times about that. Is that correct?"

Steczo: "That one, Representative Skinner, is news to me. I...I don't know. I've never heard of it."

Skinner: "Well, I...I'm pretty sure that...that...that it's the same type of language, and I can now see local park districts being junketed to some warm and sunny place when it's real cold in the north land and becoming real convinced they ought to buy some software. Thank you."

Speaker Currie: "Further discussion? Representative Granberg."

Granberg: "Thank you, Madam Speaker. Would the Gentleman yield?"

Speaker Currie: "He will."

Granberg: "Representative Steczo, I thought I heard Representative Black, but I wasn't quite sure what the answer was. The language that you propose comes directly out of the School Code, does it not? And it makes this conform with the School Code?"

Steczo: "That's correct. Sure. Yes."

Granberg: "So it's...it's a mirror. It reflects the exact same

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language, so there is no... It does the same thing as the School Code, which we currently allow them to do now."

Steczo: "Correct. Especially with...with the governing of competitive bidding, which is silent in the Park District Code now, which means there are no rules and regulations which this...which this Bill takes care of."

Granberg: "All right. Thank you."

Speaker Currie: "Representative Steczo moves 'do pass' on House Bill 1922; and, on the Motion, all 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 House Bill 1922, there are 96 voting 'aye', 12 voting 'no'; and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Dart, are you ready on House Bill 2003? Out of the record. Representative Erwin, 2240. Out of the record. Pardon me? Representative Brady."

Brady: "Thank you, Madam Speaker. Could I... Let the record indicate I mis-voted. I intended to vote 'no' on the last Bill."

Speaker Currie: "The record shall so reflect. Professional Regulation, Third Reading. Representative Jones, House Bill 214. Out of the record. Representative Jones, on House Bill 215. Out of the record. Public Utilities, Third Reading. House Bill 633... We just voted on that. Well, let's run through Revenue, Thirds one more time. House Bill 808, Representative Steczo. Half an hour later. Is it any better now? House Bill 808. Not any better yet. Representative McGuire, House Bill 1059. Out of the record. Representative Hicks, 1711, 1736. Take your choice. House Bill 1711, Representative Hicks. Out of the record. (House Bill) 1736. Clerk, please read the Bill."

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Clerk Rossi: "House Bill 1736, a Bill for an Act amending the Revenue Act of 1939. Third Reading of the Bill."

Speaker Currie: "Representative Hicks."

Hicks: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. This Bill was amended before and no longer has anything to do with the...Revenue Act concerning coal assessment. Coal is totally out of this Bill, now. This Bill deals with Representative Schoenberg's Amendment..."

Speaker Currie: "Oh, I'm sorry, Representative, we just did this Bill on Second. I'm sorry. Chair error. Chair forgot. Out of the record. Okay, moving right along. That's out of the record. Representative Black, for what reason do you rise? Or did you forget and leave your light on? Okay. On Roads and Transportation, Third Reading. Representative Lang, House Bill 95. I'm sorry, that's Consideration Postponed. Representative Hicks, on House Bill 451. Representative Hicks. Out of the record. How about Seniors, Third Reading. Representative Granberg, are you ready with 2008? Out of the record. Well, let's give it a whirl. This is the third time, third time through the Calendar, Members of the House, third time. Let's start with...Business and Job Development, 1047, we did. Representative Deering on 1292. Representative Deering. Out of the record. Representative Kotlarz, how about House Bill 2268? Representative Kotlarz. (House Bill) 2268? Better now than a half an hour ago? No, still not ready. Let's try House Bill 408, Representative Steczo. I'm sorry, we're on Civil Justice, Third Reading. Out of the record. Representative Pugh, House Bill 513. Representative Pugh. Out of the record. Representative John Dunn, House Bill 743. Out of the record. Representative Santiago, we already went through this. Representative Lang, House Bill 1369. Representative Lang. Out of the



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record. Representative Hoffman...Hoffman, on 1929. House Bill 1929. Out of the record. Representative Lang, on House Bill 1930. One of your sunshine Bills. It seems to say 'not ready'. House Bill 2111, Representative Lang. Out of the record. Representative Dart, House Bill 2422. Out of the record. Representative Homer, on the Order of Constitutional Officers, Third Reading, House Bill 1052, Representative Homer. Out of the record. Consumer Protection, Third Reading. Representative Schakowsky, on the whole-order. Representative Schakowsky. Out of the record. Representative... Education, Third Reading. Representative Levin, House Bill 125. Out of the record. Representative Churchill, House Bill 1089. Out of the record. Representative Dunn, House Bill 1195. Out of the record. Representative Flowers, House Bill 2249. House Bill 2240...I'm sorry...2274, Representative Brunsvold. Representative Brunsvold. Out of the record. Let's give Elections and State Government, Third Reading, a whirl. Representative Ostenburg, House Bill 820. Clerk, read the Bill. Nope. Sorry. A little jump too soon. Out of the record. Representative Edley, on House Bill 2416. Out of the record. Environment and Energy, Third Reading, Representative McGuire, House Bill 350. Representative Dart, on House Bill 815. Morrow, we can't do. Let's give it... Okay, we're just gonna whip right through here and see if we just can't pull a few more... Representative Curran, on House Bill 971. Representative Curran. Out of the record. This is Health Care and Human Services, Third Reading. Roger's not calling his. Currie. Housing and Economic Development. Representative Turner, on House Bill 527. Out of the record. Insurance, Third Reading. House Bill 1067, Representative Hicks. Out of the record. (House

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Bill) 1829, Representative Hicks. Out of the record. Labor, Third Reading, House Bill 925, Representative Davis. Out of the record. Law, Third Reading, House Bill 2357, Representative Laurino. Out of the record. Local Government, Third Reading. House Bill 2003, Representative Dart. Out of the record. Representative Erwin, House Bill 2240. Out of the record. Representative Brady, for what reason do you rise?"

Brady: "Madam Speaker, I...know I'm...relatively new at this, but wouldn't it be just quicker to ask, 'Does anyone want to call a Bill?'"

Speaker Currie: "Representative Brady, you are clearly quite new. We never ask that. The Chair nevers invites people just to call Bills at will. What are you thinking of? We have these Special Orders."

Brady: "Put it on the docket."

Speaker Currie: "This is the way we do business."

Brady: "Doesn't it cost a lot of money to keep this place open?"

Speaker Currie: "No. Okay, continuing along on Professional Regulation, Third Reading, Lou Jones, House Bill 214 or 15. Going once. Out of the record. Public Utilities, Third Reading, Representative You...Younge, 633. Revenue, Third Reading. Representative Steczo, House Bill 808. Out of the record. House Bill 1059, Representative McGuire. Out of the record. Representative Hicks, on 1711. Out of the record. And then, it was 1736 we wouldn't let you call, is that right? That's right. Roads and Transportation, Third Reading, Representative Lang, House Bill 95. Out of the record. Representative Hicks, 451. Out of the record. Seniors. Representative Granberg, House Bill 2008. Out of the record. Let's try some Second Readings, shall we? Troops, see if we can do better. Let's start with

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Agriculture, Second Reading, Representative Churchill, on House Bill 1074. Out of the record. House Bill 1990, Representative Brunsvold. Representative Brunsvold. Out of the record. Business and Job Development, Second Reading. Representative Kaszak, House Bill 211 and 12. Out of the record. Representative Giolitto, on House Bill 2267. Out of the record. Representative Black, for what reason do you rise?"

Black: "Yes, thank you very much, Madam Speaker. We've been through the Calendar numerous times, and if you're going back to Second Reading, and in all due respect to the Chair and in all seriousness, why not revisit 686? We have our Amendment. We would be more than happy to file the Amendment. It would be legitimate and real debate on an issue of interest to this Body and this state. I don't know how we can stay here till 10:00 the way we're going. This will give us something to do."

Speaker Currie: "Representative, you know that it takes time to print and distribute this Amendment, and my understanding is that Amendment is not yet filed. I don't think that you're helping us move things along at all. And in any case..."

