

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

50th Legislative Day

April 27, 1993

Speaker McPike: "The House will come to order. The Chaplain for today is Reverend Lloyd E. Jones of the First Baptist Church of O'Fallon, Illinois. Reverend Jones is the guest of Representative Ron Stephens. The guests in the balcony may wish to rise and join us for the invocation."

Reverend Jones: "Let us pray. Our God and Heavenly, Father, as we stand here in the presence of these men and women who have the awesome responsibility to legislate, I ask for them Godly wisdom and boldness as they search for ways to legislate righteous means to empower, to encourage and to enhance that which is good, and to thwart to control and to even punish what You would call evil. On their behalf I ask for these things in the name of Jesus, my Lord, Amen."

Speaker McPike: "We'll be led in the Pledge of Allegiance today by Representative Ron Stephens."

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

Speaker McPike: "Roll Call for Attendance. Madam Currie."

Currie: "Thanks, Speak. The only excused absence on the Democratic side is Representative Bob LeFlore, who is excused because of illness."

Speaker McPike: "Thank you, Madam Currie. It's sort of like...I think it's like, ying yang. Who called Representative Ying Yang yesterday? Oh, Biggert. Biggert called Ying Yang. All right. Mr. Kubik. Representative Kubik."

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

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

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

50th Legislative Day

April 27, 1993

Clerk Rossi: "House Resolution 568, offered by Representative Lawfer; House Resolution 569, offered by Representative Lawfer; House Resolution 570, offered by Representative Capparelli; House Resolution 571, offered by Representative Shirley Jones; House Resolution 572, offered by Representative DeJaegher; House Resolution 573, offered by Representative DeJaegher; House Resolution 574, offered by Representative Balthis; House Resolution 575, offered by Representative Ryder; House Resolution 579, offered by Representative Krause; House Resolution 580, offered by Representative Novak; House Resolution 581, offered by Representative Hoffman; House Resolution 583, offered by Representative Tim Johnson; House Joint Resolution 29, offered by Representative Parke; House Joint Resolution 30, offered by Representative Parke; House Joint Resolution 31, offered by Representative Parke; House Joint Resolution 32, offered by Representative Parke. House Resolution 584, offered by Representative Kubik; House Resolution 585, offered by Representative Prussing; House Resolution 586, offered by Representative Prussing; House Resolution 587, offered by Speaker Madigan; House Resolution 588, offered by Representative Maureen Murphy; House Resolution 589, offered by Representative Ronen; House Resolution 590, offered by Representative Frias; House Resolution 591, offered by Representative Blagojevich; House Resolution 593, offered by Representative Woolard; and House Joint Resolution 33, offered by Representative John Dunn."

Speaker McPike: "Mr. Lang moves for the adoption of the Agreed Resolutions. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. Agreed Resolutions are adopted. Death Resolutions."

Clerk Rossi: "House Resolution 576, offered by Representative Tim

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

50th Legislative Day

April 27, 1993

Johnson, with respect to the memory of John Taylor. House Resolution 577, offered by Representative Tim Johnson, with respect to the memory of Anne Keenan." House Resolution 578, offered by Representative Tim Johnson, with respect to the memory of Martha M. Tummelson. House Resolution 582, offered by Representative Tim Johnson, with respect to the memory of Clifton Cekander. House Resolution 592, offered by Speaker Madigan, with respect to the memory of Alexander McArthur."

Speaker McPike: "Mr. Black moves adoption of the Death Resolutions. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Death Resolutions are adopted. Mr. Lang, are you ready on the Treasurer Quinn's Amendment? Did you turn in your deer permit? Representative Granberg, for what reason do you arise? Representative Granberg, for what reason do you arise? Mr. Hoffman, can we help you? Mr. Novak, Mr. Novak. Vickie, child is disappearing down the back row down there. Senator Hall, are you looking for Representative Wyvetter Younger? She'll be right here. What'd you say, Mr. Black? The Death Resolutions again? Business and Job Development, Second Reading, Representative Kaszak, you want to call either one of those Bills: 211 or 212? Mr. Kaszak, hello. Good morning. Want to call either one of those Bills? You want to just take 'em off Special Call? Mr. Mapes, if you're looking...listening, you can take 211 and 212 off Special Call. They're gone. Representative Giolitto, Human Investment Act. Is Giolitto here yet? Call all Bills on Postponed Consideration at this time. Everybody deserves a...everybody deserves a fair shot, don't they, Mr. Black? All right. Morning, Mr. Turner. Perfect. We're going to go to Revenue Bills. Anyone in the Department of Revenue

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

50th Legislative Day

April 27, 1993

that's listening, they should come over and advise Mr. Black on these Bills. Anyone from the Department of Revenue. Let's see. Nurse practitioners, 2048. This... Want to take another shot at this Bill? We're going to call all Bills on Postponed at this time, and this'll be the last chance, you know. I think we have pretty good attendance. Mr. Ryder. People in the well want to know if you want to do your Motion, whatever that one is. I'd like to welcome Mr. Ryder to the floor. You're one of the first ones to arrive. It's 9:30 and... Representative Phelps, on 552. Would you like to have a second shot at...on that Bill? It's on Postponed. We have pretty good attendance right now. Representative Frias, what is the Quinn Bill that you have? What's the Quinn Bill you have? Representative Black is for it, whatever it is. Representative Frias, do you have any Bill you'd like to call? Any Bill at all? Any Bill at all? Mr. Deering, do you have any Bill you'd like to call this morning? Mr. Salvi. Welcome to the House floor, 9:35."

Salvi: "Mr. Speaker, are you willing to hear any Bill right now? I have a Bill that was on the Special Order but is not now on the Special Order of Business. House Bill 1439."

Speaker McPike: "As soon as we're finished with Special Orders...as soon as we're finished with the Special Orders, we'll get to that."

Salvi: "I thought...you know, we have the extra time here. I thought it would be a good opportunity for us to have a lively debate on...on House Bill 1439. That's 1439. House Bill 1439. That's House Bill 1439. It was on the Special Order of Business, but it...it disappeared somehow, so I thought I'd help the Speaker by indicating that this Bill has disappeared and that I'm sure the Members would be

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

50th Legislative Day

April 27, 1993

interested in a lively debate."

Speaker McPike: "Is the Bill on the Calendar?"

Salvi: "It was at one time, Mr. Speaker."

Speaker McPike: "No, is it on the Calendar, any place on the Calendar?"

Salvi: "Well, I don't see it anyplace this morning on the Calendar. I..."

Speaker McPike: "It's not even on the Calendar?"

Salvi: "I think there may be a typographical error."

Speaker McPike: "It's not even on the Calendar. That'll happen sometimes, Representative Salvi..."

Salvi: "Well, actually..."

Speaker McPike: "The Clerk'll make some mistakes and sometimes it won't even be on the Calendar."

Salvi: "Well, actually it is on the Calendar."

Speaker McPike: "Actually, the Bills aren't even printed."

Salvi: "It's page 19. We just found it again, Mr. Speaker."

Speaker McPike: "Yeah. Let me call the Speaker. He thinks that we could call that on Friday or late Thursday."

Salvi: "Mr. Speaker, I think...I think the people in my district and the Members of this Body would like to have this Bill heard and debated."

Speaker McPike: "Mr. Salvi, the Speaker just called and he said that Representative Churchill is behind the Bill and we're not going to call it."

Salvi: "We'll get him off the Bill, then Mr. Speaker. Thank you very much."

Speaker McPike: "I think it's a little too late, Mr. Salvi. All right. Representative Woolard would actually like to call a Bill that's on Postponed Consideration. All right. This ought to get some people here. This should get some Members over here. (House Bill) 798, on Postponed

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

50th Legislative Day

April 27, 1993

Consideration. It got...what'd it get? It got four votes the first time? No, it had to get 47, didn't it. All right. Mr. Woolard, do you want to call this Bill? Mr. Woolard."

Woolard: "Thank you, Mr. Speaker. Most definitely I do..."

Speaker McPike: "All right. Mr. Clerk, this Bill's been read a third time. It lost and now Mr. Woolard would like to try again. Representative Woolard."

Woolard: "I felt very lonely a few days ago when the green votes were absent from the board, but I believe that the word has been given that maybe this is not nearly as bad of approach as it had been perceived to be, and we're talking about..."

Speaker McPike: "Wait a minute, I'm trying to find Representative Stephens."

Woolard: "...prevailing wage Bill for the TIF districts. This is a very important Bill to the business community as well as the labor community as far as TIF districts are concerned. I would encourage everyone to give a reasonable consideration for a 'yes' vote."

Speaker McPike: "Mr. Black."

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

Speaker McPike: "Yes."

Black: "Yes. Representative, would you be willing to take this Bill back to Second Reading for an Amendment to incorporate House Bill 1439 on this Bill?"

Woolard: "Representative, I'm not familiar with 1439."

Black: "It has something to do with asphalt...the prevailing winds or something on asphalt plants."

Woolard: "Well, prevailing..."

Black: "It's a Representative Salvi Bill. It's been lost, somehow."

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

50th Legislative Day

April 27, 1993

Woolard: "I'll tell you what I'll do, I'll do everything in my power to help him find his Bill if his Bill's been lost and..."

Black: "Well, we would appreciate that, and as soon as you dispose of this Bill, I'll send Representative Salvi over to explain this...it's an asphalt Bill."

Woolard: "We would be delighted to work with Representative Salvi in finding his Bill."

Black: "Well, it...doesn't asphalt...isn't there coal in asphalt? You'd be interested in this Bill, I'm sure, so we'll send..."

Woolard: "I think it's something that we would be very much concerned with."

Black: "...him over. Thank you. Appreciate your help."

Woolard: "Thank you."

Speaker McPike: "Mr. Skinner."

Skinner: "Yes, Mr. Speaker. I rise in opposition to this Bill again, and while it's so early in the morning, I'm unable to rise to any great degree of passion. I would suggest that those of you who would like to keep areas of the state like mine a cash cow, if you want to keep taking the money out of our areas, you should not find a way to make it tougher for areas to build infrastructure; and by requiring prevailing wage, you're doing that. If you want the projects to cost 30% more, which will mean that some percentage, 20 to 30% less will probably be built, then this Bill ought to be passed. If you don't, it ought to be killed. Thank you."

Speaker McPike: "Mr. Parke."

Parke: "Yes. Ladies and Gentlemen, Mr. Speaker, I would just simply say is that, if you have a TIF district or you are hoping to have a TIF district, this just makes the TIF

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

50th Legislative Day

April 27, 1993

district concept wrong. This is going to hurt the expansion of businesses into the TIF district areas, and I think that it is not a good idea and we should defeat it again."

Speaker McPike: "The question is, 'Shall House Bill 798 pass?' All those in favor vote 'aye'; opposed vote 'no'. The Clerk will take the record. On this Motion, there are 61 'ayes' and 50 'noes'. House Bill 798, having received the Constitutional Majority, is hereby declared passed. Let the record reflect that Representative McPike voted Representative Currie from the podium. Thanks to the Clerk, and Representative McPike would have voted 'aye' on that Bill. Thank you very much, Mr. Clerk. I appreciate that. Mr. Phelps."

Phelps: "Mr. Speaker, an inquiry. Do you guarantee all the other Postponed Consideration Bills get that kind of clearance this morning? We might proceed. No guarantees from the Chair?"

Speaker McPike: "Well, I think Mr. Woolard made some kind of arrangement with Mr. Black on that. I don't know what it was."

Phelps: "I see."

Speaker McPike: "Now Mr. Granberg's here. Morning, Mr. Granberg. Representative Ryder, we'd like to go to approp Bills. Mr. Ryder? Mr. Ryder? What happened to Mr. Ryder? He was here a minute ago. Mr. Ryder, on House Bill 4. Mr. Ryder. Mr. Clerk, read the Bill. These Bills have been read a second time, and are there any Amendments?"

Clerk Rossi: "No Floor Amendments."

Speaker McPike: "Third Reading. Read the Bill."

Clerk Rossi: "House Bill 4, a Bill for an Act making appropriations to the State Board of Education. Third

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

50th Legislative Day

April 27, 1993

Reading of the Bill."

Speaker McPike: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. This is a Vehicle Bill that appropriates \$1 for the State Board of Education."

Speaker McPike: "Would you yield for questions?"

Ryder: "On \$1?"

Speaker McPike: "Mr. Skinner would like to ask you a question."

Ryder: "On \$1?"

Speaker McPike: "Will you yield for questions? Mr. Skinner's got his light on."

Ryder: "Absolutely."

Speaker McPike: "Representative Murphy is not here, so Mr. Skinner's got his light on."

Ryder: "I'm available. I'm yielding."

Speaker McPike: "Mr. Skinner."

Skinner: "Are you sure this is enough?"

Ryder: "Well, we're being a little extravagant, and this is the best that we can do at this point."

Skinner: "You always did have a generous nature."

Speaker McPike: "The question is, 'Shall House Bill 4 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there is 107 'ayes' and 0 'nays'. House Bill 4, having received the Constitutional Majority, is hereby declared passed. House Bill 5. The Bill's on Second Reading. Are there any Amendments?"

Clerk Rossi: "No Committee Amendments. No Floor Amendments."

Speaker McPike: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 5, a Bill for an Act making appropriations to the Department of Revenue. Third Reading of the Bill."

Speaker McPike: "Mr. Ryder."

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

50th Legislative Day

April 27, 1993

Ryder: "Thank you, Mr. Speaker. This appropriates \$1 to the Department of Revenue."

Speaker McPike: "The question is, 'Shall House Bill 5 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there is 111 'ayes' and 0 'nays'. House Bill 5, having received the Constitutional Majority, is hereby declared passed. House Bill 6 is on Second Reading. Are there any Amendments, Mr. Clerk?"

Clerk Rossi: "No Committee Amendments. No Floor Amendments."

Speaker McPike: "Third Reading. Read the Bill."

Clerk Rossi: "House Bill 6, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Financial Institutions. Third Reading of the Bill."

Speaker McPike: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. This appropriates \$1 of General Revenue Funds for the Department of Financial Institutions."

Speaker McPike: "The question is, 'Shall House Bill 6 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative Gash, to explain her vote."

Gash: "I don't want to explain my vote, but on House Bill 4 I would have liked to have been recorded as having voted 'yes'."

Speaker McPike: "It was a Bill for \$1. All right. The record will reflect that Representative Gash wished to vote 'aye' on House Bill 4. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion, there is 111 'ayes' and 0 'nays'. House Bill 6, having received the Constitutional Majority, is hereby declared passed. House Bill 8, Mr. Clerk, are there any Amendments?"

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

50th Legislative Day

April 27, 1993

Clerk Rossi: "No Committee Amendments. No Floor Amendments."

Speaker McPike: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 8, a Bill for an Act making appropriations to the Department of Energy and Natural Resources. Third Reading of the Bill."

Speaker McPike: "Mr. Ryder."