Black: "You mean the property tax cap Amendment hasn't been filed?"

Speaker Currie: "It certainly wasn't when we earlier visited...this issue this evening. Continuing on the Order of Civil Justice, Second Reading. House Bill 224, Representative Pugh. Representative Pugh. Out of the record. Representative Homer, on House Bill 365. Representative Homer. Second Reading. Clerk... Clerk, read the Bill."

Clerk Rossi: "House Bill 365. The Bill has been read a second

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time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Homer."

Speaker Currie: "Representative Homer."

Homer: "Yes, can we withdraw Amendment #1? Withdraw."

Speaker Currie: "The Gentleman withdraws Amendment #1, Amendment 2 to House Bill 365. Further Amendments?"

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

Speaker Currie: "I misspoke. It was Amendment 1 that was withdrawn. Amendment #2, Representative Homer."

Homer: "Amendment #2 is the nature of a technical Amendment, which revises a...the Bill along the lines the staff has identified as necessary in order to comply with a technical concern. I would move the adoption of this Amendment."

Speaker Currie: "Representative Homer moves 'do adopt' on Amendment #2 to House Bill 365. All in favor signify by say... Excuse me. Representative Black."

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

Speaker Currie: "He will."

Black: "Representative, the Amendment becomes the Bill, correct?"

Homer: "Yes."

Black: "And this is basically your House Bill 1028?"

Homer: "I'm sorry. I didn't hear that."

Black: "This is basically the language that you had embodied in House Bill 1028, correct?"

Homer: "I don't remember of the number of the Bill, but I think...thank the Gentleman for...for correcting me. Yes, I... That is correct. The... I don't have the file in front of me, Representative Black; but, in fact, you are correct. House Bill 1028 was a Bill that I offered and did not call in committee, and 365 was a shell Bill and...and I thank

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you for correcting me because as I spoke here earlier, I said this was a technical Amendment. It is technical in the sense that it corrects a technical deficiency in 1028. However, it is substantive and it becomes the Bill, yes."

Black: "Okay, I...I... The only concern that we have, and I'm not sure I stand in opposition to your Amendment at all, is that you are eliminating automatic revocation of bail, but for only one offense. Is that correct?"

Homer: "Right. This... Yeah. Let me... I was gonna wait and explain it on Third, but since it is the Bill, let me just briefly tell you. Judge Locallo, Cook County, who I believe is the presiding judge at...26th and Cal, (That may not be correct), but in any event, he has suggested this change, and...and what this does, is modify the...the Act that provides for automatic revocation of bail upon the filing of a petition by the state where an individual is out on custody...on a felony where the defendant is out on bail, and then is alleged to have committed another felony. And the reason for the...this...this Amendment...this Bill is that according to Judge Locallo, in drug cases...where the laboratory analysis is not completed until after the charge is filed, that they have a volume of bills there that were...are volume of charges there where someone is arrested, for example, for possession of a narcotic that later turns out through the lab test, not to be a narcotic substance. So, what the Bill would do would say that in cases where the no-bail provision is being utilized on the basis of a subsequent drug charge, that they would first have to wait until after preliminary hearing or after indictment; in other words, till after the lab has analyzed the substance to make sure that it is, in fact, a controlled substance or cannabis."

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Black: "We don't stand in opposition to the Amendment, Representative. I... Perhaps your staff and ours can get together. We are having some difficulty understanding just whether or not the automatic...eliminating the automatic revocation in this case is a good idea, because 500 grams could be a relatively substantial amount. We don't stand in opposition to the Amendment, but we would like to get staff together before you move it to Third."

Homer: "Let... Let me just reiterate that we're not eliminating the automatic...revocation of bail. All that this says is that you couldn't do it until after preliminary hearing or indictment, which is a probable cause determination in drug cases. And the only reason for that is because the laboratory, the crime lab, would have by then analyzed the substance to make sure that, in fact, the offense is justified."

Black: "All right. We appreciate your...your patience, because that's...we're have a little difficulty with that particular section of the Amendment. We appreciate your patience and your answers. Thank you."

Homer: "Thank you."

Speaker Currie: "The question is, 'Shall Amendment #2 to House Bill 365 be adopted?' All those 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. Representative Lang, are you ready on House Bill 764 on the same Order of Civil Justice? Out of the record. Representative Blagojevich, on House Bill 1468. Second Reading. Clerk, read the Bill."

Clerk Rossi: "House Bill 1468. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment

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#1, offered by Representative Lang."

Speaker Currie: "Representative Lang."

Lang: "Thank you, Madam Speaker. Amendment #1 to House Bill 1468 is a Bill that we visited a couple of years ago in the General Assembly, and it relates to trigger locks, or locking weapons away in a home where there's someone 14 years of age or younger. In the State of Illinois in the past several years, over 300 children have lost their lives because of guns carelessly being left around in people's homes. This is not a gun control measure in any way, shape or form, it's a gun safety measure. When the State of Florida passed this, the sale of trigger locks increased about a thousand percent in one year, thus saving the lives of many children. That's all this Bill does. It's a safety measure for children, and I would ask your 'aye' votes."

Speaker Currie: "Representative Lang moves 'do adopt' on Amendment #1 to House Bill 1468; and, on that, is there any discussion? Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. Inquiry of the Chair, as to whether or not this Amendment is germane to the original Bill."

Speaker Currie: "We'll check that question. Representative Wennlund, the Bill...the original Bill amends the Criminal Code, as does the Amendment. The Amendment is germane. The Amendment is germane. Further discussion? Hearing none, the question is, 'Shall this Amendment be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

Speaker Currie: "Representative Johnson. Could we have a little order for Representative Johnson, please? Representative

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Johnson."

Johnson, Tom: "Yes. Madam Speaker, you know...I'm... Was Amendment #1 adopted?"

Speaker Currie: "Yes."

Johnson, Tom: "I didn't hear that."

Speaker Currie: "It was real hard to hear the whole thing. It's been real hard to hear in here."

Johnson, Tom: "I heard a lot of 'noes'. I didn't hear any 'ayes'."

Speaker Currie: "I heard a lot of 'ayes'. I heard a lot of noise, is what...not so much 'noes' as noise, but a lot of 'ayes'."

Johnson, Tom: "Oh, Okay. All right. Well, I...I'm going to withdraw Amendment #2 at this time."

Speaker Currie: "The...Amendment #2 is withdrawn. Are there further Amendments?"

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

Speaker Currie: "Representative Brunsvold, on Floor Amendment 3 to House Bill 1468. Is Representative Brunsvold with us? Representative...Brunsvold? Representative Brunsvold is not in the chamber. Representative Blagojevich moves to table Amendment #3. Representative Hicks, for what reason do you rise?"

Hicks: "I was gonna ask leave of the House to handle Representative Brunsvold's Amendment for him."

Speaker Currie: "Does Representative Hicks have leave to handle Representative Brunsvold's Amendment? Some say 'yes' and some say 'no'. Do we have... I believe... I believe that without leave, that Representative Hicks is not able to... Oh, the Chair wishes to... The Chair wishes to announce... There's Representative Brunsvold. The Chair wishes to



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announce that chicken is available for the Democrats. Democratic... Democratic chicken. Democratic chicken is being passed around among you, and the Chair has no information on what's happening to the other 51. Representative Brunsvold, are you prepared to present your Amendment? Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. We have a trigger lock mechanism now. We ought to have something to trade off the trigger lock, and that's Amendment #3. Amendment #3 would be preemption against local gover...governments...forming any or passing any laws regarding gun control. We've had this Amendment on the floor before. It's a good Amendment. The state ought to control the gun laws. Local municipalities should not be able to pass gun laws. People going from one community to the next do not know what those laws are. They can get into trouble by the local police, being stopped. Those...those laws by local communities are really detrimental to the citizens who are passing from one community to another. That's what the Amendment does. I would ask for your support in the adoption of Amendment #3."

Speaker Currie: "Representative Brunsvold moves 'do adopt' on Amendment #3 to House Bill 1468; and, on that Motion, is there any discussion? Representative Blagojevich."

Blagojevich: "Well... I mean... This is an Amendment that I deem hostile to my Bill, and I would move to table the Amendment or abrogate the Amendment. I'd like a roll call. I'd like a roll call on that."

Speaker Currie: "Further discussion? Representative Dart."

Dart: "Thank you. Would the Sponsor yield, please?"

Speaker Currie: "He will."

Dart: "Representative Brunsvold, this would affect municipalities

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over one million. How many...many municipalities do we have in the state that are over a million?"

Brunsvold: "One."

Dart: "That's the City of Chicago, correct?"

Brunsvold: "Right."

Dart: "And with this Bill...presently the City of Chicago has a ban on the...the purchase of firearms, correct?"

Brunsvold: "Right. It's not working."

Dart: "So this...this would pro...basically take that away from it, so it would be a preemption of home rule, which would require 71 votes, I believe. Correct?"

Brunsvold: "I think 60 would probably be sufficient."

Dart: "Madam Speaker, to...to the Bill. In the City of Chicago as is documented in television and newspaper is constantly being referred to as one of the murder capitols of...of our country. The unfortunate thing is, is it's all done by handguns. And what the City of Chicago went and did was to pass an ordinance which would prohibit the purchase of handguns. This would basically take that power away from the City of Chicago. The City of Chicago needs this more than any other city around, and this would fly in the face of basically common sense. I mean, there is no reason for something like this, especially targeted at the City of Chicago, where the handgun problem is the worse. And I rise in strong opposition to anything that would do this. This tend to put more guns on the street than there are, if that is possible."

Speaker Currie: "Further discussion? Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. I rise in support of the Amendment. It would make the gun laws uniform throughout the state, and that's the most important thing. It excludes the City of Chicago from the terms of the Amendment."

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Chicago is not included in this Amendment. It makes all gun laws uniform throughout the state. It's a good Bill and it ought to be supported with an 'aye' vote, and I ask for a record Roll Call Vote."

Speaker Currie: "Further discussion? Representative Black."

Black: "Thank you very much, Madam Speaker. Will the Sponsor of the Amendment yield?"

Speaker Currie: "He will."

Black: "Representative Brunsvold, can you...are you aware of when the City of Chicago...passed an ordinance that said you couldn't purchase a handgun?"

Brunsvold: "Question. I believe the Amendment does say... Representative Dart is...is... We've looked at the Amendment again, and it does not apply to Chicago. It only applies to really downstate and the control should be in the hands of the state, and not put to a helter-skelter set of laws to different communities. So, I would ask for your support."

Black: "So, Chicago, in fact, is exempt."

Brunsvold: "Chicago is exempt. Yes, Representative."

Black: "Thank you. Madam Speaker, an inquiry of the Chair. What Motion are we being asked to vote on. I heard table or abrogate. Table, I understand. Abrogate is something I had for lunch."

Speaker Currie: "We're... We're gonna get you 16 minutes to find out the answer. But in the meantime, the question will just be on the Amendment. Further discussion? Representative Phelps."

Phelps: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Currie: "He will."

Phelps: "I know that I can speak with him right here at hand, but I'd rather for the...the House to hear this. On this

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Amendment, Representative Brunsvold, then this it would be...this would be dictating to the local governments that if we want to do something in Illinois similar to a municipality that did in Kentucky where local governments required everyone to purchase and carry a gun. They could not do this, right?"

Brunsvold: "That's right."

Phelps: "I agree with that."

Brunsvold: "I don't know. Maybe we oughta...maybe we ought to mandate everyone carries a gun. Representative Wennlund had a Bill that would allow you to go through a procedure to carry a gun. But this...this would not only...restrict...local governments from... We always think of negative laws, also positive laws requiring them to carry a gun."

Speaker Currie: "Further discussion? Representative Erwin."

Erwin: "Thank you, Speaker. Will the Sponsor yield? Thank you. Representative Brunsvold, there are communities around Chicago like the Village of Oak Park and Morton Grove who have decided that they prefer to have more control over their community and who owns, particularly handguns, in those communities. Would this Amendment preempt suburban communities from having control over these issues, locally?"

Brunsvold: "Yes, it would."

Erwin: "So, what you are trying to do is take away a local communities' option to govern whether or not handguns proliferate through their community."

Brunsvold: "Rep... Representative, a law passed in one community in the suburbs is not gonna stop anybody from having a gun. They can simply go to another community and buy a gun, or whatever they want to do, going from one community to

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another. Just like Chicago probably has per...per person more guns than anyone else in this state, and yet they still...have a law against buying guns in the city. So, it...it doesn't preclude anything. The laws that are in the suburbs... They're not gonna work."

Speaker Currie: "Further discussion? Representative Schakowsky."

Schakowsky: "Thank you, Speaker and Ladies and Gentlemen of the House. My community has legislation that bans the possession of handguns; and frankly, I really resent the notion that this Body should tell the City of Evanston, the City of Wilmette, the City of Morton Grove, the City of Winnetka, that we are not Highland Park, that we should not be allowed to pass this kind of legislation which may add, in the Sponsor's view, insufficient controls, but it's certainly better than nothing at all. And I would urge everyone who cares about allowing communities to determine their own fate and to try and address this growing problem to give a resounding 'no' to this Amendment."

Speaker Currie: "Further discussion? Representative Hicks."

Hicks: "Thank you. Question of the Sponsor."

Speaker Currie: "He will respond."

Hicks: "Representative Brunsvold, if...if I want to own a handgun and I have a permit to do so...and I'm in Moline, am I illegal?"

Brunsvold: "Not in Moline, you aren't."

Hicks: "So, if I get in my car with that gun properly put away in my car and I drive to...let's say the City of Chicago downtown, and I drive through Oak Brook. If I get stopped at Oak Brook and I have that gun in my possession, am I breaking the laws of the State of Illinois?"

Brunsvold: "Not the State of Illinois, probably their city."

Hicks: "How about the City of Oakbrook?"

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Brunsvold: "Probably the City of Oakbrook, yes."

Hicks: "So, now I'm breaking the law just because I'm driving through that community?"

Brunsvold: "Exactly."

Hicks: "How about Wilmette? Would it be the same thing there?"

Brunsvold: "I would think... I don't know the laws specifically, but I...I would be sure that you'd probably be breaking their ordinance."

Hicks: "So here I am, a law-abiding citizen, with all the permits, all the proper handling of a weapon, and yet when I drive into that community, just because I drive into the community, I am suddenly breaking the law. Now, I'm... Would that be a felony in Oakbrook?"

Brunsvold: "I don't know, Representative, what...what's the penalty...in Oakbrook or the other communities. I know they have...they have specific laws, and someone has just indicated to me that you have to live in those communities to be under those...under that jurisdiction."

Hicks: "Well, thank you, Representative. To the Bill, I simply think that the Amendment...says that everywhere in the State of Illinois, that the State of Illinois should rule on these types of issues. I think certainly...we shouldn't let those communities make laws that are substantially more restrictive than the laws of the State of Illinois. I would stand in support of your Amendment."

Speaker Currie: "Further discussion? Representative Lang."

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

Speaker Currie: "He will."

Lang: "Representative, is...is this not the Bill that was opposed by the Director of the State Police?"

Brunsvold: "No, this is not it."

Lang: "Isn't this the same as your other FOID card Bill, that

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stand alone Bill?"

Brunsvold: "No, this is totally different."

Lang: "What are the differences?"

Brunsvold: "This is not a FOID card Bill. This deals with...preemption of the locals from passing laws dealing with guns. This is nothing to do with FOID card."

Lang: "Well, how does this affect communities that have already passed those laws?"

Brunsvold: "Other than Chicago, it would preempt them from passing those laws."

Lang: "And in the communities, except for Chicago, that have already passed those laws, would this Amendment void those laws?"