Ryder: "Thank you. This appropriates \$1 of General Revenue Fund to the Department of Energy and Natural Resources."

Speaker McPike: "Any questions on this Bill? The question is, 'Shall House Bill 8 pass?' All those in favor vote 'aye'; opposed vote 'no'. Mr. Ryder, did you wish to explain your vote?"

Ryder: "No, I just wished to ask how I was recorded. I wanted to make sure I voted on this."

Speaker McPike: "You're recorded as 'aye'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 114 'ayes' and 0 'nays'. House Bill 8, having received the Constitutional Majority, is hereby declared passed. House Bill 9. It's on

Second Reading. Are there any Amendments?"

Clerk Rossi: "No Committee Amendments. No Floor Amendments."

Speaker McPike: "Mr. Ryder. Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 9, a Bill for an Act making appropriations to certain state entities for employer contributions to the state university retirement systems. Third Reading of the Bill."

Speaker McPike: "Mr. Ryder."

Ryder: "Because of our commitment to keep the financial...or the retirement system solvent in this state, we are appropriating eight times as much money for this as we have for the others. This appropriates \$8.

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

50th Legislative Day

April 27, 1993

Speaker McPike: "The question is, 'Shall House Bill 9 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there is 112 'ayes', 0 'nays'. House Bill 9, having received the Constitutional Majority, is hereby declared passed. House Bill 12 is on Second Reading. Are there any Amendments, Mr. Clerk?"

Clerk Rossi: "No Committee Amendments. No Floor Amendments."

Speaker McPike: "Third Reading. Read the Bill."

Clerk Rossi: "House Bill 12, a Bill for an Act concerning appropriations to the Department of Public Aid. Third Reading of the Bill."

Speaker McPike: "Mr. Ryder."

Ryder: "Thank you. This appropriates \$1 of General Revenue Funds to the Department of Public Aid."

Speaker McPike: "The question is, 'Shall House Bill 12 pass?' All those favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there is 111 'ayes' and 0 'nays'. House Bill 12, having received the Constitutional Majority, is hereby declared passed. House Bill 13 is on Second Reading. Mr. Clerk, are there any Amendments? Representative Lindner. Turn on Representative Lindner, please."

Lindner: "I'm sorry, Mr. Speaker. Thank you. I meant to vote 'yes' on the last vote."

Speaker McPike: "On House Bill 12?"

Lindner: "Yes."

Speaker McPike: "All right. that was for \$1 also, the same as Representative Gash was concerned about. All right. Let the record reflect that Representative Lindner intended to vote for the \$1 appropriation on House Bill 12, and the

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

50th Legislative Day

April 27, 1993

record will so reflect. House Bill 13 is on Second Reading. Any Amendments, Mr. Clerk?"

Clerk Rossi: "No Committee Amendments. No Floor Amendments."

Speaker McPike: "Third Reading. Read the Bill."

Clerk Rossi: "House Bill 13, a Bill for an Act concerning appropriations to the Department of Public Aid for its ordinary and contingent expenses. Third Reading of the Bill."

Speaker McPike: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. This also appropriates \$1 of General Revenue Funds to the Department of Public Aid."

Speaker McPike: "The question is, 'Shall House Bill 13 pass?' Representative Walsh, for what reason do you rise?"

Walsh: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Walsh: "Does this amount signify an increase or a decrease over last years appropriation?"

Ryder: "I'll check that out and I'll get back to you."

Speaker McPike: "The question is, 'Shall House Bill 13 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 113 'ayes' and 0 'nays'. House Bill 13, having received the Constitutional Majority, is hereby declared passed. House Bill 25 is on Second Reading. Mr. Clerk, any Amendments?"

Clerk Rossi: "No Committee Amendments. No Floor Amendments."

Speaker McPike: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 25, a Bill for an Act making appropriations to the Department of Corrections. Third Reading of the Bill."

Speaker McPike: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. House Bill 25 appropriates \$1 of

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

50th Legislative Day

April 27, 1993

General Revenue Fund for the ordinary and contingent expenses of the Department of Corrections."

Speaker McPike: "The question is, 'Shall House Bill 25 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion, there are 112 'ayes' and 0 'nays'. House Bill 25, having received the Constitutional Majority, is hereby declared passed. House Bill 26. The Bill's on Second Reading. Are there any Amendments?"

Clerk Rossi: "No Committee Amendments. No Floor Amendments."

Speaker McPike: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 26, a Bill for an Act making appropriations to the Department of State Police. Third Reading of the Bill."

Speaker McPike: "Mr. Ryder."

Ryder: "Thank you. This appropriates \$1 of General Revenue Fund for the ordinary and contingent expenses of the Department of State Police."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. Mr. Weaver."

Weaver: "Thank you, Mr. Speaker. I just wanted to...according to the board, I wanted to make sure that we're not arming our state police with swords now. I'm not sure what this dollar's going for, but it looks a little strange to me."

Speaker McPike: "I believe that 's' is not supposed to be up there, it's supposed to be 'word'. It's not supposed to be 'sword'. Mr. Clerk, will you correct that? Have all voted? Have all voted who wish? Clerk will take the record. On this Motion, there are 112 'ayes' and 0 'nays'. House Bill 26, having received the Constitutional Majority, is hereby declared passed. House Bill 866, on Second Reading. Are there any Amendments?"

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

50th Legislative Day

April 27, 1993

Clerk Rossi: "No Committee Amendments. No Floor Amendments."

Speaker McPike: "So much for the budget. Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 866, a Bill for an Act making appropriations to the Illinois Student Assistance Commission. Third Reading of the Bill."

Speaker McPike: "Mr. Edley."

Edley: "This appropriates \$1 to the Student Assistance Commission."

Speaker McPike: "The question is, 'Shall House Bill 866 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Motion, there are 112 'ayes' and 0 'nays'. House Bill 866, having received the Constitutional Majority, is hereby declared passed. House Bill 867 is on Second Reading. Mr. Clerk, are there any Amendments?"

Clerk Rossi: "No Committee Amendments. No Floor Amendments."

Speaker McPike: "Third Reading. Read the Bill."

Clerk Rossi: "House Bill 867, a Bill for an Act making appropriations for the operations of the State University Civil Service System. Third Reading of the Bill."

Speaker McPike: "Mr. Edley."

Edley: "Thank you Mr. Speaker. This appropriates \$1 to the University Civil Service System."

Speaker McPike: "The question is, 'Shall House Bill 867 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion, there are is 'ayes' and 0 'nays'. House Bill 867, having received the Constitutional Majority, is hereby declared passed. House Bill 868. It's on Second Reading. Mr. Clerk, are there any Amendments?"

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

50th Legislative Day

April 27, 1993

Clerk Rossi: "No Committee Amendments. No Floor Amendments."

Speaker McPike: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 868, a Bill for an Act making appropriations to the board of trustees of the Southern Illinois University. Third Reading of the Bill."

Speaker McPike: "Mr. Edley."

Edley: "Thank you. This Bill appropriates \$1 to Southern Illinois University Board of Trustees."

Speaker McPike: "The question is, 'Shall House Bill 868 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there is 112 'ayes', 0 'nays'. House Bill 868, having received the Constitutional Majority, is hereby declared passed. House Bill 869 is on Second Reading. Are there any Amendments?"

Clerk Rossi: "No Committee Amendments. No Floor Amendments."

Speaker McPike: "Third Reading. Read the Bill."

Clerk Rossi: "House Bill 869, a Bill for an Act making appropriations to the State University Civil Service System. Third Reading of the Bill."

Speaker McPike: "Mr. Edley."

Edley: "Thank you, Mr. Speaker. This Bill appropriates \$1 to the State University Civil Service System for the operations."

Speaker McPike: "The question is, 'Shall House Bill 869 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there is 114 'ayes' and 0 'nays'. House Bill 869, having received the Constitutional Majority, is hereby declared passed. House Bill 870 is on Second Reading. Mr. Clerk, any Amendments? Any Amendments?"

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

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

50th Legislative Day

April 27, 1993

Speaker McPike: "Mr. Edley."

Edley: "I withdraw the Amendment."

Speaker McPike: "The Gentleman withdraws the Amendment. Any further Amendments?"

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

Speaker McPike: "By who?"

Clerk Rossi: "Hoeft."

Speaker McPike: "Representative Hoeft. Mr. Black or Mr. Weaver."

Weaver: "Yes. On behalf of Representative Hoeft, we'd like to withdraw this Amendment."

Speaker McPike: "All right. The Amendment's withdrawn. Further Amendments?"

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

Speaker McPike: "Mr. Weaver."

Weaver: "Thank you, Mr. Speaker. Amendment #3 transfers \$1,165,000 from GRF of the operations budget and \$1 million from GRF from educational service centers to the teacher's retirement system."

Speaker McPike: "Well, just take this Bill out of the record then, correct? Is Mr. Edley...is that right? Mr. Edley. Mr. Edley."

Edley: "Mr. Speaker, would you take this Bill out of the record, please?"

Speaker McPike: "Yes. Certainly. The Bill's out of the record. Mr. Black."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. to a point of personal privilege. I would just like to extend a warm welcome to Springfield to the eighth grade class at Cisna Park Junior High School up here in the Republican gallery. We're glad they could be with us

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

50th Legislative Day

April 27, 1993

today. Thank you."

Speaker McPike: "Well, you know when we're very busy, that's against the rules. House Bill 1857. It's on Second Reading. Any Amendments? Mr. Clerk, any Amendments?"

Clerk Rossi: "No Committee Amendments. No Floor Amendments."

Speaker McPike: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1857, a Bill for an Act making appropriations. Third Reading of the Bill."

Speaker McPike: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker, Ladies and Gentlemen of the House. This Bill adds \$2...is an appropriation of \$2 to the Health Care Cost Council."

Speaker McPike: "Is this your first Bill?"

Schakowsky: "My first appropriation Bill."

Speaker McPike: "The question is, 'Shall House Bill 1857 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 108 'ayes' and 5 'noes'...108 'ayes' and 5 'noes'. House Bill 1857, having received the Constitutional Majority, is hereby declared passed. House Bill 1859. Mr. Clerk, any Amendments?"

Clerk Rossi: "No Committee Amendments. No Floor Amendments."

Speaker McPike: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1859, a Bill for an Act making appropriations. Third Reading of the Bill."

Speaker McPike: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker. This appropriates a big \$2 to the Department of Children and Family Services."

Speaker McPike: "The question is, 'Shall House Bill 1859 pass?' All in favor vote 'aye'; opposed vote 'no'. Mr. Weaver."

Weaver: "Well, thank you, Mr. Speaker. I'm just concerned that

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

50th Legislative Day

April 27, 1993

with all the vehicle Bills that the Republicans passed out at \$1, that apparently the Democrats have discovered a pot of gold somewhere that they're able to spend twice as much money as we are, and I'd just like to find out where that money is. Maybe the Sponsor can tell us where they're coming up with 200% of what we're able to spend."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there's is 113 'ayes', and Black voting 'no'; and House Bill 1859, having received the Constitutional Majority, is hereby declared passed. House Bill 1860 is on Second Reading. Any Amendments, Mr. Clerk?"

Clerk Rossi: "No Committee Amendments. No Floor Amendments."

Speaker McPike: "Third Reading. Read the Bill, please."

Clerk Rossi: "House Bill 1860, a Bill for an Act making appropriations. Third Reading of the Bill."

Speaker McPike: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker, and to answer the Representative's questions. I certainly have a reputation to maintain, and so I wanted to double the appropriation and that's right, so this is a \$2 appropriation for the Department of Mental Health."

Speaker McPike: "The question is, 'Shall House Bill 1860 pass?' All favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there is 111 'ayes' and 0 'nays'. House Bill 1860, having received the Constitutional Majority, is hereby declared passed. House Bill 1861 is on Second Reading. Any Amendments?"

Clerk Rossi: "No Amendments filed."

Speaker McPike: "Third Reading. Read the Bill, please."

Clerk Rossi: "House Bill 1861, a Bill for an Act making

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

50th Legislative Day

April 27, 1993

appropriations. Third Reading of the Bill."

Speaker McPike: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker. This is a \$2 appropriation for the Department of Public Aid."

Speaker McPike: "The question is, 'Shall House Bill 1861 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 110 'ayes', and 1 'no'. House Bill 1861, having received the Constitutional Majority, is hereby declared passed. House Bill 1862 is on Second Reading. Any Amendments, Mr. Clerk?"

Clerk Rossi: "No Amendments filed."

Speaker McPike: "Third Reading. Read the Bill, please."

Clerk Rossi: "House Bill 1862, a Bill for an Act making appropriations. Third Reading of the Bill."

Speaker McPike: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker. This is a \$2 appropriation for the Department on Aging."

Speaker McPike: "The question is, 'Shall House Bill 1862 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there is 114 'ayes' and 0 'nays'. House Bill 1862, having received the Constitutional Majority, is hereby declared passed. House Bill 1865 is on Second Reading. Any Amendments, Mr. Clerk?"

Clerk Rossi: "No Amendments filed."

Speaker McPike: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1865, a Bill for an Act making appropriations. Third Reading of the Bill."

Speaker McPike: "Mr. Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This appropriates \$2 to the Bureau of the Budget."

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

50th Legislative Day

April 27, 1993

Speaker McPike: "The question is, 'Shall House Bill 1865 pass?' All favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there is 109 'ayes' and 1 'no'. House Bill 1865, having received the Constitutional Majority, is hereby declared passed. House Bill 1866 is on Second Reading. Any Amendments?"

Clerk Rossi: "No Amendments filed."

Speaker McPike: "Third Reading. Read the Bill, please."

Clerk Rossi: "House Bill 1866, a Bill for an Act making appropriations. Third Reading of the Bill."

Speaker McPike: "Mr. Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This appropriates \$2 to the Commissioner of Banks and Trusts and I move for its passage."

Speaker McPike: "The question is, 'Shall House Bill 1866 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 112 'ayes', 2 'noes'. House Bill 1866, having received the Constitutional Majority, is hereby declared passed. Oh. That was the Commissioner of Banks Bill. Well, Mr. Luft said, 'thank you'. House Bill 1867. There are no... Mr. Clerk, Second Reading. Are there any Amendments?"

Clerk Rossi: "No Amendments filed."

Speaker McPike: "Third Reading. Read the Bill, please."

Clerk Rossi: "House Bill 1867, a Bill for an Act making appropriations. Third Reading of the Bill."

Speaker McPike: "Mr. Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This Bill appropriates \$2 to the Department of Central Management Services, and I'd move for its passage."

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

50th Legislative Day

April 27, 1993

Speaker McPike: "The question is, 'Shall House Bill 1867 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there is 114 'ayes' and 0 'nays'. House Bill 1867, having received the Constitutional Majority, is hereby declared passed. House Bill 1868 is on Second Reading. Are there any Amendments?"

Clerk Rossi: "No Amendments filed."