Brunsvold: "Yes."

Lang: "Why is it you feel that Chicago and the rest of the state should have a different law relative to the use of firearms?"

Brunsvold: "I realize, Representative, that Chicago has some unique situations. They're trying to work on some laws to control their handguns there; and frankly, it's really not working very well. Downstate is different. I realize that. Downstate and the ownership of guns is a different situation than Chicago, and I've separated the two."

Lang: "To the Amendment. Despite... Despite what my good friend, Representative Brunsvold has said, it seems to me very illogical to have one set of laws in the City of Chicago on guns, one set of laws for the rest of the State of Illinois on guns. Why should the City of Rockford or the City of East St. Louis or any other city in the State of Illinois have different laws than the City of Chicago on the use of guns? It makes no sense to me whatsoever. Whether or not you are pro-gun, anti-gun, pro-gun control, or anti-gun

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control, it seems to me wrong public policy to say in this particular case on this kind of an issue, the City of Chicago can do whatever they want to do on the issue of guns, but that the whole rest of the State of Illinois is prohibited from doing anything on the issue of guns. Makes no sense whatsoever as a public policy consideration, and I would recommend 'no' votes."

Speaker Currie: "The question is, 'Shall Amendment #3 to House Bill 1468 be adopted?' All in favor vote 'aye'; opposed... Representative... What are you fussing for? Representative Brunsvold, what reason do you rise?"

Brunsvold: "I would just like a brief closing."

Speaker Currie: "Sure."

Brunsvold: "Very brief. Ladies and Gentlemen, on the floor the other night, my colleague in front of me passed a Bill saying that we should ban leaf burning. I mean, if we, as a state, should make that policy, then I think handguns are a little bit more important than that, and the state ought to do that. Vote 'aye' on the Amendment."

Speaker Currie: "All in favor of Amendment #3 to House Bill 1468, vote 'aye'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? On this Amendment... Clerk, take the record. On this Amendment, there are 58 voting 'aye', 53 voting 'no', and the Amendment is adopted. Further Amendments?"

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

Speaker Currie: "Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. Amendment #4, a Bill originally sponsored by Representative Brunsvold and myself, provides for a statewide uniform standards for the issuance of permits to carry weapons. It provides for an



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application procedure for all those over the age of 21 who are residents of the State of Illinois, with criminal background checks, no record of mental illness, or of any other incapacity, and provides for a demonstration of competence in the handling and safe use of firearms or prior military service or police training to carry hand weapons, and provides for a complete set of fingerprints. Now, 30 other states currently have this law. All of the surrounding states around Illinois, including Wisconsin, Indiana, Kentucky, and Missouri, have it, and it would bring Illinois into conformity with that. Now, the experience of other states that have adopted this (including the State of Florida, the State of Oregon most recently) has been an excellent experience, and they've found no difficulties whatsoever; and, in fact, there's been a significant crime reduction in those states that have adopted this. Firearms-related robberies and aggravated assaults were the lowest in the states that have this...law, and they were the highest in the states that don't have it. As a matter of fact, handgun-related homicides are the lowest in the states that do have this law. And Florida is very similar with 13.2 million people, enacted in 1987 and the homicide rate fell 8.6%, while it rose in the nation by 9%. Oregon experienced a 20% decrease in its homicide rate in the first two years that it enacted this law. And the homicide rates, for instance, in states that don't have this law are 50% higher. That's why it's important that Illinois to come into the...into the new turn of the century and adopt this law and bring it into conformance with 30 other states who have had an excellent experience with it..."

Speaker Currie: "Representative Wennlund moves 'do adopt' on

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Amendment #4 to House Bill 1468; and, on that question, is there any discussion? Representative Homer."

Homer: "Thank you. I heard the Gentleman say that...that we should usher in the turn of the century with a Bill that would allow people to pack handguns. I thought the old century came in, and did away with that...with that prevalence of guns. You know, they talk about...the reduction in homicides in states where people are allowed to carry guns, but what they don't tell you is the number of accidental shootings that...that escalate. And that's because...I would submit that for every one case where someone, a law-abiding citizen, uses a gun to successfully defend themselves, that there are nine cases where a mistake is made, an accident occurs, and someone's life is lost as a result of an accident involving the use of a gun. What this society does not need, is a proliferation of guns or vigilante justice. What we need is to crack down on criminals who use guns, and to afford them or law enforcement officials the tools to deal with these individuals. This Bill was thoroughly discussed and debated in the Judiciary II Committee. It had a full hearing, and the Bill lost. Now the Gentleman would offer an Amendment to do what he was unable to do with his Bill in the Judiciary Committee. I think the rational vote is a 'no' vote, that the good vote is a 'no' vote, and we ought to protect our citizens from handgun violence, not encourage it by increasing the proliferation of guns in society. I urge a 'no' vote."

Speaker Currie: "Representative Blagojevich."

Blagojevich: "Thank you, Madam Speaker. House Bill 1468 is not today what it was yesterday. I hardly recognize this Bill, and, therefore, I'd like to pull it out of the record."

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Speaker Currie: "Out of the record. Continuing on the Order of Call, Civil Justice, Second Reading. Representative Homer, we seem to be on your order: 1660 through 1664. Would you like to move any of those Bills? Representative Homer."

Homer: "Madam Speaker, I would...I would like to move...just one of those Bills. That would be the Bill that listed, House Bill 1660."

Speaker Currie: "(House Bill) 1660. Clerk, read the Bill."

Clerk Rossi: "House Bill 1660, a Bill for an Act amending the Unified Code of Corrections. Second Reading of the Bill. No Committee Amendments."

Speaker Currie: "Any Floor Amendments?"

Clerk Rossi: "No Floor Amendments."

Speaker Currie: "Third Reading. Representative Mulligan, same Order of Call, Civil Justice, Second Reading, House Bill 1917. Would you like that Bill heard? Out of the record. Representative Lopez, House Bill 2191. Out of the record. Representative Hoffman, on House Bill 2386. Representative Hoffman. Clerk, read the Bill."

Clerk Rossi: "House Bill 2386. The Bill has been read a second time, previously. No Committee Amendments."

Speaker Currie: "Any Floor Amendments?"

Clerk Rossi: "No Floor Amendments."

Speaker Currie: "Third Reading. House Bill 2428, Representative Lang. Representative Lang. Out of the record. (House Bill) 2433, Representative Lang. Also out of the record. Constitutional Officers, Second Reading, House Bill 363, Representative LeFlore. Out of the record. Consumer Protection, Second Reading. I think we've done both of those. Education, Second Reading, Representative Churchill, House Bill 1087. Out of the record. Representative Hoffman, 1165, House Bill 1165. Out of the record. House Bill 2107,

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Representative Levin. Out of the record. Elections and State Government, Second Reading, Representative Schoenberg, House Bill 660. Out of the record. Representative Curran...no, out of the record. Representative Rotello, House Bill 1745. Out of the record. Representative Prussing, House Bill 2296. Out of the record. Environment and Energy, Second Readings, House Bill 1967, Representative Deering. Representative Deering. (House Bill) 1967. Out of the record. Health Care and Human Services, Second Reading, House Bill 2332, Representative Ryder. Representative Ryder. Out of the record. Housing and Economic Development, Second Reading, House Bill 529, Representative Turner. Out of the record. Representative Turner, on House Bill 1060. Out of the record. Representative Morrow, on House Bill 1238. Representative Morrow. Out of the record. Representative Hicks, on Insurance. I'm sorry; those are Thirds. Labor, Second Reading, House Bill 737, Representative LeFlore. Okay. Let's move along to Law, Second Reading. John Dunn, House Bill 769. Representative Dunn. Out of the record. Local Government, Second Reading, Representative... Local Government, Second Reading, Representative Lang, House Bill 168. Representative Lang. Out of the record. Representative Capparelli, House Bill 175. Representative Capparelli. Out of the record. Representative Lang, House Bill 550. Out of the record. Representative Steczko, House Bill 1236. Representative Steczko. Out of the record. Professional Regulations, Second Reading, House Bill 618, Representative Steczko. Out of the record. House Bill...715, Representative Santiago. Out of the record. Representative Deering on House Bill 1554. Representative Deering. Out of the record. Public Utilities, House Bill 1458, Representative Giorgi.