Speaker McPike: "Third Reading. Read the Bill, please."

Clerk Rossi: "House Bill 1868, a Bill for an Act making appropriations. Third Reading of the Bill."

Speaker McPike: "Mr. Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This appropriates \$2 to the Illinois Racing Board, and I'd move for its passage."

Speaker McPike: "The question is, 'Shall House Bill 1868 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there is 114 'ayes', 0 'nays'. House Bill 1868, having received the Constitutional Majority, is hereby declared passed. House Bill 1869 is on Second Reading. Are there any Amendments?"

Clerk Rossi: "No Amendments filed."

Speaker McPike: "Third Reading. Read the Bill, please."

Clerk Rossi: "House Bill 1869, a Bill for an Act making appropriations. Third Reading of the Bill."

Speaker McPike: "Mr. Hannig."

Hannig: "Thank you, Mr. Speaker and Members of the House. This appropriates \$2 to the Department of Revenue, and I'd move for its passage."

Speaker McPike: "The question is, 'Shall House Bill 1869 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted?"

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

50th Legislative Day

April 27, 1993

Have all voted who wish? The Clerk will take the record. On this Motion, there is 108 'ayes' and 0 'nays'. House Bill 1869, having received the Constitutional Majority, is hereby declared passed. House Bill 1870 is on Second Reading. Any Amendments, Mr. Clerk?"

Clerk Rossi: "No Amendments filed."

Speaker McPike: "Third Reading. Read the Bill, please."

Clerk Rossi: "House Bill 1870, a Bill for an Act making appropriations. Third Reading of the Bill."

Speaker McPike: "Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This appropriates \$2 to the Department of Professional Regulation, and I'd move for its passage."

Speaker McPike: "The question is, 'Shall House Bill 1870 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 114 'ayes', 0 'nays'. House Bill 1870, having received the Constitutional Majority, is hereby declared passed. House Bill 1873. Any Amendments?"

Clerk Rossi: "No Amendments filed."

Speaker McPike: "Third Reading. Read the Bill, please."

Clerk Rossi: "House Bill 1873, a Bill for an Act making appropriations. Third Reading of the Bill."

Speaker McPike: "Mr. Saltsman."

Saltsman: "Yes. This Amendment appropriates \$2 for the Office of Appellate Defender."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. Have all voted? Have all voted who wish? On this Motion, there is 111 'ayes' and 0 'nays'. House Bill 1873, having received the Constitutional Majority, is hereby declared

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

50th Legislative Day

April 27, 1993

passed. House Bill 1874 is on Second Reading. Any Amendments?"

Clerk Rossi: "No Amendments filed."

Speaker McPike: "Third Reading. Read the Bill, please."

Clerk Rossi: "House Bill 1874, a Bill for an Act making appropriations. Third Reading of the Bill."

Speaker McPike: "Mr. Saltsman."

Saltsman: "Yes, Mr. Speaker. This Amendment appropriates \$2 for the Office of Appellate Prosecutor."

Speaker McPike: "The question is, 'Shall House Bill 1874 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there is 109 'ayes', 0 'nays'. House Bill 1874, having received the Constitutional Majority, is hereby declared passed. On this Motion, there is 111 'ayes', 0 'nays'. House Bill 1874, having received the Constitutional Majority is hereby declared passed. House Bill 1875 is on Second Reading. Any Amendments?"

Clerk Rossi: "No Amendments filed."

Speaker McPike: "Third Reading. Read the Bill, please."

Clerk Rossi: "House Bill 1875, a Bill for an Act making appropriations. Third Reading of the Bill."

Speaker McPike: "Mr. Saltsman."

Saltsman: "Yes, Mr. Speaker. This Amendment appropriates \$2 for the Department of Transportation."

Speaker McPike: "The question is, 'Shall House Bill 1875 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there is 112 'ayes' and 0 'nays'. House Bill 1875, having received the Constitutional Majority, is hereby declared passed. House Bill 1876 is on Second

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

50th Legislative Day

April 27, 1993

Reading. Any Amendments?"

Clerk Rossi: "No Amendments filed."

Speaker McPike: "Third Reading. Read the Bill, please."

Clerk Rossi: "House Bill 1876, a Bill for an Act making appropriations. Third Reading of the Bill."

Speaker McPike: "Mr. Saltsman."

Saltsman: "Yes, Mr. Speaker. This appropriates \$2 to the Capital Development Board."

Speaker McPike: "The question is, 'Shall This Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there is 112 'ayes', 0 'nays'. House Bill 1876, having received the Constitutional Majority, is hereby declared passed. House Bill 1877 is on Second Reading. Any Amendments?"

Clerk Rossi: "No Amendments filed."

Speaker McPike: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1877, a Bill for an Act making appropriations. Third Reading of the Bill."

Speaker McPike: "Mr. Saltsman."

Saltsman: "This legislation appropriates \$2 to the Department of State Police."

Speaker McPike: "The question is, 'Shall House Bill 1877 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 98 'ayes' and 0 'nays'. House Bill 1877, having received the Constitutional Majority, is hereby declared passed. House Bill 1878 is on Second Reading. Any Amendments?"

Clerk Rossi: "No Amendments filed."

Speaker McPike: "Third Reading. Read the Bill, please."

Clerk Rossi: "House Bill 1878, a Bill for an Act making

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

50th Legislative Day

April 27, 1993

appropriations. Third Reading of the Bill."

Speaker McPike: "Mr. Saltsman."

Saltsman: "Yes, Mr. Speaker. This legislation appropriates \$2 for DCCA."

Speaker McPike: "The question is, 'Shall House Bill 1878 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The House will take the record. On this Motion, there is 108 'ayes', no 'nays'. House Bill 1878, having received the Constitutional Majority, is hereby declared passed. Let the record reflect that Representative Martinez and Representative Giglio would have voted 'aye' on House Bill 1877. House Bill...890. Read the... Where is the Bill, Mr. Clerk? Where is the Bill? Second Reading. Any Amendments?"

Clerk Rossi: "No Amendments filed."

Speaker McPike: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 890, a Bill for an Act concerning vouchers for educational expenses. Third Reading of the Bill."

Speaker McPike: "Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker and Members of the House. House Bill 890 creates the Educational Choice Act, provides for the issuance to the State Board of Education of scholarship certificates to the parents and guardians of pupils in any of the Illinois public or private elementary or secondary schools for reasonable expenses. This Bill has been around for a number of years already, and what we are trying to do is to show to the people of all the educational...we're trying to make this a competitiveness; we are not trying to stymie the public schools. We are looking for a competitiveness in there. We are empowering the parents by giving the parents a scholarship certificate

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

50th Legislative Day

April 27, 1993

which would be redeemed in any of the schools. It does not transfer from district to district. It stays within the district of the school. If a scholarship certificate was going to be used outside of the district, you would have to pay the difference for a non-resident of that district. This has been around for many years. The public schools, especially in the City of Chicago, feel that we are going to be harming them, but I feel that this would add the competitiveness to the schools. The teachers right now, they do not...are not motivated in any way by creating their activities in the school and their teaching techniques because they automatically get these students to them every year. If the students...if the parents had the choice of where to send their students, I think that this would really add the competitiveness to the schools in which we need. Be happy to answer any questions."

Speaker McPike: "Mr. Weaver."

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

Speaker McPike: "Yes."

Weaver: "Representative, the money to fund this, as I understand the pilot voucher program, where is this money coming from?"

Bugielski: "It would be coming right from the...right now, the way it is set up it will be coming through the...just the regular educational fund. One of the points to make...one of the studies that have been done on this was that if 4% of the students were transferred, it would be a wash. Four percent of the students that are in public education now, the money that we saved by 4% of the students transferring into private education, it would be a wash because of the money that would be saved. They would only be spending

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

50th Legislative Day

April 27, 1993

\$1000 versus either \$4000, \$5,000 or \$5500 up to whatever they pay in these different districts."

Weaver: "When you say this money comes out of regular education budget, does this come out of the state board allocation to the city?"

Bugielski: "Yes."

Weaver: "And, what is the estimated financial impact on the Chicago school budget?"

Bugielski: "I don't know. They're looking for...they're waiting for it to come down."

Weaver: "How many children/parents are you estimating are going to take advantage of this voucher?"

Bugielski: "You don't know. It's something new; you don't know. It's hard to say. It's the same thing that's...it's a gamble. You don't know exactly how many people would buy into something like this that would take advantage of something like this. We don't know."

Weaver: "Would this allow them to take public funds and use it to send their children to private school?"

Bugielski: "Yes."

Weaver: "Mr. Speaker and Ladies and Gentlemen. To the Bill. While I don't have any major disagreements with educational choice, I think at this point in time, especially with the dire financial straits that the City of Chicago school system is in, it is absolutely the wrong time to be taking public funds and putting 'em into private schools. We need to make sure we have a shored-up educational system, both in Chicago and downstate, before we start moving money into private schools. I think it's a bad idea at a bad time."

Speaker McPike: "Mr. Deering."

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

Speaker McPike: "Yes."

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

50th Legislative Day

April 27, 1993

Deering: "Representative, currently under current law, do private schools...do they fall under the mandates that the state issues the same as for public schools?"

Bugielski: "The regular educational mandates? Yes."

Deering: "So, they do have to adhere by all the mandates that the state hands down as far as education?"

Bugielski: "Yes."

Deering: "Thank you."

Speaker McPike: "Representative Hawkins."

Hawkins: "Mr. Speaker, Ladies and Gentlemen of the House. If we want to start the downward spiral of education in the State of Illinois, if we want to permanently damage more than it's already been done to the public school system in this state, we will vote for this Bill. This Bill is the worst possible thing that we could do to public education in the State of Illinois. We don't have the money now for proper education in the State of Illinois, particularly down where I live, where we're spending \$2000 a year to educate children when everybody knows that it needs \$4000. To take money away from public schools and give them to private schools would be the worst possible thing you could do to education in the State of Illinois, and I beg a 'no' vote. Thank you."

Speaker McPike: "Mr. Kubik."

Kubik: "Will the Sponsor yield for questions?"

Speaker McPike: "Yes."

Kubik: "Representative, this Bill... I guess maybe I didn't catch some of the points you made in your opening remarks. Is this a pilot program, Representative?"

Bugielski: "No, it's not."

Kubik: "Okay, so this would be a statewide program."

Bugielski: "Correct."

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

50th Legislative Day

April 27, 1993

Kubik: "Okay. What...could you just again, very briefly explain to me how this system works? I mean you mentioned something about within district, et cetera, et cetera. Could you briefly explain this again how it works?"

Bugielski: "Parents would receive a scholarship certificate which would be redeemed in the school of their choice. Now, questions that have come up to me would be, if they use this certificate in a district outside of which they reside, does it cover everything?' No, it does not. It's a \$1000 scholarship certificate. So, a student going from one public school to a different public school in another district, that student would be considered a non-resident of that district. So they would have to pay the difference, just as public schools right now, if you go to a public school living outside of your district, you pay as a non-tuition as a non-resident student."

Kubik: "So, in other words, if I live in District A, and I wish to go to a public school in District B, but because I'm not a resident in District B, there is an increased cost for non-residents."

Bugielski: "Correct. You would use the certificate, the scholarship certificate that would be valued at \$1000, but then you would have to pay the difference, just as private schools do right now. And I believe, in all of the districts throughout the state, if you are living in District A and decide to send your children to a school in District B, you would have to pay non-resident fees."

Kubik: "How do you get one of these certificates? What...how does that kick in?"

Bugielski: "The certificates would be given to...you know, through the schools. The schools would distribute them to the parents. The parents would fill out the application

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

50th Legislative Day

April 27, 1993

forms, send that back to the school, the school in turn would send it to the state, the state would reimburse the school, the school district."

Kubik: "So, in other words..."

Bugielski: "It does not go to the parents."

Kubik: "Okay. So, in other words, if I was a...a parent in, again, District A, and I wanted to send my child to a private school, what I would do is apply to my local district for the certificate, and then they in turn would apply to the state board, and the money would flow..."

Bugielski: "The applications would be given out by the individual schools."

Kubik: "By the individual school? In other words, the private schools."

Bugielski: "And the public schools."

Kubik: "And the public schools."

Bugielski: "Right."

Kubik: "But it would be where I wished to go that would handle the...the certificate or..."

Bugielski: "Correct."

Kubik: "Okay. No further questions. Thank you."

Speaker McPike: "Representative Gash."

Gash: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Gash: "I have a question of the Sponsor. I thought that I understood you to say that mandates do apply to the private schools before, when that question was asked. Just for the record."

Bugielski: "Well, the majority...all the education...they have to teach the same courses that are being taught in the public schools right now."

Gash: "Okay. To the Bill. For the record, fire and safety

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

50th Legislative Day

April 27, 1993

mandates don't apply. Teacher certification mandates don't apply. Course requirements mandates don't apply. Curriculum requirements don't apply. They are not required to take all students, and I just want to also add, that the fiscal impact of this Bill is a minimum of \$316 million. Thank you."

Speaker McPike: "All right. Let's just vote on this Bill. Everybody knows what this is. There's 20 people want to talk on this. All right. Who really wants to talk? All right. Mr. Skinner really wants to talk on this. All right. Representative Davis wants to ask some questions."

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

Speaker McPike: "Yes."

Davis: "Mr...Representative Bugielski, could you tell us what the average cost for attending a private elementary school is in the City of Chicago?"

Bugielski: "I believe it's about \$1500 in a lot of the schools. Up by me, they're about...they range anywhere from \$1200 to around \$1700, \$1800..."

Davis: "Margaret Collins School?"

Bugielski: "For the elementary schools."

Davis: "I was under the impression they were closer to \$2500."

Bugielski: "Not that I'm aware of. I know the high schools up by me are around anywhere from \$2500 to \$3000."

Davis: "That's what they were when my son went to school, and that was 20 years ago."

Bugielski: "They were \$3000 when your son went to school 20 years ago?"

Davis: "Well, let me continue. Yes. Yes, at Hail's Franciscan; that's absolutely correct."

Bugielski: "And it was \$3000?"

Davis: "Absolutely."

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

50th Legislative Day

April 27, 1993

Bugielski: "Well, I'm...you were overpaid, or you overpaid."

Davis: "Let me ask you this. Will the transportation costs be paid also, or who is to pay the transportation costs, Representative?"

Bugielski: "There's no...there's nothing in the Bill that's...there's nothing in there that refers to the transportation costs."

Davis: "So, that would be the student's own problem to get to and fro, is that correct?"

Bugielski: "Correct."

Davis: "Will the schools take special education students?"

Bugielski: "The Bill does not address that."

Davis: "The Bill does not address whether the school is mandated to accept a special education student?"

Bugielski: "Correct."