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Out of the record. Revenue, Second Reading, House Bill 7, Representative Lang. Representative Lang. Out of the record. (House Bill) 549, Representative Lang. Out of the record. Representative Levin, House Bill 1420. Out of the record. State and Local Government, Second Reading, Representative Giorgi, on House Bill 1188. Out of the record. Representative Dart, House Bill 2171. Representative Dart. Out of the record. So sweet. Let's try a few of those old Consideration Postponed activities. We'll just whip through the Calendar here on Third Readings, Consideration Postponed. And if those of you who got them, wish to call them, more power to you. On the Order of Civil Justice, Third Reading, on page 24 of the Calendar, House Bill 1154, Representative Leitch. Clerk, read the Bill."

Clerk Rossi: "House Bill 1154. The Bill has been read a third time previously and is on Consideration Postponed."

Speaker Currie: "Representative Leitch."

Leitch: "Thank you, Madam Speaker. I'll take another shot at this Bill. This is the Bill which...would provide that there is a presumption that a judge has considered the evidence in a...a...in considering the case on whether the DCFS has done its job or not in asking to take a child. The issue here really is one of \$6 million, because DCFS must go in with a written presentation to take before the court...argue before the court, the judge, according to federal law must provide a written finding. Many times he doesn't check the box. Ironically, he may do nothing else on the page, I've been informed. But if he happens to check a box, the auditors pass on the...on the case, and we are eligible for the money. So, this is a Bill that is very important...to our state, and I would urge your favorable

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consideration."

Speaker Currie: "Representative Leitch moves 'do pass' on House Bill 1154; and, on that Motion, for discussion, Representative Dart, and Representative Flowers, in the Chair."

Dart: "Thank you, Madam Speaker. This Bill was bad on Friday. It's still bad today. What the... What the...what the Bill's attempting to do is tell the Department of Children and Family Services that they do not have to fully go ahead and do what they're supposed to. It's telling them that if, in fact, these written findings, (which are very important written findings), are not in the file, that it's okay. Anything just so we can secure this money. As I've mentioned before, the thing that is rather funny about this is the fact that a Bill that I previously had, I had an outrageous fiscal note about all this federal money we're gonna lose because I was putting more safeguards into the system for children. This would take it away. There is no point in even showing up in court if in fact all they're gonna be doing is presuming that the court has made these findings. This is not the way we should be going. The department already is in hot water with the department...the federal Department of Health and Human Services 'cause they do not take care of their files and do not make written findings. This is a step in the wrong direction, and this should be defeated."

Speaker Flowers: "Representative Black."

Black: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. In all due respect to the Representative who just spoke against the Bill, I don't know what's happened to this Bill since it got out of committee, but it got out of committee with bipartisan

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support; in fact, he voted for it. So, I would assume...I would assume that if it was a good enough Bill to vote for at that time, that the previous speaker should be able to support it on the floor. I don't know that anything has happened to this Bill to make it so terrible since it got out of committee with Democrat votes, and prevailed 7 'yes', 1 'no', 2 'present', and it got out with his 'yes' vote. So, if it was good enough for...my colleague on the other side of the aisle at that time, it's certainly good enough for me at this time and I urge you to vote 'aye'."

Speaker Flowers: "Representative Biggert."

Biggert: "Thank you, Madam Speaker. Will the Sponsor yield? Representative Leitch, the problem seems to be with just whether a judge actually checks the box or not. That doesn't mean that he doesn't make a finding, does it?"

Leitch: "No. No. In fact, the DCFS has to go into court with written material. Here are the forms they have to take to the court. The issue is whether the court happens to mark the box. And to make this even more absurd, in those cases where he marks the box but doesn't fill in the rest of the form, we get the money. So, this is being very much made more confusing by the Gentleman who's opposing this, and it is...if the case were as he describes. If this meant that the court didn't have to consider written...reports and evaluations and could arbitrarily then be presumed to be considering the case, who...no one would vote for it. This is simply a case where the federal law requires that the written form be filled out and checked; and...and, unfortunately, our law doesn't force the judge to do it. And so when we get audited and they haven't done it, we lose \$6 million, as happened in our last audit."

Biggert: "So, your Bill would cure this defect?"

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Leitch: "Yes, it would presume the written finding that has already presented to the court. It would presume that that occurred."

Biggert: "Thank you. To the Bill, Madam Speaker. I would heartily support this Bill. Thank you."

Speaker Flowers: "Thank you. Representative Jan Schakowsky, on the Bill."

Schakowsky: "Thank you, Speaker and Ladies and Gentlemen of the House. This is just not a matter of failure to check a box. Don't make any mistake about it. This creates...this creates a presumption, if the judge does not make a finding, that reasonable efforts were made. I don't think we can afford to do that right now. The law states now that a judge has to make a finding from reasonable effort. Now we're saying if there's no evidence that that's been done, we're just gonna presume it's been done. It is not just a matter of a failure to check a box. This is much more serious a matter than that in protecting children and keeping families together. I urge a 'no' vote."

Speaker Flowers: "Representative Skinner."

Skinner: "I move the previous question, unless you'll accept the Motion to adjourn."

Speaker Flowers: "The Gentleman moves the previous question. And the question is, 'Shall...' Representative Leitch, to close on House Bill 1154."

Leitch: "Well, I would certainly urge the Members to recognize two facts: One, DCFS has to go in with a written finding to present before the judge. The judge then has to consider this finding and...and make out a report. I have the forms if you'd like to see them. If he doesn't happen to check a box, then we...are...in the federal audit, disqualified from receiving 50% of our funding in that case. It's



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costing us \$6 million. And I think it's an unreasonable thing and a very reasonable solution...to this problem, and I'd ask for your favorable support."

Speaker Flowers: "The question is, 'Shall House Bill 1154 pass?' The voting is now open. This is final passage of House Bill 1154. Have all voted who wish? Have all voted who wish? How should... How should... Have all voted who wish? One minute, please. Have all voted who wish? Representative Schakowsky, for what reason do you rise?"

Schakowsky: "...Gets the requisite number, I'd like to call for a verification."

Speaker Flowers: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. This... House Bill 1154, having failed to receive the Majority of the votes, is hereby declared passed. Failed. I'm sorry. This Bill fails. The next Bill, Representative Jan Schakowsky, on House Bill 1017. House Bill 1017. Out of the record. Representative Phelps, on House Bill 552. Representative David Phelps, on House Bill 552. Out of the record. Representative Ronen, House Bill 2048. Out of the record. Representative Woolard, on House Bill 798. Representative Woolard. Out of the record. Representative Balanoff, on House Bill 430. Speak now or forever hold your peace. Roll it, Mr. Clerk. House Bill 430."

Clerk Rossi: "House Bill 430. The Bill has been read a third time previously and is on Consideration Postponed."

Speaker Flowers: "Representative Balanoff."

Balanoff: "Some...some have suggested that they be called Alder-critters or Alder-creatures, or something...alder-things, I just now heard. ...All it does is make the term 'alderman-alderperson' gender-neutral in the Municipal Code."

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Speaker Flowers: "On the question, Rep...Representative Black."

Black: "Yes. Thank you very much, Madam Speaker. Will the person yield?"

Speaker Flowers: "He indicates that he will."

Black: "Thank you. Representative/Person, we visited this before, and this is on Postponed Consideration, correct?"

Balanoff: "Asolutely, just like all the Bills that we're hearing during this..."

Black: "Yes, on previous call..."

Balanoff: "Various times in the Legislature."

Black: "Unfortunately, some of us have Bills that we can't get called at all, but we're going to spend a couple of hours on Postponed Consideration. I'd be...I don't have any question of the Sponsor, Madam Speaker, Ladies and Gentlemen of the House, but we have visited this Bill before and...and I, you know, I can understand that this is the 90's and we're supposed to be politically correct, but...if we're going to change Alderman, then I think we should go through the statute books and change every conceivable reference, where it might have he or them or she or her and somehow make it gender-neutral and since we've just republished the Illinois Statutes, we could go out for bids and...and republish them again and I...you know...I don't know what the Gentleman's attempting to do. If the City of Chicago wants to change the name, I still am not convinced that they couldn't change the name by agreement of those persons serving on that city council, but when you come down here and start changing the statutes for every conceivable title, name or office that is politically correct this year, maybe politically incorrect next year, you're never going to stop. There's no end to this and at sometime you just have to stand up and say,

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'Look you can call 'em whatever you want. The city can come up with a resolution or ordinance or whatever they want to do', but when you come down here and change the statute book, so you can be politically correct, then you better be willing to change the statute books every other year or every year because what's politically incorrect today may be politically correct tomorrow. Now, this is just...this is just bogging us down. There are good Bills on the Calendar that we can't get called and yet we're going to spend time tonight to determine whether somebody should be called an alderman or an alderperson or alderwoman or alder-whatever. I think this is just not the time or the place to be...delving in this Bill at this late hour and I intend to vote 'no' and I would ask all of you that voted 'no' the last time to vote 'no' again."

Speaker Flowers: "Representative Ann Zickus."

Zickus: "Madam Speaker, will the Sponsor yield?"

Speaker Flowers: "He indicates he will."

Zickus: "Should this Bill, by some chance pass, will Representatives Ackerman, Hoffman and Saltsman have to change their name?"

Balanoff: "No, I think we'll..."

Zickus: "We have a couple, there are a couple other...words that some of the Gentlemen in this chamber have a little bit of a problem with: father time, mandate, manure, and the list goes on and on...to the john in the back...man hole covers and I think there's a whole host of them we'd like to have changed to, if we're going to go this far. Thank you."

Speaker Flowers: "Representative Hoffman, on House Bill 430. Hoffman? Representative Hoffman?"

Hoffman: "Yes, Speaker. ...I heard my name used in debate and from now on...from now on I would ask that the Speaker

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refer to me as Representative J. Hoffperson."

Speaker Flowers: "Well taken. Representative von Bergen-Wessels."

von Bergen-Wessels: "Thank you, Speaker. The last time this Bill was...Representative Cowlshaw gave an antidote, so I'd like to offer one also. It's about a little girl that her parents overheard praying and she was saying 'Please, dear God, I've had a fight with my brother and I hope you will intercede. ...I understand that you're a boy and I hope you'll be fair.' Don't believe for a minute that language doesn't have immense power on our psyches and it may seem small and it may seem insignificant, but if you understand the power of language, you know that it's not small and it's not insignificant. Just as it wasn't to that little girl praying to a God that she didn't think would be fair."

Speaker Flowers: "Representative Balanoff, to close."

Balanoff: "Yes. I...I don't think that I could have closed any more eloquently than Representative von Bergen-Wessels, and I just urge an 'aye' vote."

Speaker Flowers: "The question is, 'Shall House Bill 430 pass?' The voting is now open. All those in favor vote 'aye'; opposed vote 'no'. The voting is now open. This is final passage. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. This Bill, having failed to receive the required Constitutional Majority, is hereby declared...failed...failed. It lost, it lost, It lost. I'm getting my language together, absolutely. Thank you, thank you, thank you. We're gonna go back to Representative Jan Schakowsky's Bill, that's House Bill 1017, Representative Schakowsky, House Bill 1017. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1017. The Bill has been read a Third

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time previously and is on Consideration Postponed."

Speaker Flowers: "Representative Schakowsky, on House Bill 1017."

Schakowsky: "Thank you, Speaker and Ladies and Gentlemen of the House. ...I'm sure that it'll be mentioned that this Bill was put on postponed, but I also wanted to mention that I called at 9:00 in the morning and I had reason to believe that the verification might have been an inducement to get people to the floor because this is not a very controversial Bill and it passed out of committee with good support. What this Bill does is say that a lawyer that represents a creditor should not routinely and purposefully file consumer collection action against debtors in a county where the lawyer knows the venue does not properly lie and that no argument exists to support that venue. It's been amended to make sure that any accidental or inadvertent change of venue does...will not adversely affect the attorney, but it's just to make sure the people aren't either forced to travel long distance or really lose their ability to be represented because the case was moved so far away from either where they live or where the transaction took place. So this is to protect people, and I urge...I urge an 'aye' vote."

Speaker Flowers: "Representative Wennlund, on House Bill 1017."

Wennlund: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. The Code of Civil Procedure should not be amended to satisfy the whims of those who are looking towards consumer fraud and...and the convenience of a defendant in a civil action. The Code of Civil Procedure already provides that every action must be commenced in the county of residence of any defendant joined in good faith or in the county in which a transaction or some part of it occurred out of which the cause of action arose. That has

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been tested and tried by the Illinois Supreme Court for years, at least 30 that I know of. And we should not be screwing around with the Code of Civil Procedure to change the venue provisions to limit them only to the county in which the defendant resides. It ought to be appropriate that a defendant can be sued where the transaction took place out of which a cause of action arose and that's the way the Code of Civil Procedure provides. Now, the Bar Association, the Chicago Bar Association, all would be opposed to any changes in the existing Code of Civil Procedure, which has been tried for at least the last 30 years that I know of and the Supreme Court has held that indeed is the proper venue situation. This should be defeated like it was last time."

Speaker Flowers: "Representative Black, on House Bill 1017."

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

Speaker Flowers: "She indicates that she will."

Black: "Representative, it...in our society today it's very, very mobile. People can leave the City of Chicago, come downstate or vice a versa. We can leave downstate and be in Chicago, where we could purchase a big ticket item with a fraudulent check or fraudulent credit card, and as I understand your Bill, when that store moves to file judgment against me for defrauding them, they can only file that action in the county where I reside. Correct?"

Schakowsky: "No, no, no, that is not correct. It can be where the transaction took place; and, in fact, this does not amend the Code of Civil Procedures. What it does it is says that...hold on...the problem is that the law does not provide any remedies to deter creditors from filing collection actions in courts which are inconvenient. They

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can continue to fi...they mu...it can be where the transaction occurred or where the person resides."

Black: "Well, if...if there's no major change then in...in current practice, in other words, to waive venue requirements why is the legislation needed?"

Schakowsky: "Il...let me...Illinois existing venue law does restrict venue to the place where the defendant resides or transacts business. But the provision does not provide any remedies to deter creditors from filing collection actions in court, which are inconvenient for the consumer. In fact, the Civil Practice Act provides that objections to improper venue are waived by a defendant unless a motion to transfer to a proper venue is made in the court where the case is filed. So, this Bill would be designed to discourage dist...distant form abuse by creditors."

Black: "What does 'distant form abuse' mean exactly? If I owned a hardware store and I was defrauded by someone who lived in the far northwest corner of the State of Illinois and my hardware store was located in Carbondale, Illinois, just what impact does this have on my business?"

Schakowsky: "It would mean that you wouldn't be able to file in Chicago or Rockford or someplace where that person might have to travel to some unrelated spot."

Black: "In other words, I could file in...in the county of...my county of residence and...insist that that person who defrauded me travel that 450 miles down to Carbondale to appear in court to answer charges?"

Schakowsky: "Are you are saying that is where your hardware store is and that is where the transaction took place? Yes. Yes, you could."

Black: "I thought that's what I could do already? I thou..."

Schakowsky: "Yes..."

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Black: "I mean that's what any businessperson in this state would do now? Right? Why...why would I want him to appear in court in Cook County...or some other county when the act...of def...defrauding took place in my county of residence."