Davis: "To the Bill, Mr. Speaker. This is a Bill in which most children will hardly benefit, because we'd be taking a large pool of money from a very small pool of money. Chicago is not the only district that's in financial difficulty. The Springfield school district is in financial difficulty. I think we have over 117 schools in the State of Illinois that are suffering financial difficulty. I understand that in some states where this has been done, it has almost destroyed the public school. I'm very opposed to any funds being used that are public to support private, religious types of education...types of education that really do not support what the government of a democracy is supposed to represent. I would urge a 'no' vote."

Speaker McPike: "All right. Representative Salvi, everyone wants to hear your words of wisdom on this, it seems like. Mr. Salvi."

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

50th Legislative Day

April 27, 1993

Salvi: "Thank you, Mr. Speaker. This is a bail-out of the troubled public school system. What we're doing here is we're recognizing the importance that private schools play in the educational system in Illinois. Without private schools, our educational system would go bankrupt in a second. What we're trying to do, is we're trying to create an incentive for people to deepen...dig into their own pockets and pay for their own kids' education. A \$1000 voucher, not the full amount of tuition, but a \$1000 voucher will do this, and the best way that I can describe how it will do it very quickly, is to tell you the story about a time when I went to Carmel High School to speak on this issue, and a gentleman stood up and he said he wants to send his kid to Carmel High School. He's got three girls. He says I want...he said I want to send all three of 'em into Carmel High School, but Carmel High School costs \$3200 per student to go to Carmel High School, \$2900 tuition. He said, 'I could afford \$2900 tuition for one, but not for three. If I take this \$1000...if you give me this \$1000 voucher, I'll send all three of 'em to Carmel, and it'll cost me \$9000 minus the \$3000 that I'll get in vouchers, \$6000, I can afford that. I'll dig into my pocket, pay the \$6000 and use \$3000 in state money'. He said, 'But if I can't get this incentive, \$9000's too much for me. And if we don't pass vouchers, I'm gonna send my three children, all of 'em, because I want 'em to go to the same school, to the public schools'. That means, for each kid in my area, up to \$7000 or \$8000 per child in state money and in local property taxes. We're talking about creating an incentive for people to dig into their own pockets and privately educate their kids, saving the state money. If 4%...it's true, Lauren Beth Gash, Representative

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

50th Legislative Day

April 27, 1993

Gash was right. This will cost the state \$300 million, if nobody...if nobody goes from the public schools to the private schools as a result of this voucher. But if only 4% of the students go from public school to private school because of this incentive, this \$1000 voucher, just 4%, we'll break even. If 8% switched from public schools to private schools, we will save \$300 million. So, to those people who are paying property taxes and income taxes and paying all of their tuition on their own, all we're saying is, 'Hey, it's not an all or nothing deal'. This will create more competition. This will help the quality of education, and for those Representatives, especially in the suburbs, \$1000 in state money will go to the student; that's a lot more than a lot of us are getting, especially in the suburbs right now. This is a bail-out of the public school system. It's innovative. It's never been implemented statewide, but where it has been implemented in local levels, it's been tremendously successful. I urge a 'yes' vote on House Bill 890."

Speaker McPike: "Representative, you had seven minutes left. Well, Representative Bugielski, why don't you close, and..."

Bugielski: "Thank you, Mr. Speaker. I know a lot of people, I know you have your minds set. I know there are some people that are undecided, but just as the previous speaker noted, this is an innovative process. This is something new. We don't know exactly how much it's going to cost. We don't know how many people would take advantage of this. We have everyone saying that, you know, you can't do it, the G.I. Bill's been around for many years. The G.I. Bill, you could go to any college or university seminary of your choice paid by federal dollars. So, you know, this idea's

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

50th Legislative Day

April 27, 1993

been around for a long time. It's a super plan. We're looking for the competitiveness. We're trying to empower the parents, let the power...the parents have something to say on the education of their child, and I ask a 'yes' vote."

Speaker McPike: "Well, before you close, Representative Lou Jones had a few questions on the Bill. Maybe you'd yield to a question before we vote on this. Representative Jones."

Jones, Lou: "Thank you, Mr. Speaker and Members of the House. Will the Sponsor yield?"

Speaker McPike: "Yes. He'll yield."

Jones, Lou: "One of the earlier questions to you, Representative, was in regard to how you get the scholarship."

Bugielski: "I'm sorry. The certificates...the application would be available in every school statewide, and the parents would fill out the application and..."

Jones, Lou: "Who makes the decision as to what child goes to that school? Let me give you an example. Say...say if there's five children in a family..."

Bugielski: "All of them are qualified. Every student is qualified."

Jones, Lou: "No. Let me...let me ask my question, okay? And all five of this...all five of these children...parents put an application in for all five of these children say to go to Holy Angels, which is in my district. At Holy Angels, who makes the decision as to do all five of these children go? Who makes the decision as to who goes to this school, who gets that scholarship?"

Bugielski: "Every student is entitled to the certificate...the scholarship certificate, but it is up to the local individual schools, you know, they're going to be taking it on their space needs."

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

50th Legislative Day

April 27, 1993

Jones, Lou: "Oh. It's a first-come, first-serve basis? If you got spaces for five kids, the first five kids that apply get that space? Does your Bill say that?"

Bugielski: "No, the Bill doesn't say..."

Jones, Lou: "Okay. I'm trying to figure out who determines..."

Bugielski: "The individual school. The administration of the local school."

Jones, Lou: "That's the problem. That's the problem, because what you're going to have here, you're going to have them take out the cream of the crop, because they do not have to accept all the children that apply to go to that school. Say for instance, out of the five children...excuse me...they look at the reading scores, the math scores, the spelling scores, and they'll say, 'We only take these two right here. These three here have to go back to Williams school which is in the development'. So, you've taken two children out of a family and put them into a private school, and you've given this mother a \$1000 voucher. She's on Public Aid (if she lives in the developments, nine times out of ten), where does she get the subsidy, because it costs more than \$1000 to go to the private...to Holy Angels, I know it does, it sits in my district. The problem I have with your Bill...to the Bill, Mr. Speaker. The problem I have with the Bill is that you're gonna take out the cream of the crop in an already strapped, funded strapped school system. All the children in the State of Illinois will not be able to get the same...type of education that you want them to get. The school will determine who goes there and who will not go there, and that is a unfair situation. If your Bill stated, if there's 25 vacancies, then the first 25 to go there, they would have to accept them, no matter what. Then you are

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

50th Legislative Day

April 27, 1993

giving all the kids in the State of Illinois a chance at a top rate education. What you're doing is gonna let them pull out the cream of the crop. They will select who they want to go to the school, and the other side of that is, if you want your children to go to private school, pay for it. We have a school system here. Fund that school system at the level it should be funded at, and let's get...make sure all the kids in the State of Illinois have a good education."

Speaker McPike: "Representative Prussing."

Prussing: "I think that this Bill doesn't really get at the fundamental question that kids don't come to school equal, and maybe what we should do if you're using a competitive market model is give vouchers to kids so they can choose their parents. But I think that we should get to the fundamentals, which is that we are not funding public education adequately, and that's why we keep talking about property tax caps. The reason the local governments have raised taxes is because state funding has gone down, and rather than dealing with these theoretical issues, I think we should just raise the income tax, split the difference between property tax relief and education and then we would really come to grips with the problem."

Speaker McPike: "Mr... Does anyone else have any questions? Does anyone have any questions? Some people got mad because they had questions on this. Does anyone...yes. Okay. Representative Biggert has a question. Everybody can explain their vote, but I want to know if anybody has any questions. Representative Biggert."

Biggert: "Will the Sponsor yield?"

Speaker McPike: "Yes. Yes, he will."

Biggert: "How will this affect sports at a school? I know that

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

50th Legislative Day

April 27, 1993

one of the reasons we have discussed in our public schools and not taken non-residents, is because never wanted to be any question that there was any recruiting for sports teams. Doesn't this subject the school then to criticism that they're taking students to have a better sports team?"

Bugielski: "This has nothing to do with recruiting athletes. This is for the education of the student, and I'm not...we don't address anything about the athletic programs of the school and going out and recruiting athletes."

Biggert: "Well, I realize that, but you're still how you accept students, could have that connotation."

Bugielski: "The individual schools are choosing the students, and I don't think they're looking at the athletes."

Biggert: "Okay."

Speaker McPike: "Representative Murphy has returned to the floor, so...Representative Murphy on this Bill."

Murphy, M: "Quick question."

Speaker McPike: "Yes."

Murphy, M: "...of the Sponsor. Yield? In defining private schools, would home educators or Montessori schools or the First Church of Jonestown (not to be flip, I know what constitutes a fully certified private school), would the alternative education schools be included as I mentioned? Home educators, Montessori..."

Bugielski: "Home educators are not addressed in the Bill."

Murphy, M: "What about Montessori or specialty schools?"

Bugielski: "Montessori is a private school, so that would be involved."

Murphy, M: "So that constitutes whatever the state certifies as a private school? Thank you."

Speaker McPike: "Does anyone else have a question? The Gentleman...okay. Representative Walsh, with a question."

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

50th Legislative Day

April 27, 1993

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

Speaker McPike: "Yes."

Walsh: "Representative, just to get a better understanding of this, every student is going to get a \$1000 voucher to use wherever he or she would like. Every high school and grade school student."

Bugielski: "Every student in the State of Illinois is entitled to the scholarship certificate."

Walsh: "Okay. Now if they don't...they have to use it or they're recommending to use it in the private...or pardon me, the public school in their district..."

Bugielski: "Correct."

Walsh: "...otherwise they have to pay an out-of-district fee?"

Bugielski: "No, no, no, not really. If they're in the...live in the district, but you could be...rest assured that the school in which the child is going, if it's a public school in your district, you could be sure that they will make sure that the parents fill out the application and get it back, because that would be \$1000 that they're getting to that individual school."

Walsh: "Okay. What if there isn't a private school within the district? Is this voucher...you can use this voucher at any private school within the state that you want to?"

Bugielski: "You could use it at any private or public school within the state."

Walsh: "Now, I'm still unclear, though. If you use it at the public school..."

Bugielski: "Yes."

Walsh: "...and you don't use it at the public school within the district that you are living, do you have to pay any additional out-of-district fee?"

Bugielski: "Yes, just as it is right now. If you send your child

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

50th Legislative Day

April 27, 1993

to a public school outside of the district in which you reside, you are paying a non-resident tuition, and the same would be in effect with the scholarship certificate."

Walsh: "So, this voucher can be used at any school..."

Bugielski: "Any school."

Walsh: "...in the state."

Bugielski: "Correct."

Walsh: "Okay. Thank you."

Speaker McPike: "Representative Persico."

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

Speaker McPike: "Yes."

Persico: "Representative, I have a few questions. Number one, the question was asked, will this include schools like Montessori schools?"

Bugielski: "Yes."

Walsh: "Now, Montessori schools, from my understanding through many of the educational courses that I've taken, are basically preschool programs?"

Bugielski: "This would take place in any school that the state...that is viewed by the state as an educational institution."

Walsh: "Currently, are we funding preschool programs in the State of Illinois?"

Bugielski: "Yes."

Walsh: "Public preschool programs right now? So, by initiating this voucher program for \$1000, schools like Montessori schools (which are basically preschool), you know, from two on up, would be eligible to receive this grant, is what you're saying then, right?"

Bugielski: "Not... It's only from K through 12. It's stipulated in the Bill grades K through 12, not preschool."

Walsh: "And any school...any parent that presents this voucher to

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

50th Legislative Day

April 27, 1993

a private school, let's say they must accept that child that they make up the difference between the cost of what it costs to educate that child in that program and the \$1000? Is that it? Is that basically what your program does?"

Bugielski: "The parents would have to pay the difference."

Walsh: "So, a parent of a special ed child, let's say, goes to a private school with this \$1000 voucher, with the understanding that it costs approximately \$10,000 to \$12,000 to educate that special ed child in public schools right now, they would have to make up the difference of the...between the \$1000 and the \$12,000 it costs to educate the special ed child?"

Bugielski: "If it's at a private school, yes. They make...they pay the difference."

Walsh: "So, it basically then...you would be denying access of that special ed child because it would become unaffordable to leave the public school?"

Bugielski: "They have the choice of where to send that child. To that school, and if they choose a school that charges \$10,000, that is the parent's choice."

Walsh: "One last question. Are you basically changing the school aid formula with this Bill, because presently (and which I've been trying to do on many occasions since I've been down here), presently schools such as the area that I represent receive between \$200 to \$300 per pupil, now schools in the suburban areas will be eligible to receive up to \$1000 per pupil and basically taking the money from the downstate schools to fund your program? Is that what you're trying to do here? Change the school aid formula?"

Bugielski: "It does not change the school aid formula at all."

Walsh: "Well, if you're giving \$1000 per student to areas of

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

50th Legislative Day

April 27, 1993

schools like I represent, you would basically be changing it then, 'cause where would the money come from if it would have to come from the downstate and Chicago schools then, right?"

Bugielski: "It comes...it comes from the increase in the state aid for the general distribution today over the base year, over the fiscal year '93."

Walsh: "Well, you do make it very tempting for a suburban Legislator to vote for this piece of legislation, if I was just looking at it from a parochial point of view. But I think if you look at it for the overall state picture, maybe the school aid formula does need to be changed but I don't think with this Bill, and I urge a 'no' vote on this."

Speaker McPike: "All right. There's still ten or 15 lights flashing. Does anyone have any questions? Mr. Skinner has a question."

Skinner: "Mr. Speaker, I apologize for entering into the debate here, but there's a real significant question that suburbanites need to have an answer for. Does every kid in every public school get \$1000 if this Bill passes? Flat rate across the board."

Bugielski: "The student doesn't get it. The school receives it after the application has been submitted. Every student is entitled to it."

Skinner: "All right, well if my school district...all right. If my school district now gets \$200 per student, if this Bill passes, we're automatically going to get \$1000 a student? Is that correct?"

Bugielski: "As long as they apply for it, yes."

Skinner: "Well, Mr. Speaker, this Bill is such a massive change in the state aid formula to the benefit of suburbanites,

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

50th Legislative Day

April 27, 1993

and I'm certainly going to vote for it. Every school in my district, it is my belief, will get more money than they're gettin' now. Now, that's an offer I just can't pass up."

Speaker McPike: "Mr. Balthis has a question."

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

Speaker McPike: "Yes."

Balthis: "Representative, I...I'm trying to make sure that I understand perfectly clear that right now my school gets \$300 for every child that is in that school, and if every child stays in that school and applies for this voucher, they're gonna receive the \$300 under the school aid formula and they are gonna receive the \$1000 for the voucher."

Bugielski: "They get a \$1000 for the certificate."

Balthis: "And do...plus the state aid?"

Bugielski: "No. They get the \$1000 for the certificate."

Balthis: "So, they can't...they can't count the student in the state aid formula if they receive the voucher and where does that say that in your Bill, because we...we can't find that in the Bill?"

Bugielski: "It does not count for that in the Bill."

Balthis: "It does not count in the state aid formula?"

Bugielski: "It's not stated in the Bill at all."

Balthis: "Can you...can you show me in the Bill or point out to me in the Bill where it says that they would not receive both?"

Bugielski: "It's not stated in there. It's just not in there."

Balthis: "So, if it is not stated in there, then they receive the voucher as well as the school aid formula because you are not taking that away from them?"

Bugielski: "Yes, it's not stated in there."

Balthis: "Okay. Ladies and Gentlemen of the House, this is the best Bill for public...public school education that I've

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

50th Legislative Day

April 27, 1993

heard of that since I've been down here. It absolutely breaks the states' back, but it's the greatest Bill that I've heard of for the funding of public education."

Speaker McPike: "Does anyone else have a question? Does anyone...yeah, Santiago has a question. Representative Santiago has a question. Mr. Olson, we will get to you any second now. You're...you're probably next...or next after next or next after next. Mr. Santiago."

Santiago: "Thank you, Mr. Speaker, Members of the House. Will the Sponsor yield for a question?"

Speaker McPike: "Yes."

Santiago: "Representative Bugielski, how is bilingual education is going to be affected by this program?"

Bugielski: "It is not addressed in the Bill."

Santiago: "It is not addressed in the Bill. Well, Mr. Speaker and Members of the General Assembly, what we're doing...right now, we're losing the whole perspective of education under this program. I'm for some type of a budget system, but for a system that is going to be equal for every child in the State of Illinois. What we really need in our school system is discipline, morality and a strong curriculum and we also need some positive role models. That's what we really should start concentrating on rather than throwing the whole educational system up for grabs. I think that the best solution to this problem right now is to try a pilot program in four or five different areas in the State of Illinois and see how that works and see how...what are the affects of the programs are, but to go...come out and throw out...throw out the whole educational system up for grabs, it...I think it's a mistake and it's not going to help anybody. Thank you very much."

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

50th Legislative Day

April 27, 1993

Speaker McPike: "No, there's a lot of people that have questions on this Bill. A lot of questions left. Mr. Flinn, there is a lot of people that want to ask a question on this. Representative Steczo. Mr. Steczo."

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

Speaker McPike: "Yes, he will...he will yield."

Steczko: "...Mr...Representative Bugielski, did I hear your comment to Representative Persico, was that if a...if a parent receives a \$1000 voucher and sends their child to a private school where the tuition is greater than the amount of the voucher, that the parent would be responsible for furnishing the rest of the tuition costs?"

Bugielski: "Yes."

Steczko: "What happens if the parent doesn't have the remainder of the tuition costs?"

Bugielski: "Well, then he wouldn't be sending that child to that school. It's the same reason why they don't send them to the schools right now. It's the same idea when you go to a private college. Could you afford Notre Dame University or could you afford to send your son to the University of Illinois? Be realistic."

Steczko: "Isn't there a presumption in this Bill, however, that providing these vouchers and by allowing children to go wherever they wish, that...that child...child should be attend...be able to attend in that school? Isn't there a presumption that with this voucher that child should be able to go anywhere they wish?"

Bugielski: "Wherever they could afford to go. Yes."

Steczko: "Whatever...what happens to this situation where there is more kids with vouchers and with money than room in the school?"

Bugielski: "Well it's up to the...it would be on the first-come,

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

50th Legislative Day

April 27, 1993

first-serve basis. When the schools have seats available, they would take the students, if they don't they wouldn't take 'em."

Steczo: "It is...the Bill says, first-come, first-serve?"

Bugielski: "No, it does not."

Steczo: "So, they would have to make decisions and they could make decisions anyway they wish?"

Bugielski: "I think any private school would love to be in that situation."

Steczo: "Is there...has the question of cost been discussed? Mr. Bugielski? Has the question of cost been discussed? The fiscal impact of the state?"

Bugielski: "Yes, that has been mentioned already."

Steczo: "What numbers were given?"

Bugielski: "You'd have to ask Representative Gash. She gave that out. She sits right in front of you."

Steczo: "On...on another matter, the Heartland Institute in a...a study that they did indicated that one of the failings and weaknesses of this Bill was that it provided the State Board of Education would be responsible for issuing all the rules and regulations. Do you see that as a problem?"

Bugielski: "No."

Steczo: "Is there any direction given to the State Board of Education as to the kind of rules and regulations they would...they would issue?"

Bugielski: "It's up to the State Board of Education."

Steczo: "So, actually they could...they could using rules and regulations toward this Bill? If they chose?"

Bugielski: "Yes."

Steczo: "One final matter, Mr. Bugielski. The...the State Constitution provides explicit language relating to assistance to private schools. How would this Bill impact

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

50th Legislative Day

April 27, 1993

that language in the State Constitution?"

Bugielski: "This is just like...as I mentioned before, it's like the GI Bill, and we feel that they'd be able...the courts would rule in our favor."

Steczo: "Does the United States Constitution have similar language as the Illinois Constitution?"

Bugielski: "Yes, they do."

Steczo: "The United States Constitution does? Has similar language about assistance to private schools as does the Illinois Constitution?"

Bugielski: "I'll research that."

Steczo: "Mr. Bugielski, I appreciate your forthrightness; however, I think that there are enough questions about the...the impact and the ability for everybody who wishes to send their child to a private school being able to do so (especially those who don't have the means to make up the remainder of the tuition), certainly presents problems for me, and I think I'll...I would encourage everybody to think about that part of the voting. Thank you, Mr. Speaker."

Speaker McPike: "Mr. Bugielski, there's a lot of people who want to ask more questions on this Bill. Representative Ryder."

Ryder: "Mr. Speaker, Representative Hannig and I would like to know if we can ask a question of the Chair?"

Speaker McPike: "Yes."

Ryder: "We would like to know if it would be appropriate for Representative Hannig and I to introduce the...Macoupin County Alternative School, who is here watching this debate. These are students that have gone back to school after having left school. We're glad to have them and would it be appropriate if I introduce them?"

Speaker McPike: "I don't think you can introduce them by name. I don't think you can give all their names."

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

50th Legislative Day

April 27, 1993

Ryder: "You're right, I cannot introduce them by names."

Speaker McPike: "Right."

Ryder: "Thank you for the courtesy, Mr. Speaker."

Speaker McPike: "Yes. All right, Mr. Edley."

Edley: "Thank you, Mr. Speaker. May... Will the Sponsor yield for a question? Representative, in a previous questioning, I think it was...it left the impression that if a public school student took that voucher and went to a private school that the public school that he was attending would not lose general state aid. You weren't leaving that impression? You didn't intend to leave that impression with the people, were you? Because the general state aid is based on average daily attendance at that public school and a student no longer attending a public school would not be counted as in that average daily attendance, so that public school would lose the general state aid associated with that student. Isn't that correct?" So, if your public..."

Bugielski: "Not necessarily, because we do not change the state aid formula."

Edley: "What?"

Bugielski: "I said not necessarily, because we do not change the state aid formula."

Edley: "Well, you don't have to change the state aid formula, that's the way the state aid formula reads. It's the attendance, the average daily attendance at the public school which determines how much state aid they're getting. So, if you get a public school that is getting a \$1,000, \$1,500, \$2,000 in general state aid and that student leaves and takes the \$1,000 voucher and goes to a pri...private school, his former public school loses \$2,000 in general state aid. That's...you don't have to change the formula,

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

50th Legislative Day

April 27, 1993

that's...the way the formula operates."

Bugielski: "That could happen...that could happen even if there was not a scholarship system."

Edley: "I can...I can't hear you."

Bugielski: "I said that could happen if there was not a scholarship system."

Edley: "But, the voucher is an inducement for that student to leave public schools."

Bugielski: "That's it. It's an inducement to go to the school of their choice where they feel they are going to get the best education."

Edley: "I...I didn't hear the last comment, but there is no question that the current state aid formula, you say you are not changing the state aid formula, is based upon that public schools average daily attendance and to the extent that the voucher if it's used, the student can't be in two schools at the same time; he'll be going to...they'll be going to a private school and off the public schools enrollment. That's it."

Speaker McPike: "Representative Bugielski, do you want to answer that question?"

Bugielski: "No, I'm not asking it. No, I have no questions to ask."

Speaker McPike: "All right, Representative Bugielski, do you have any questions on this Bill?"

Bugielski: "No, I think they've all been answered already, Mr. Speaker."

Speaker McPike: "All right. Does anyone else have any questions? Representative Andrea Moore."

Moore, A: "You...you..."

Speaker McPike: "There's got to be a lot of questions left. There's about 50 people seeking recognition, Representative

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

50th Legislative Day

April 27, 1993

Bugielski."

Moore, A: "Thank you, Mr. Speaker. Will the Sponsor yield for one more question? A point of clarification at least?"

Speaker McPike: "Yes...yes, he'll yield."

Moore, A: "The \$1,000, I understand the premise for the private school. It's the public school situation that is not clear to me. If I could create the scenario so that...so that I could get a 'yes' or 'no'. Each student in the public school system can sign up for this \$1,000 voucher and the school will receive that money from the State of Illinois?"

Bugielski: "Correct."

Moore, A: "In addition to that, each public school will receive its current level of state funding through the state aid formula?"

Bugielski: "It does not address that issue."

Moore, A: "Well, that's... So, all right, if it didn't address it, then the state aid formula would go fa...we are to assume that the current level of state aid funding that goes to each of the public schools will continue..."

Bugielski: "Correct."

Moore, A: "And the \$1,000 will be on top of that?"

Bugielski: "Correct."

Moore, A: "Where is this additional money coming from?"

Bugielski: "Well, that's...that's what a previous speaker mentioned about the 4% transfer. If 4% decide to move, it's going to be a wash. If 8% transfer, the state is saving \$300 million."

Moore, A: "Thank you."

Speaker McPike: "All right. Mr. Black has a question."

Black: "Yes, thank you very much, Mr. Sponsor. We've been on this so long, I have forgotten who the...who's the Sponsor, Mr. Speaker? I've forgotten, we've been on this for so

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

50th Legislative Day

April 27, 1993

long."

Speaker McPike: "I think it's Representative Salvi."

Black: "Okay, well he isn't here."

Speaker McPike: "Take...do you want to take the Bill out...do you want to take this Bill out of the record?"

Bugielski: "No."

Speaker McPike: "All right. Will you yield for a question from Mr. Black?"

Bugielski: "No, I'm just say I would rather ask for a roll call at this time."

Black: "I have a really important question."

Speaker McPike: "Mr. Black answered the...ask the question and then we'll see if he'll answer it."

Black: "Yes."

Speaker McPike: "Ask it, go on, ask it."

Black: "Representative Bugielski, if you persist in this roll call, are you buying lunch?"

Bugielski: "I didn't get any. I don't get the certificate."

Black: "Well, I...I have a choice of what I'd like to order, I think it's relevant to this Bill. Mr. Speaker, to the Bill. The Sponsor is being evasive. ...He refuses to answer my question. There are some serious questions, in all seriousness of the Chair, about this Bill. For example, it doesn't address those that are doing their ed...getting their education at home, which is a growing phenomenon, I might add, in the State of Illinois and it doesn't address whether or not those people getting homebound instruction by their parents will also get this voucher. So, this Bill has not been very well drafted and when and if it comes for a roll call, I suspect that everybody will vote accordingly."

Speaker McPike: "All right. Representative Olson. I've been

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

50th Legislative Day

April 27, 1993

told I shouldn't recognize you because you resigned last week."

Olson: "The...on that issue, Mr. Speaker. I went...I went back to my office, had a 7-up because I knew I wasn't ready to drive a car. Then I got into my car and I got about ten blocks up the road, but I turned around and came back; I have too much fun down here."

Speaker McPike: "All right. Mr. Bugielski, can you answer that?"

Bugielski: "No, I can't."

Olson: "Representative, is this fun down here?"

Bugielski: "Lots of fun."

Olson: "That's the way I feel. Once in a while I get a little emotional and I won't apologize for that, that's my Swedish nature, Mr. Speaker. The... On this issue, Representative Bugielski. Across this state, we are very diversified and I wonder if you...you've...have you considered how the different areas may be affected by this?"

Bugielski: "The whole state will benefit."

Olson: "Okay. I think there would be an exception to that. Let's say there is a small school, a school of less than 100 students (and we have them in downstate Illinois) and maybe you're a half hours drive from a larger school. The small school is borderline, they're having doors...having trouble keeping their doors open financially. But in that small town, Mom or Dad, one or the other may work in the larger town, they commute daily and there is a perception perhaps that the school in the larger town is a better school. So Mom goes to work, she takes her fifth grader with her or her sophomore, drops him...him or her off at school; along with them goes a \$1,000. It's one less student in that small school, so all the state aid relative to enrollment stops at that school. Let's say there's 20

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

50th Legislative Day

April 27, 1993

Moms and Dads do that and the enrollment of the school is 90 people, 90 children. They're down to 70. They're on their way to bankruptcy. You're gonna close the door of that small school, that won't work. Let's say it's a little bit bigger and the small school stays open. What's left in that small school? It's the children of Mom and Dad who don't have the money or don't have the opportunity to take their children to the better school. This is going to promote segregation in downstate, segregation between the levels of parents relative to their pocketbook. There may be Mom and Dad in the small town that don't even own a car or can't drive, that exists believe it or not. That child will be limited to that small school, the small school that is becoming more deficient in money all the time. If you're a downstater, think about this issue very carefully. I see a lot of mixed emotions about this Bill in this room, and I think we're just a little premature. And I would also remember the first choice Bill that we had down here. It was \$50, \$50. Now we're up to a \$1,000. It'll get bigger. It'll get bigger and thank you, Mr. Speaker for the courtesy. I'm enjoying it."

Speaker McPike: "All right. Who else has a question? Anyone? All right, Representative Clayton has a question."

Clayton: "Thank you very much. I'm trying to get a good handle on exactly the funding of this. Now, if I've understood the debate properly, the...the school formula will not change the...that money won't be distributed and then the \$1,000 voucher money would be over and above that. Where does the money come from?"

Bugielski: "It comes from...it comes from anything additional in fiscal in the state aid over fiscal '93."

Clayton: "So, the \$1,000 vouchers would be paid for only with the

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

50th Legislative Day

April 27, 1993

money that's left over from the formula. Is that correct?"

Bugielski: "Yes."

Clayton: "That's what I mean. Is there an answer?"

Speaker McPike: "I...I'm thinking not...I'm not sure."

Bugielski: "I said 'yes'. It does not take away from the current state formula."

Clayton: "So, it's paid for with money that's left over, \$316 million?"

Bugielski: "It's not going to be \$316 million because you're going to have the transfer students. If you were listening before, with the 4%, it's a break even."

Clayton: "Thank you."

Speaker McPike: "Does anyone else have a question?"

Bugielski: "Roll call, I ask for a roll call."

Speaker McPike: "Just a minute now. Just a minute, let's be fair. All right, Representative Martinez has a question. I'm sorry, Representative Martinez."