Schakowsky: "Someone might want to do that just because it would be harder for the person to appear and then they would default and they would have to be found guilty. It's just to harass people and we want to prevent that kind of harassment."

Black: "Well, thank you very much, Representative. I do appreciate your patience. Madam Speaker and Ladies and Gentlemen of the House. Far be it from me...far be it for me to say that if someone is defrauded, a small businessman or woman, who's operating on a profit margin if they're lucky today of 2% to 3% and is defrauded out of a big ticket item, God forbid that that owner would want to harass someone who defrauded them. I don't think this legislation is necessary or needed. I expect a person who defrauded me to stand trial in the circuit court of the county in which I reside. It would be foolish for me to try and file suit in some county somewhere else in the State of Illinois. You know when it comes to harassment, when are we gonna say that the person being defrauded is the one being harassed, not the one who goes around the state defrauding honest businessmen and women. I see no reason for this legislation, and I stand in opposition. Vote 'no'."

Speaker Flowers: "Representative Schakowsky, to close."

Schakowsky: "Thank you, Speaker. This is certainly not meant to in any way disadvantage someone who has been, in fact, defrauded. It allows them to sue in the place where the



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person lives or in the place where business was done, but in fact there are instances where people are asked to appear someplace that has no relationship to the...the civil action at all and they are as...very often found in default and forced to pay a fine or...or...or a penalty when they can't even defend themselves. This is just for those instances where people are harassed and...and we want to stop that kind of harassment and still protect those who have been defrauded. I don't see any problem, and I hope you vote 'aye'."

Speaker Flowers: "The question is, 'Shall House Bill 1017 pass?' The voting is now open. All those in favor vote 'aye'; opposed vote 'no'. The voting is now open. This is final passage. Have all voted who wish? Have all voted who wish? This is final passage. Have all voted who wish? Mr. Clerk, take the record. Forty-six voting 'aye', 66 voting 'no'; this Bill ha... Forty-five voting 'aye', 66 voting 'no'; this Bill, having failed to receive the required Constitutional Majority, is hereby declared lost. Yes, Representative Stephens, for what reason do you rise?"

Stephens: "Well, thank you, Madam Speaker. Is there a judicial pay raise Bill due this evening? I noticed that former members and now Judge Countrymen and Slater are here, too, and added it to the Members on the other side of the aisle, there must be something up that we don't know about."

Speaker Flowers: "And we still don't know about it. Thank you. The next Bill is Representative...Representative Woolard. Representative Lang, on House Bill 95. Representative Lou Lang on House Bill 95. Out of the record. Representative Woolard, would you like to call House Bill 479? Out of the record. On House Bill 1212, Representative Novak. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 1212, a Bill for an Act amending the Revenue Act of 1939. The Bill is on Consideration Postponed."

Speaker Flowers: "Representative Novak."

Novak: "Yes, thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 1212 again, as we discussed last week, is an initiative of the Illinois Counties Treasurers Association. It allows those counties that participate in an automation fee to raise the fee from \$5 to \$10 and the tax buyers would be charged with the responsibility for the increase in the fee. I've spoken to Representative Black and I've spoken to Representative Wennlund. This is a non-controversial Bill. Again, it's permissive. The taxpayers don't have to pay the fee; the tax buyers do. And it's...it is a bipartisan initiative of the County Treasurers Association."

Speaker Flowers: "Representative Moffitt, on House Bill 1212."

Moffitt: "Thank you, Speaker, Members of the House. I rise in support of this Bill. I'm a former County Treasurer. I think this is a good piece of legislation. It is permissive. I think that's important that that's in there. It takes some of the burden off of the property taxpayers. We talk a lot about property tax relief in this chamber, and here's a Bill that allows a county to adopt this and it would take some of the burden off the property taxpayers. I think it's important that we keep in mind, also, that it places some of the cost of operating government on the very people that are using the service and yet benefiting from it; that being the taxpayers. They're using the service and they are going to profit from their transactions. It puts some of the costs on them. So, I rise in support and hope that you will give it your 'yes' votes. Thank you."

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Speaker Flowers: "Representative Black."

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

Speaker Flowers: "He indicates that he will."

Black: "Representative Novak, why didn't you do as good a job explaining this Bill the first time as you did now?"

Novak: "Representative Black, ...I don't know. I thought I did a fairly good job the first time. I think..."

Black: "You must not have, it only got 35 votes."

Novak: "I think there was a different mood in the chambers at that particular time."

Black: "Well, with all of my Bills bottled up and you're on Postponed Consideration, I'm certainly in a different mood, that's why I intend to vote for your Bill this time. You messed up the explanation the first time. Don't do it again."

Speaker Flowers: "Representative von Bergen-Wessels, on House Bill 1212."

von Bergen-Wessels: "Speaker, will the Sponsor yield?"

Speaker Flowers: "He indicates that he will."

von Bergen-Wessels: "I wonder if you could tell me when a delinquent property owner redeems their property, are they required to pay all of the fees that the person who bought the paper...bought the property had to pay?"

Novak: "Yes, they are. Yes they are."

von Bergen-Wessels: "So, ultimately this fee gets passed on to the property owner who now has to redeem the property? Right?"

Novak: "Once they redeem their property, yes."

Speaker Flowers: "Representative Novak, to close."

Novak: "Yes, Madam Speaker, Ladies and Gentlemen of the House. I'll try to be a bit more lucid and more clear for

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Representative Black, and I hope that I've been able to explain this in a more logical, and coherent manner and ask you for your support and maybe the next time I just won't drive through Watseka and Danville."

Speaker Flowers: "The question is, 'Shall House Bill 1212 pass?' All those in favor vote 'aye'; opposed vote 'no'. The voting is now open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Sixty-six voting 'aye', 40... Representative Prussing would like to be recorded as voting 'no'. Mr. Clerk, take the record. Sixty-six voting 'yes', 44 voting 'no'; this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Wennlund, for what reason is your light on? Would you... Representative Wennlund would like to be recorded as voting 'aye' on House Bill 1212. Representative Wirsing would like to be recorded as voting 'aye' on House Bill 1212. Representative Rotello would like to be recorded as voting 'aye' on House Bill 1212. Seeing no more changes, we will now move on to... Representative McGuire, on House Bill 1715. We're gonna take it back to Second for the purpose of an Amendment. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1715. The Bill's been read a third time previously. It is on Consideration Postponed."

Speaker Flowers: "Representative McGuire, on the Amendment to House Bill 17... We mov... May we have leave to take House Bill 1715 back to Second for the purposes of an Amendment? There's leave. Hearing no objections, Representative McGuire, on House Bill 1715."

McGuire: "Speaker, House Bill 1715, I'd like to take back to put an Amendment on, and...that's my intention. Thank you."

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

Speaker Flowers: "Representative McGuire, on the Amendment. All those in favor of the Amendment vote 'aye'...say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted, on Third Reading. Representative McGuire would now like to have leave to hear...have the Bill heard on Third Reading. Clerk, read the Bill. Repres... Mr. Clerk, has the Amendment been distributed?"

Clerk Rossi: "The Amendment has been printed and distributed."

Speaker Flowers: "Representative Currie in the Chair, and House Bill 1715 remains on Third Reading."

Speaker Currie: "Representative Black, for what reason do you rise?"

Black: "An inquiry of the Chair on 17...on the Bill that was just before us. (House Bill) 1715, you're just going to leave it on Third, not immediate consideration?"

Speaker Currie: "Correct."

Black: "Okay. Thank you."

Speaker Currie: "Representative Madigan."

Madigan: "Madam Speaker and Ladies and Gentlemen. Earlier we announced that we would stay in Session until 10:00 tonight and our purpose was to provide opportunity for people to call their Bills, have them considered and hopefully get them passed over to the Senate before they start closing down their receipt of our Bills. We have already been through the Calendar several times tonight and we found ourselves considering matters on the Order of Postponed Consideration. So, having bought all of you dinner and I want to thank Representative Daniels for buying dinner for the Republican Members, who are now prepared to adjourn and to come to work at 9 a.m. tomorrow morning. So, I would

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move that the House do stand adjourned providing perfunctory time for the Clerk, and we will reconvene at 9 a.m. tomorrow morning."