Martinez: "Thank you, Mr. Speaker. In all this discussion, there's one point, hasn't been discussed in the least bit and that's why some children would rather take a voucher and go to another school of their choice. I think that one of the main reasons is obviously that they are not learning where, where they are at. I think that the system itself is... I mean, there was a speaker here a few seconds ago stated that, well, a lot of statements have been made, but I'll just address one, and I recall some months back where this same person railed against how the Board of Education let the money go down the sewers when we were constantly year after year we have to see these people in front of us asking for additional funds. They don't even finish a season of school and they were already projecting...lack of funds, a shortage of funds and their need to come back to

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

50th Legislative Day

April 27, 1993

the Legislature. I think that's one of the reasons that it has to be weighed in this question. The school system itself is...is at fault."

Speaker McPike: "I'm going to put the timer on."

Martinez: "And there's...there's...different...for instance I have a different approach to this question and that's that my district, as well as some of the previous speakers', which they haven't addressed. There's a lot of chronic shortage of school space. In my...in my district...overcrowding is...is beyond description. I have toured some of the schools in my district and I find that students are being...they are being taught in hallways and basements, boiler rooms, wherever the heck they can fit 'em. I think...I think this is a disgrace to the State of Illinois. This measure would allow...students that are being taught under overcrowded conditions to be able to...transfer to schools where...where there is...space and where they...can learn under...under conditions other than what they're being. And mind you even if these people, these students are being taught in...in these areas of...like I said, hallways, basements and even gyms, I don't think that that's conducive to...to teaching and learning, but the state is...providing these districts with the funds, so I...I myself have another program in line with this. Mine is directed at the overcrowding in my district. It's my...my contention that...we can...allow...vouchers for children that are in overcrowded conditions that they can be paid...a voucher by the state to learn at...at some...facility that's conducive to their...to their learning. It's my understanding that...a \$1,000 would be...paid by the state and that additional charges would be...would have to be borne by the parents of

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

50th Legislative Day

April 27, 1993

the children. So... The I believe that if \$1000 of that child's allowance were to be paid to a facility where they can learn with a little more elbow room and better conditions, the remainder of that allowance from the state would remain with the state, so it's not...it's not a losing proposition for the state which is every time...a voucher Bill comes up, everybody gets into a big dither. The unions, the teachers, the engineers; everybody gets into the act, so I say that if we're gonna..."

Speaker McPike: "Mr. Martinez, would you repeat that question?"

Martinez: "I don't remember it myself now."

Speaker McPike: "Mr...Mr. Martinez, are you finished?"

Martinez: "I guess so. You got about an hour? In short, I would just like to say that I support...House Bill 890..."

Speaker McPike: "Mr. Woolard has a question of Mr. Martinez."

Woolard: "I would like for the Body to authorize my...giving of my five minutes to Representative Martinez, who has an important discussion on this Bill."

Speaker McPike: "Well, I'll tell you how this got started. Now Representative Bugielski closed; Representative Lou Jones got mad because she didn't have a chance to ask a question. Now an hour later, we're on Representative Martinez. All right, Representative Turner has a question."

Turner: "Thank you, Mr. Speaker. Move the previous question, please."

Speaker McPike: "All right, let's see, who else has a question? Let's see, Mr...Mr. Levin, do you have a question? All right, Representative Levin. Mr. Levin."

Levin: "Will the Gentleman yield?"

Speaker McPike: "No, he won't yield. He won't yield. No."

Levin: "Well, Mr. Speaker, how do you ask a question if he..."

Speaker McPike: "He said, he said, two times ago, he would not

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

50th Legislative Day

April 27, 1993

yield any more."

Levin: "Then maybe...Representative Martinez will answer a question?"

Speaker McPike: "No, he talked against the Bill. Representative Levin, to on, ask your question."

Levin: "Well, you know. The question that I wanted to ask if there is somebody to answer it is, 'Under existing law, and it's my understanding that private schools can have boys only or girls only, they can have only people of a particular religion; does this Bill change that in terms of people who will apply under this voucher?' So, they can continue to discriminate and if you are the wrong religion or you're the wrong sex or the wrong ethnicity, you've got that \$1,000, but you're not going to be able to use it in the school of your choice."

Speaker McPike: "Representative Hoeft, do you have a question? Do you have a question? Representative Hoeft has a question."

Hoeft: "Thank you, Sir."

Speaker McPike: "This is the last one that is seeking recognition."

Hoeft: "Mr. Speaker, I have a number of questions dealing with this. I agree in principle, but my questions are; We have a free public school transportation system. Does this include unlimited transportation between schools and districts? Does this mean that we can have individuals going from one special education coop to another?"

Speaker McPike: "Just a minute, Representative Martinez has a point of order."

Martinez: "Thank you, Mr. Speaker. I just want to clarify the...the Speaker on a point. You stated that I was against the Bill, I'm sorry, but I'm for it."

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

50th Legislative Day

April 27, 1993

Speaker McPike: "Oh..."

Martinez: "Matter of fact, I'm a Co-Sponsor of it."

Speaker McPike: "Oh, okay...well, there was so much noise that it was difficult to hear the question that you had asked. All right, Mr. Hoeft."

Hoeft: "I would question where the state is going to get the \$300 million that I believe that this will cost from the state aid formula. I would question, are the rules of the State Board of Education going to have to follow the money in these private and parochial schools be under the same rules? My question is, is this constitutionally correct, and with the State of Illinois funding system for education where the local school districts pay so much, what is the incentive to have an excellent local educational system if, in fact, your neighbors can come in and take your tax dollars to educate their children. I would ask that you consider all of these questions. Thank you."

Speaker McPike: "You know the people that are hollering for a roll call are those people that have already talked. All right, Mr. Bugielski, to close."

Bugielski: "Mr. Speaker, I think you've had you've fun. You made a joke out of this. I take it seriously. I'm sorry, every Member of this House has the right to bring a Bill to this chamber on behalf of their constituents. I have done my part; you've carried this out. You've had your fun with it, and I ask for a roll call."

Speaker McPike: "The question is, 'Shall House Bill 890 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 24 'ayes' and 78 'noes'. House Bill 890, having failed to receive the Constitutional

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

50th Legislative Day

April 27, 1993

Majority, is hereby declared lost. House Bill 1732. This Bill's on Second Reading. Has it been read a second time previously?"

Clerk Rossi: "The Bill's been read a Second time previously."

Speaker McPike: "Are there any Amendments?"

Clerk Rossi: "No Amendments, but a fiscal note has been requested by Representative Lang."

Speaker McPike: "Mr. Lang has requested a fiscal note. Representative Laurino. Mr. Laurino?"

Laurino: "Yes, Mr. Speaker. I appreciate Representative Lang's concern about the City of Chicago inasmuch as..."

Speaker McPike: "Mr. Lang."

Lang: "Thank you, Mr. Speaker. I'll give the Sponsor an opportunity to move his Bill, if he wishes and withdraw the fiscal note."

Speaker McPike: "The Gentleman withdraws the re...request for a fiscal note. Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1732, a Bill for an Act relating to educational scholarships for school children. Third Reading of the Bill."

Speaker McPike: "Representative Laurino."

Laurino: "Well, thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill essentially does the same thing that Representative Bugielski's Bill did, except for the fact that it reduces the scope to just the City of Chicago, and I don't think there's any necessity for further questions. I just would ask for an affirmative 'aye' vote and let the City of Chicago handle its educational problems and hopefully the state will see the error of its ways and come back and want to be in compliance with this Bill. Thank you."

Speaker McPike: "All right, we've discussed the same issue now

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

50th Legislative Day

April 27, 1993

for an hour-and-a-half, so the question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 21 'ayes', 82 'noes'. House Bill 1732, having failed to receive the Constitutional Majority, is hereby declared lost. Representative Tom Johnson."

Johnson, Tom: "Speaker, I'd like to change my vote to 'aye' on that last one."

Speaker McPike: "Change your vote to 'aye' on which Bill?"

Johnson, Tom: "I meant to..."

Speaker McPike: "On which Bill?"

Johnson, Tom: "(House Bill) 1732."

Speaker McPike: "All right. The Gentleman indicated that he would have voted 'aye' on 1732. House Bills, Third Reading. We're gonna go through the Calendar once, on Third Reading. Business and Job Development, Representative Kotlarz, 2268. Kotlarz. Do you want this Bill called? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2268, a Bill for an Act concerning development of public infrastructure. Third Reading of this Bill."

Speaker McPike: "Representative Kotlarz."

Kotlarz: "Representative Ostenburg will be speaking to this Bill."

Speaker McPike: "Pardon me?"

Kotlarz: "He's going to handle the Bill."

Speaker McPike: "Who?"

Kotlarz: "Representative Ostenburg."

Speaker McPike: "Representative Ostenburg. Mr. Ostenburg?"

Kotlarz: "Take it out of the record."

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

50th Legislative Day

April 27, 1993

Speaker McPike: "All right. Out of the record. Civil Justice, Third Reading, House Bill 92, Mr. Lang. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 92, a Bill for an Act concerning child support. Third Reading of the Bill."

Speaker McPike: "Mr. Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 92 deals with penalties for lack of payment of child support. We're all aware that we've been discussing for some time increase in child support guidelines and I was happy to vote for that, but the real problem in the area of child support are thousands and thousands and thousands of people who are under order to pay child support that willfully refuse to pay it. There isn't enough teeth in our laws to get people to pay it and this...this Bill, when it becomes law, will put more teeth into those laws. It will allow suspension of state licenses for failure to pay. It will allow courts to summarily, if someone is willfully not paying their child support for six months or more, put someone in jail. The...the history of this is that where courts have threatened jail time to someone that doesn't pay, miraculously, they pay. And so the purpose of this Bill is to...is to move along the process and make sure that people that aren't paying their child support, who can pay it, do pay it. There are Amendments on this Bill that have been agreed with the Department of Public Aid. They're in complete support of this Bill, and I would ask your 'aye' votes."

Speaker McPike: "The question is, 'Shall House Bill 92 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative Schoenberg."

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

50th Legislative Day

April 27, 1993

Schoenberg: "I just had a question for the Sponsor. You can nod your head yes or no. Does this in any way impair or impede the ability of private firms to collect child support? Thank you."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 105 'ayes', 5 'noes'. House Bill 92, having received the Constitutional Majority, is hereby declared passed. House Bill 365, Mr. Homer. Mr. Homer? Out of the record. House Bill 408, Mr. Steczo. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 408, a Bill for an Act to amend the School Code. Third Reading of this Bill."

Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 408 is a Bill that increases penalties for knowingly enrolling or attempting to enroll a non-resident of a school district in that district on a tuition-free basis or to knowingly or willingly present to a school district false information regarding the residency of a pupil. It's been happening in many school districts throughout the State of Illinois..."

Speaker McPike: "Representative Dunn, in the Chair."

Steczko: "Is that students are being registered and those parents or guardians are knowingly falsifying the information to allow the children to go to those districts on a tuition-free basis. The school districts are spending a lot of time and energy trying to find the violators and only to find that the courts and the states attorneys are not taking the matter seriously when, in essence, approximately \$5,000 or \$6,000 per child is being stolen from that school district. So, this Bill attempts to make

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

50th Legislative Day

April 27, 1993

the penalties a little...a little to...it attempts to increase those penalties, so that...these people will seriously think about...engaging in this kind of provision of false information. Mr. Speaker, I'd answer any questions that the Members might have."

Speaker Dunn: "The Gentleman from McHenry, Representative Skinner on the question. Representative Skinner, do you wish to talk? Do you wish to speak?"

Skinner: "Let's say House Bill 890 had passed and I have a \$1,000 voucher and I come to your school and say, 'Here's a \$1,000 voucher.' Would I have to pay additional tuition or would the local school district to which I'm applying have to eat the extra money?"

Steczko: "Mr. Skinner, the local... Well, it's a funny question, had 890 passed, but...all I can relate to what's happening today. I presume the local district would have to eat the extra money. Today, they can't. There is a...there is a provision that says if your child wants to go to another school district, that if you pay the tuition to that district, your child can go anywhere that they wish. What's happening in some areas, parents are falsifying information about residency in order to qualify for that free tuition."

Skinner: "All right. Let me...let me... If I do not live in the school district and I come in to the school district, I have to pay the tuition. Correct?"

Steczko: "Correct. That's correct."

Skinner: "How would 890 have changed that?"

Steczko: "Representative Skinner, I don't know how 890 would have changed any of that, because I wasn't the Sponsor."

Skinner: "All right, what section...could you tell me what section this is in the School Code? Is it Section

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

50th Legislative Day

April 27, 1993

10-20.12(a)?"

Steczo: "Well, it adds Section 10-20.12(b), but it...it does affect, yes, 10-20.12(a)."

Skinner: "Thank you."

Speaker Dunn: "The Lady from Cook, Representative Monique Davis."

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

Speaker Dunn: "He indicates he will."

Davis: "Representative, what is an eleemosynary institution?"

Steczo: "I'm sorry."

Davis: "What is an eleemosynary institution?"

Steczo: "I don't know. A charitable institution."

Davis: "Oh, it's a charitable institution."

Steczo: "Charitable."

Davis: "Now, what is the...what will happen to...is it the student or the parent who will be penalized?"

Steczo: "It would be the parent who would be penalized for providing the false information..."

Davis: "What kind of penalty would they get?"

Steczo: "Class C misdemeanor."

Davis: "Class C, and what does that mean?"

Steczo: "I'd have to look up that penalty for you, Representative Davis."

Davis: "Maybe Representative Homer or somebody can tell you real quick. What is a Class C misdemeanor? Thirty days in jail. Wyvetter, Representative Younge, says she thinks they should get life. Representative Mary Flowers says she thinks they should be hung. Representative Lou Jones says they should be electrocuted, and you only want them to get 30 days in jail for falsifying these school papers so that their children could get into a school district in which they do not reside. You know there are some children, who because of problems in the Chicago public schools, may go

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

50th Legislative Day

April 27, 1993

to live with an aunt, an uncle, a friend. Will those children be classified as lying if they say that they reside in that particular district?"

Steczo: "If those children have actual residency, no they will not be..."

Davis: "What...what will say actual residency? If a child is coming to spend the week, the school year with me, because of previous problems or whatever in another district, he's staying with me, after the school district...after schoolin June, he's going home. He'll be back in September to attend the school in another district."

Steczo: "There are certain rules and regulations that school districts adopt which...which specify what has to be done to accomplish residency, be it guardianship or be it some statement from the parents that, in fact, the other people have residency which then covers those...which then covers those children."

Davis: "They would have to have guardianship papers in order for that student to be a legal resident of that community. Is that correct?"

Steczo: "Well, whatever...whatever stipulations the school district has to determine residency, Representative."

Davis: "Representative...I think I missed what you're actually trying to prevent. What is it that you're really trying to prevent?"

Steczo: "We are trying to prevent individuals, who live in one district, falsifying information, stealing money from property tax payers of another district, without prov...without actually being residents of that school district. It's not targeted at anybody in particular. This is happening all over the suburban area and in many cases all over the state."