Speaker Currie: "Representative Madigan moves that the House do stand adjourned until 9 a.m.; but, on that question...on the question, Representative Daniels."

Daniels: "Thank you. We are having dinner right now back in Room 300, so come on over and have your dinner before you go out for the evening."

Speaker Currie: "And on the question, Representative Hicks."

Hicks: "Thank you, Madam Speaker. The dinner that was set for 8:15 for some Members of the Insurance Committee has been cancelled."

Speaker Currie: "Too bad, the Insurance Committee Dinner cancelled. With no further business to come before the House, the House will now stand adjourned. We're allowing perfunctory time for the Clerk until 9 a.m. tomorrow morning."

Clerk McLennand: "Second Reading of House Bills. House Bill 4, a Bill for an Act making an appropriation to the State Board of Education. Second Reading of the Bill. House Bill 5, a Bill for an Act making an appropriation to the Department of Revenue. Second Reading of the Bill. House Bill 6, a Bill for an Act making an appropriation for the ordinary and contingent expenses of the Department of Financial Institutions. Second Reading of the Bill. House Bill 8, a Bill for an Act making an appropriation to the Department of Energy and Natural Resources. Second Reading of the Bill. House Bill 9, a Bill for an Act making appropriations to certain State entities for employer contributions to the State Universities Retirement System. Second Reading of the Bill. House Bill 12, a Bill for an Act concerning

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appropriations to the Department of Public Aid for a study.

Second Reading of the Bill. House Bill 13, a Bill for an Act concerning appropriations to the Department of Public Aid for its ordinary and contingent expenses. Second Reading of the Bill. House Bill 25, a Bill for an Act making an appropriation to the Department of Corrections. Second Reading of the Bill. House Bill 26, a Bill for an Act making an appropriation to the Department of State Police. Second Reading of the Bill. House Bill 28, a Bill for an Act making appropriations to the State Fire Marshal.

Second Reading of the Bill. House Bill 56, a Bill for an Act in relation to the funding of education. Second Reading of the Bill. House Bill 805, a Bill for an Act making appropriations to the Metropolitan Pier and Exposition Authority. Second Reading of the Bill. House Bill 848, a Bill for an Act making appropriations to the Supreme Court. Second Reading of the Bill. House Bill 866, a Bill for an Act making appropriations to the Illinois Student Assistance Commission. First Reading of the Bill. House Bill 867, a Bill for an Act making an appropriation for the operation of the State Universities Civil Service System. Second Reading of the Bill. House Bill 868, a Bill for an Act making an appropriation to the Board of Trustees of Southern Illinois University. Second Reading of the Bill. House Bill 869, a Bill for an Act making appropriations to the State Universities Civil Service System. Second Reading of the Bill. House Bill 870, a Bill for an Act making appropriations to the State Board of Education. Second Reading of the Bill. House Bill 871, a Bill for an Act making an appropriation to the State Board of Education. Second Reading of the Bill. House Bill 897, a Bill for an Act making appropriations. Second Reading of

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the Bill. House Bill 917, a Bill for an Act making appropriations to the State Board of Education. Second Reading of the Bill. House Bill 1243, a Bill for an Act making appropriations and reappropriations to various government services agencies. Second Reading of the Bill. House Bill 1244, a Bill for an Act making appropriations and reappropriations to various environmental agencies. Second Reading of the Bill. House Bill 1245, a Bill for an Act making appropriations and reappropriations to various regulatory agencies. Second Reading of the Bill. House Bill 1246, a Bill for an Act making appropriations and reappropriations to various public safety agencies. Second Reading of the Bill. House Bill 1247, a Bill for an Act making appropriations and reappropriations to the Department of Transportation. Second Reading of the Bill. House Bill 1326, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Office of the State Treasurer. Second Reading of the Bill. House Bill 1525, a Bill for an Act providing for the ordinary, contingent, and distributive expenses of the Office of the Secretary of State. Second Reading of the Bill. House Bill 1551, a Bill for an Act to provide for the ordinary, contingent and distributive expenses of the State Comptroller. Second Reading of the Bill. House Bill 1693, a Bill for an Act making appropriations for downstate health care. Second Reading of the Bill. House Bill 1721, a Bill for an Act making appropriations to the Office of the State's Attorneys Appellate Prosecutor. Second Reading of the Bill. House Bill 1857, a Bill for an Act making appropriations. Second Reading of the Bill. House Bill 1858, a Bill for an Act making appropriations. Second Reading of the Bill. House Bill 1859, a Bill for an Act



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making appropriations. Second Reading of the Bill. House Bill 1860, a Bill for an Act making appropriations. Second Reading of the Bill. House Bill 1861, a Bill for an Act making appropriations. Second Reading of the Bill. House Bill 1862, a Bill for an Act making appropriations. Second Reading of the Bill. House Bill 1865, a Bill for an Act making appropriations. Second Reading of the Bill. House Bill 1866, a Bill for an Act making appropriations. Second Reading of the Bill. House Bill 1867, a Bill for an Act making appropriations. Second Reading of the Bill. House Bill 1868, a Bill for an Act making appropriations. Second Reading of the Bill. House Bill 1869, a Bill for an Act making appropriations. Second Reading of the Bill. House Bill 1870, a Bill for an Act making appropriations. Second Reading of the Bill. House Bill 1873, a Bill for an Act making appropriations. Second Reading of the Bill. House Bill 1874, a Bill for an Act making appropriations. Second Reading of the Bill. House Bill 1875, a Bill for an Act making appropriations. Second Reading of the Bill. House Bill 1876, a Bill for an Act making appropriations. Second Reading of the Bill. House Bill 1877, a Bill for an Act making appropriations. Second Reading of the Bill. House Bill 1878, a Bill for an Act making appropriations. Second Reading of the Bill. House Bill 1885, a Bill for an Act making appropriations for the Office of the State Appellate Defender. Second Reading of the Bill. House Bill 2203, a Bill for an Act making appropriations to certain State agencies. Second Reading of the Bill. House Bill 2318, a Bill for an Act making appropriations. Second Reading of these House Bills. These Bills will be held on the Order of Second Reading. Introduction and First Reading of Senate Bills. Senate Bill 183, offered by Representative Lang, a

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Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. First Reading of the Bill. Senate Bill 206, offered by Representative Erwin, a Bill for an Act to amend the Illinois Alcoholism and Other Drug Dependency Act. First Reading of the Bill. House Bill 207, offered by Representative Erwin, a Bill for an Act concerning adoption. First Reading of the Bill. Senate Bill 536, offered by Representative Parke, a Bill for an Act to amend the Bikeway Act. First Reading of the Bill. Senate Bill 570, offered by Representative Weller, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. Correction, that was Senate Bill 207, offered by Representative Erwin, a Bill for an Act concerning adoption. Senate Bill 536, offered by Representative Parke, a Bill for an Act to amend the Bikeway Act. First Reading of the Bill. Senate Bill 960, offered by Representative Parcells, a Bill for an Act to amend the Illinois State Auditing Act. First Reading of the Bill. Senate Bill 990, offered by Representative McAuliffe, a Bill for an Act to amend the Fire Protection District Act. First Reading of the Bill. Senate Bill 1082, offered by Representative Wirsing, a Bill for an Act relating to the University of Illinois. First Reading of the Bill. Senate Bill 625, offered by Representative Stephens, a Bill for an Act in relation to the transfer of real property. First Reading of the Bill. Senate Bill 770, offered by Representative Shirley Jones, a Bill for an Act to amend the Public Utilities Act. First Reading of these Senate Bills. Being no further business, the House Perfunctory Session is adjourned, and the House will reconvene tomorrow morning, Tuesday, April 27th at the hour of 9 a.m."

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