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

50th Legislative Day

April 27, 1993

Davis: "Where children are moving around and you think that their parents should serve 30 days in jail when they do that."

Steczo: "Representative Davis, let me just tell you that if you steal a computer that's worth \$1,500, you can probably get worse than a Class C misdemeanor and the cost of stealing this education for one year is well over \$6,000. Although, we may not look at it that way, that is, in fact, the situation."

Davis: "So, Representative, there are people who want to learn so badly and who want to learn so well, that they would actually steal those educational services that a district can provide."

Steczo: "There are ways to comply with the law. This is an attempt to either force people to comply with the law or let them know that willingly...willingly and knowingly falsifying information is not in the best interest of the state or themselves. It is against the law."

Davis: "How would you feel... Representative, how would you feel when the sheriff says to you, 'Our jail is full because we have 30 parents who lied on applications in a school district, so we really can't put that thief in or we can't put that rapist in jail; we're gonna have to...suspend the sentence on him, because there's no room. We've got all these parents in our county jail for lying on those school applications, stealing a good education for their children from the State of Illinois'. To the Bill, Mr. Speaker. As usual, we think penalizing people and filling our jail system will solve the problems of the state, when it won't. We need dollars in every district, not just Chicago, and when we start to equitably fund education, a number of these other problems that result will probably end. Again, I urge another 'no' vote."

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

50th Legislative Day

April 27, 1993

Speaker Dunn: "The Lady from Kane, Representative Lindner."

Lindner: "Thank you, Mr. Speaker. I would like to be recorded as an 'aye' vote on House Bill 92."

Speaker Dunn: "Let the record reflect that Representative Lindner would have voted 'aye' on House Bill 92. The Gentleman from DuPage, Representative Persico."

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

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

Persico: "Representative, I guess I just want to get the jest of your whole Bill. You are not trying to get or penalize people that for whatever reasons move in with a legal guardian, whether it be an aunt or an uncle or a friend or something, as long as they establish or meet the req...residency requirements of that district. Is your Bill, then, just attempting to...deal with the individual which may get on a train and get off at a certain set...stop and attend that public school in that area, without meeting the residency requirements?"

Steczo: "That is correct."

Persico: "Thank you."

Steczo: "That is all that this Bill does. It tries to put teeth into the current law."

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

Johnson, Tim: "Well, I...I think people ought to listen to see what we're doing here. I know Representative Steczo is trying to address a problem, but really the problems that are created by this Bill are far greater than the problems that he's trying to solve. The language of the Bill provides that no person shall attempt to enroll a person in a school district, when you are not a resident of the school district. There's a lot of problems with the Bill."

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

50th Legislative Day

April 27, 1993

First of all, there's a number of families not only in Chicago, but downstate as well, who for family problems and for a variety of other reasons have their children live with a grandparent or aunts or uncles, brothers or sisters. No residency, but they live with their grandparents, their aunts or uncles, their brothers or sisters. That would make them Class C misdemeanors up to 90 days in the penitentiary or in jail. Other situations where people won't have the money to do it they go and get a legal guardianship in order to be able to change the residency or where someone goes to school. The problem again is, does that legal guardianship then meet the standards of this Bill which provides they have to be a resident. The answer is that it doesn't. You can get a legal guardianship under different bases than meeting residency requirements; again, a Class...Class C misdemeanor. The problem here is that if we want to create a Bill and maybe we should, that give more teeth into the situation that Representative Steczko refers to, then we should do it. We should perhaps provide for more civil penalties. We should provide for injunctive relief. We should provide for maybe better monitoring. But, my golly, in a time when we've already put half the...half the State of Illinois in jail, do we want to pass a new law that creates in some cases peo...people who are willful and in other cases people who simply fall through the cacks...crack, the eligibility to go to prison for three months for this activity. I think the answer is that we do not. You only have to look at Chicago public schools to see there and downstate schools for that matter, there are a wide, wide variety of circumstances where individuals go to school other than where a resident and I would surmise in 95% of those cases tuition is not paid.

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

50th Legislative Day

April 27, 1993

Look at King High School, it's better than most college basketball teams. I would guess that their...Coach Cox will be in big trouble if this Bill passes. But notwithstanding that, I don't think Coach Cox or the parents of the kids or anybody else are out to do anything that they consider criminal. There are a variety of circumstances in the neighborhoods, a variety of circumstances in the family and society that lend themselves to this activity. If we need to do something about it to toughen it up, let's do it, but let's don't draw a Bill that's so widely drawn that it catches people in the net who shouldn't be caught in a net, who have very legitimate reasons for doing what they're doing and wind up putting a whole series of people in jail for 90 days when we can address it in a much more narrow way. So, with due respect to my good friend, Representative Steczo, who I know is sincere in this attempt, I don't think the language of the Bill does what we want...what he wants to do without overdoing it at the same time."

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

Homer: "Thank you, Mr. Speaker. I feel compelled also to speak against the Bill, in spite of my respect for the Sponsor and his good intentions. I represented a district in Mason County where there was a school district called Ballikye, a very tiny, small financially strapped school district where half of the residents felt the school district should dissolve or consolidate and the other half wanted to keep, understandably, their...their small school. What happened was as parents of students who were enrolled in that school became concerned about the ability of that school district to provide a quality education. Some of them purchased or rented residences in nearby Havana or had their children

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

50th Legislative Day

April 27, 1993

move there and live with grandparents or aunts and uncles in order to qualify their student, their children for that other school district. They did so not out of willfulness, but out of love for their children and a belief that their children's interest would be better served in a different school district. Now, the state board during that time didn't set back and do nothing. The state board sent investigators out to determine whether, in fact, there were violations of the school registration provisions and threatened the new school district with the loss of state aid if, in fact, it is determined that these students did not, were not actually bonafide residents of the new school district. It became a major, major source of the divisiveness within that community, and I could not in good conscience and good faith vote for a Bill that would impose criminal sanctions on those parents who found themselves embroiled in the...in the...in the issue of whether or not to keep their children in a school that they felt was not educating their children or taking affirmative action to try to get their children enrolled in a neighboring school district. You might say, 'Well, they should have paid tuition, but the tuition costs would have been absolutely unaffordable for many of those parents. I simply don't think this is a criminal issue. I don't think we ought to impose criminal sanction on parents for trying to do what's best for their children. I think the current mechanisms within the state board to deny school aid to the school districts and sanctions that are imposed in that fashion are adequate. We ought to oppose and vote against the Bill."

Speaker Dunn: "Representative Steczo to close."

Steczko: "Thank you, Mr. Speaker, Members of the House. I

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

50th Legislative Day

April 27, 1993

appreciate the comments that were made by Representative Johnson and Representative Homer relating to this...to this Bill, and I...believe the situations that were addressed by Representative Johnson are taken care of, not only by current state statute, by this Bill and by the Amendment that we've...we had added to this Bill. But the fact is that the state law currently says that you can establish residence...residency for a child who does not live within the school district and have that child attend that school district free of charge as other people, as other residents, as other students of that district do; however, there is a specific stipulation in the statutes that says, if you are a non-resident and you wish to have your children attend school, then you are required to pay tuition. To get around that situation what happens is that people lie. They knowingly and willingly falsify information to send their children to school, so what that does is penalizes the property taxpayers of that given district. So, House Bill 408 is an attempt to put people who knowingly and willingly falsify and lie relating to their children's residency on notice that that's not going to be tolerated, so they can establish residency, they can do whatever they need to do to have their child go to that district, but it's not fair to the child or the taxpayers of any given school district to have their parents lie and break the law by providing this information; and in relationship to the penalty involved here, no one wants parents like this to go to jail for crying out loud. There is a fine provision and, hopefully, that fine would be enough to have those parents...accomodate and conform to whatever the statutes and rules of those districts are. So, Mr. Speaker, I would ask for a 'yes' vote on House Bill

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

50th Legislative Day

April 27, 1993

408."

Speaker Dunn: "The question is, 'Shall House Bill 408 pass?' On the question, all those in favor vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, 30 voting 'aye', 81 voting 'no', 2 voting 'present'. House Bill 408, having failed to receive the Constitutional Majority, required Constitutional Majority, is hereby declared lost. Now, let's back up to Representative Homer's Bill. Mr. Clerk, please... The Gentleman from Vermilion, Representative Black. Did I miss your light? Representative Black? I'm sorry, I think...I overlooked you. Representative Black. Representative Black, in the Chair."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. It is a privilege for me to introduce to you today the State Champion Schlarman High School Toppetts, from Danville, Danville Schlarman. They're on a roll. They have been state champions before; 1989, 1990, they were second; 1991, they were first; 1992, they were first and again in 1993. So, would you welcome with me and before we get to that, let me ask the Clerk if he would read the Resolution. Mr. Clerk."

Clerk McLennand: "HOUSE RESOLUTION 453, offered by Representative Black. WHEREAS, The Schlarman Toppettes are State champions again, winning first place in pompom and second in dance in the small school division ("A") at the Illinois Drill Team Association State contest in Jacksonville, Illinois, on March 13, 1993; and WHEREAS, After qualifying at an IDTA Regional Contest, the Toppettes were among the squads who competed at the IDTA Super Sectionals in "A", "AA" and

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

50th Legislative Day

April 27, 1993

"AAA" divisions in the dance, pompom, kick, flag, prop, and novelty categories; and WHEREAS, In the Supersectionals, Schlarman was among 46 squads to compete at the IDTA State Contest; and WHEREAS, The members of the 1992-93 Toppettes squad are: Captains Kim Crane and Tiffany Jones, Megan Beyers, Stephanie Johnson, Gail Bays, Jodie Burnett, Kyla Monfredini, Rachel Wallace, Amy Mitchell, Jaclynn Kristunas, Kelly Davis, Sabrina Beyers, Karen Dolbee, and Laure Girard, under the expert direction of Brenda Hoehn; and WHEREAS, This group of Toppettes adds luster to the record set by the 1989, 1990, 1991, and 1992 squads, all of whom won State awards; therefore, be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Schlarman High School Toppettes on winning the State championship in pompom and the second place in dance at the Illinois Drill Team Association contest, commend them for their discipline, talent, and hard work, and wish them all the best in their future careers; and be it further RESOLVED, That suitable copies of this preamble and resolution be presented to Brenda Hoehn and the members of the squad.

Black: "Thank you very much, Mr. Clerk. You've heard the Resolution. All those in favor signify by saying 'aye'; opposed, 'nay'. The 'ayes' have it. Thank you very much. Ladies and Gentlemen of the House, let me introduce to you their Director, who has compiled a very, very enviable record in the last five years. Would you welcome with me and she'll introduce her squad members to you, Brenda Hoehn."

Hoehn, Brenda: "Thank you. Thank you, Representative Black, for the tremendous honor and opportunity, and thank you,

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

50th Legislative Day

April 27, 1993

Members of the House, for allowing us to be a part of your day. It's my pleasure to introduce to you the Members of the Danville Schlarman Toppette squad. Kim Crane, Tiffany Jones, Megan Beyers, Stephanie Johnson, Gail Bayes, Jodie Burnett, Kyla Monfredini, Rachel Wallace, Amy Mitchell, Jaculynn Kristunas, Sabrina Beyers, Karen Dalbee, Laure Girard and Kelly Davis. Again, thank you for this opportunity. We appreciate it."

Speaker Dunn: "Representative Dunn, in the Chair. Let's back up to House Bill 2268. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 2268, a Bill for an Act concerning development of public infrastructure. Third Reading of this Bill."

Speaker Dunn: "The Gentleman from Cook, Representative Ostenburg."

Ostenburg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We've had considerable discussion, of this Bill over the course of the adopting of the various Amendments that have become the Bill. I'd like to point out just real quickly that this measure establishes feasibility...feasibility study to study the feasibility of creating a for-profit publicly held corporation that will invest in state business development programs. The funds for this will come from fees that will be assessed to the programs that are participating in it. There is no cost therefore, to the state, and I would move the passage of this given how much discussion we've already had on it. Thank you, Mr. Speaker."

Speaker Dunn: "The question is, 'Shall House Bill 2268 pass?' On that question, those in favor vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Representative Parke, one minute to explain your vote."

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

50th Legislative Day

April 27, 1993

Parke: "Thank you, Mr. Speaker. I just... The Sponsor said and I didn't get a chance to ask him, but the Sponsor said that there's...that a lot of work went into it, but how does the business community feel about this and DCCA? I mean, I think that's a basic question that we ought to have been able to ask. Are they okay now on the Bill? Just nod your head. Are they okay? DCCA's okay and the business community seems to be on board, also? Thank you, Representative."

Speaker Dunn: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. One hundred fifteen voting 'aye', 0 voting 'no', 0 voting 'present'. House Bill 2268, having received the required Constitutional Majority, is hereby declared passed. The Lady from Sangamon, Representative Moseley, for what purpose do you rise?"

Moseley: "For...point of or...point of personal privilege. I'd like the record to show that I would have voted 'yes' on House Bill 92."

Speaker Dunn: "Let the record show that Representative Moseley would have voted 'yes' on House Bill 92. All right, Representative Davis, for the purpose of introduction."

Davis: "Yes. I...I really take this opportunity and I'm very appreciative for this moment. I'd like to introduce from the Chicago Board of Education, Members of the Board, Dr. Juan cruz, Mr. James Flanagan, Mr. Flanagan raise your hand, lease, f the Chicago Board: Sandra Bishop, Mrs. Sandra Bishop and Mrs. Marie Raga. These are Members of the Chicago Board of Education working very hard to do the excellent job that they do. Thank you."

Speaker Dunn: "Now back to the Order of Civil Justice, Third Reading and Representative Homer's Bill, House Bill 365."

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

50th Legislative Day

April 27, 1993

Mr. Clerk, please read that Bill.

Clerk McLennand: "House Bill 365, a Bill for an Act to amend the Code of Criminal Procedure of 1963. Third Reading of this Bill."

Speaker Dunn: "Representative Homer. Representative Homer? Out of the record. House Bill 513, Representative Pugh. Do you wish to have your Bill called, Sir? Out of the record. House Bill 743, Representative Dunn. Out of the record. House Bill 1187, Representative Turner. Mr. Clerk, please read the Bill."

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

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

Turner: "Thank you, Mr. Speaker. House Bill 1187 is a Bill that deals primarily with municipalities over three million people. And what it says in regards to choosing jury selection, it will, you will not only use the Board of Registration list, but you will also use the drivers license list. There was an Amendment #1 added to the Bill, and that Amendment merely said that that person, in addition to having a Illinois drivers license, must be a U.S. citizen, and I move for the favorable adoption of House Bill 1187."

Speaker Dunn: "Representative Black, on the question."

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

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

Black: "Representative, it's my understanding that your Bill only affects the County of Cook. Is that correct?"

Turner: "That's correct."

Black: "In your opinion, the other counties in Illinois already have this methodology, do they not? I thought we changed

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

50th Legislative Day

April 27, 1993

some time ago from registration lists to drivers license lists in downstate counties, or am I mistaken?"

Turner: "I'm not sure what the situation is in downstate counties. I believe you may be correct on that, but in Cook County, I know we've changed this or have played around with it a couple of times in my 13-year tenure here, and we're now just trying to bring it up to snuff..."

Black: "Well I...I stand in support of your Bill. Thank you very much. Mr. Speaker and Ladies and Gentlemen of the House, one of the reasons often given, as I am a precinct committeeman and often try to register people and you'd be surprised how many people refuse to register to vote, because they say then they'll be called for jury duty, and I think to get around that we need to go to a drivers license data base for jury selection. I join the Sponsor in strong support of this Bill."

Speaker Dunn: "The question is, 'Shall House Bill 1187 pass?' All those in favor vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 113 voting 'aye', 0 voting 'no', 0 voting 'present'. House Bill 1187, having received the required Constitutional Majority, is hereby declared passed. House Bill 1277, Representative Santiago. Representative Santiago. Out of the record. House Bill 1369, Representative Lang. Mr....Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 1369, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of this Bill."

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

Lang: "Thank you, Mr. Speaker. House Bill 1369 would allow a civil action to be commenced by filing a pleading against a

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

50th Legislative Day

April 27, 1993

fictitious person or entity and naming the actual defendant as...later. The purpose for this is sometimes, particularly in malpractice cases, you don't know who the actual defendant is and so rather than naming a doctor or a hospital or someone that may not be responsible, the purpose is to name a fictitious defendant so that discovery can commence and at a later point the appropriate defendant's name can be placed into the litigation, and I would ask for 'aye' votes."

Speaker Dunn: "Representative Wennlund, on the question."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think you better pay real close attention to this Bill, because what it would allow is a lawyer to file a real fishing expedition and to completely circumvent the provisions of the Medical Malpractice Act, that was passed out of here, a few years ago to provide protection against malicious law suits and lawsuits that were not worthy to be filed against doctors. So, you could file suit against Mr. Smith, do all the discovery you want, a John Doe, a Mr. Nobody, a fictitious person, go ahead and do all your discovery, take your depositions and go on a fishing expedition, to find out who, if anyone, might be liable. This is an extremely dangerous precedent. It's a major change in the Code of Civil Procedure and will allow mere fishing expeditions to find out who, if anybody, might be liable in any given situation. It's an extremely dangerous precedent, and you ought to vote 'no' on this because, I'll tell you what, when some of your constituents start getting sued, after a suit is already brought against a fictitious Mr. Doe, then you'll find out what the real meaning of this Bill is. It is an attempt to circumvent the Medical Malpractice Act and the reforms that we put in place to

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

50th Legislative Day

April 27, 1993

prevent the filing of unworthy lawsuits and lawsuits that are aimed at increasing the costs of medical care in this state. A 'no' vote is the correct vote."

Speaker Dunn: "The Lady from DuPage, Representative Biggert."

Biggert: "Thank you, Mr. Speaker. To the Bill. I, too, would stand in opposition of this Bill that in some cases the court does allow a petitioner to amend the name of the party defendant, but I think this is a dangerous precedent to make it the law, as is proposed."

Speaker Dunn: "The Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. There are 11.5 million people in the State of Illinois, but apparently for the trial lawyers of this state, that's not enough. They now have to invent fictitious people in order to sue so they can continue to have law suits. We passed major malpractice...major malpractice legislation in 1985. The Supreme Court has indicated that that malpractice package was constitutional and it is working within the State of Illinois. This is an attempt by suing fictitious defendants, John Doe, Jane Smith, by suing fictitious defendants to bypass that reform legislation, to bypass the statute of limitations and to go on what's called in legal parlance, a fishing expedition. Let's take a look and see what's...what we can find. It is...if it's allowed in this area, then it can be allowed in every place else. As a result, your constituents, the people that you represent, will discover (to their chagrin), that they've been sued under a fictitious name and now they have to pay the piper. It is a radical, radical, departure from jurisprudence within the State of Illinois, of the length and breadth of which is almost unimpossible to imagine. This is not good legislation."

Speaker Dunn: "Representative Lang, to close."

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

50th Legislative Day

April 27, 1993

Lang: "Thank you, Mr. Speaker. Firstly, this is not...a Bill for the trial lawyers. It is a Bill proposed by the Illinois State Bar Association. Secondly, all the talk about fishing expeditions aside, this is a Bill to protect unintended defendants. This is a Bill to protect against adding defendants to a case that don't belong in the case. For all the concern about adding a fictitious party so that we could proceed with the discovery, it seems to me that is far better than picking doctors and hospitals names out of the sky and adding them to the lawsuit and amending the lawsuit later. Seems to me that's far better than putting the names of people in the suit that may not be responsible, that may get some unintended indirect negative publicity. We don't want to be adding people to a lawsuit that don't belong there. The purpose of the Bill is to enable aggrieved people to proceed with their litigation and then at a later time add the person to the litigation who's really the responsible party. This is to protect defendants and to allow plaintiffs to move their litigation along. I would recommend 'aye' votes."

Speaker Dunn: "The question is, 'Shall House Bill 1369 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 22 voting 'aye', 86 voting 'no', 3 voting 'present'; and House Bill 1369, having failed to receive the required Constitutional Majority, is hereby declared lost. House Bill 1660, Representative Homer. Out of the record. House Bill 1691, Representative Homer. Out of the record. House Bill 1905, Representative Lang. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 1905, a Bill for an Act to amend the

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

50th Legislative Day

April 27, 1993

Illinois Vehicle Code. Third Reading of the Bill."

Speaker Dunn: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1905, as amended, is an agreed Bill with the Secretary of State relative to uniform traffic ordinance numbering systems. This now mirrors the Bill coming over from the Senate which was sponsored by Senator Hasara and I would ask for your 'aye' votes."

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

Skinner: "I'm sorry, you went too fast. Could you repeat that? Just describe the Bill."

Lang: "The Bill would...the Bill would create a study, feasibility study of adopting an uniform traffic ordinance numbering system."

Skinner: "Oh, okay, thank you."

Speaker Dunn: "The Gentleman from Will, Representative Wennlund, on the question ."

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

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

Wennlund: "Did Amendment #1 become the Bill?"

Lang: "That's correct."

Wennlund: "And, under Amendment #1, it's only, it only requires the Secretary of State to do a feasibility study?"

Lang: "They're prepared to do that, willing to do that and want to do that."

Wennlund: "And it wouldn't be a mandate on local governments?"

Lang: "No."

Wennlund: "So, before anything happened, there would be additional legislation?"

Lang: "That's correct."

Wennlund: "Thank you."

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

50th Legislative Day

April 27, 1993

Speaker Dunn: "The question is, 'Shall House Bill 1905 pass?' On that...let's back up a minute. The Gentleman from Cook, Representative Dart on the question."

Dart: "A parliamentary inquiry? Does this affect the home rule units that required 71 votes?"

Speaker Dunn: "The legislation does not limit home rule units and does not require 71 votes. A simple majority is required. The question is, 'Shall House Bill 1905 pass?' All those in favor vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 116 voting 'aye', 0 voting 'no', 0 voting 'present'. House Bill 1905, having received the required Constitutional Majority, is hereby declared passed. House Bill 1929, Representative Hoffman. Mr. Clerk, please read the Bill."

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

Speaker Dunn: "The Gentleman from St. Clair, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1929 would create the act of reckless corporate conduct and basically would do several things. It creates that offense if a corporate entity or a corporate official conceals from authorities any product or process that may cause death or serious injury, engages in conduct that results in that death, if they...if the corporate official or the corporate entity knew of the...that death could result, knowingly recklessly endanger the public or destroys or falsifies documents or

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

50th Legislative Day

April 27, 1993

negligently...or allows the destruction of documents pertaining to hazards the public or the corporate entities employees or agents. This essentially would set up, set up this offense. It limits, it vastly limits who is considered to be the corporate...the corporate official who could be liable under this Act and it also sets up civil penalties. I ask for an 'aye' vote."

Speaker Dunn: "Representative Wennlund, on the question."

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

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

Wennlund: "Does this Bill amend in any way the Workers Compensation Act?"

Hoffman: "No. Not to my knowledge. Only...only the Criminal Code of 1961."

Wennlund: "The Workers Compensation Act.."

Hoffman: "Excuse me...excuse me, yes, it does."

Wennlund: "I'm sorry?"

Hoffman: "I apologize. Section 10 of the Workers Compensation Act is...Section 10 of the Bill amends the Workers Compensation Act, Section 5 of the Workers Compensation Act."

Wennlund: "And can you tell us how it amends it?"

Hoffman: "Yes, it says, it gives a specific exclusion for this...this specific Act. So, it says except as otherwise provided in...in the Criminal Code, specifically this Act."

Wennlund: "To remove the exclusive remedy provision of the Workers Comp Act?"

Hoffman: "Yes."

Wennlund: "So, the worker could recover both under this Act and under the Workers Compensation Act against the employer?"

Hoffman: "No. There is always...as always, there is...there would be a set-off. Yes."

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

50th Legislative Day

April 27, 1993

Wennlund: "But, as I read the Bill on page 2, it appears to remove..."

Hoffman: "This is in no way... The intent of this is in no way to allow double recovery. Absolutely not. If that's what you're asking."

Wennlund: "But, I'm talking about the effect of it. If this Bill is passed, it will allow the worker to both sue civilly against the employer and collect under the Workers Comp Act against the employer."

Hoffman: "I would think that...in no way that this is in no way...this Bill in no way is designed to impede on the Workers Compensation Act and the right to recovery thereof; however, I think that the employer or the employee could choose the remedy in this instance and you are not going to, if you did recover under both, there would be a set-off and you would not have a net recovery greater than you would recover either under the Workers Compensation Act or under the Reckless Corporate Conduct Act. I don't think that there is any difference in this situation from a situation where you may have a third-party type of an action and there would be subrogation to pay back the employer."

Wennlund: "Thank you. To the Bill. Ladies and Gentlemen of the House, what this does is it goes around the agreed Bill process for Workers Comp and it does create a double hit against the employer. Currently, when an employee is injured on the job, he is limited to the Workers Compensation Act to recover for his injuries and for his loss of time, his loss of work. This Bill creates an additional liability for an employer by allowing an employee to have a civil action against the employer for reckless misconduct and to recover damages in both and it

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

50th Legislative Day

April 27, 1993

gives him a double dip. It's just like...this is just like the Structural Work Act, which is also an exclusion from the Workers Compensation Act. What we're going to do is we're going to make it so difficult for anybody to do business in Illinois that we're going to end up losing jobs and that's exactly what happens. Every time we put another mandate and another open...another employee, an employer to liability for whatever reason, we increase the possibility that employers are not going to come to Illinois. Employers are going to leave Illinois because of the high unemployment compensation rates, high workers compensation rates and now additional liabilities. You're exposing more of the small employers in Illinois to additional lawsuits, additional civil liability. You're going to put such an onus on small business, which is the single largest employer, and businesses are going to leave this state, and when you go back home to your district and you look at all those small moms-and-pops shops with three or four employees. What you're doing if you vote for this, you're exposing these employers to yet another liability, another high cost of doing business in Illinois. This Bill ought to be defeated."

Speaker Dunn: "The Lady from DuPage, Representative Biggert."

Biggert: "Thank you, Mr. Speaker. To the Bill. I, too, rise in opposition to this Bill. Here again, as Representative Wennlund has said, we are putting more rules, restrictions on small businesses, driving them out of this state. I think you have to be very careful about this."

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

Lang: "Thank you, Mr. Speaker. For all the talk about worrying about liability, let's take a look at what this Bill does. I rise in support of this Bill. We're talking about

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

50th Legislative Day

April 27, 1993

liability for reckless corporate conduct when the corporate official does one of the following. Conceals from authorities any product or process that may cause death or serious injury; knowingly, recklessly, or negligently engages in conduct that results in death; knowingly, recklessly, or negligently endangering the public; or destroying or falsifying or negligently permitting the destruction or falsification of documents pertaining to hazards to the public. Now, if those things are not reckless corporate conduct and if those things don't require a certain amount of responsibility on behalf of that corporate official, I can't imagine what does. This is a very well-drafted Bill to address a very real danger in our society. I ask for your support."

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

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

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

Black: "Representative, if this Bill, in addition to what has already been portrayed, includes what the Representative who just completed his remarks said, then this Bill could be aimed at those people at the national broadcasting company who had knowledge that the test of the Chevrolet pickup truck was performed fraudulently and in a reckless manner, so that we could seek regress against those people at NBC, who portrayed that pickup truck as exploding on contact even though they knew that they had rigged it to explode. Would that be your understanding?"

Hoffman: "Representative, I think that...I don't know that it would necessarily be wrong for us to be able to do that, but I'm not sure that we could under this Bill, because

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

50th Legislative Day

April 27, 1993

this would conceal from...it was only in the case of (#1), if there is death or serious injury; (#2) if...if it would...could result, it may result in...is likely to result in death or serious injury; endangers the public or destroys or falsifies documents or the destruction of documents pertaining to that hazard. Okay, I don't think NBC was percep...was specifically in that test under this Bill because I don't think they were causing a hazard to the public by doing that test. Now, I...I think that some kind of truth in advertising, truth in broadcasting Bill might be appropriate, but I don't think this Bill covers it."

Black: "Thank you very much, Representative, Mr. Speaker and to the Bill. I...this Bill doesn't apply fairly to the media, who might have some reckless conduct in knowledge and who knows the person who fraudulently rigged that truck to explode by NBC could have been burnt up in that crash and then he may have been able to get Workers Comp too against NBC. So, what we have here is a Bill that may not cut fairly across all the spectrum, and if Workers Comp is involved and other such questions, this Bill needs a lot of work, and I would suggest a 'no' vote and the Sponsor can bring it back next year."

Speaker Dunn: "Representative Hoffman, to close."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Let me just give you a few examples of what this Bill is meant to address. In the case of Homicide, in the corporate entity, Film Recovery Systems Incorporated, the company recovered silver from old x-ray films; sodium cyanide was used in the recovery process. Workers were purposely hired who couldn't read English so they couldn't read warnings. Many warnings were removed, skull and cross

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

50th Legislative Day

April 27, 1993

wish? The Gentleman from Will, Representative Wennlund, one minute to explain your vote."

Wennlund: "Mr. Speaker, request a verification if this receives the requisite number of votes."

Speaker Dunn: "Have all voted who wish? Mr. Clerk, please take the record. On this question, there is 61 voting 'aye', 50 voting 'no', 4 voting 'present'. The Gentleman's requested a verification of the affirmative vote. Mr. Clerk, please poll the absentees."

Clerk McLennand: "Representative Younge is not voting."

Speaker Dunn: "Mr. Clerk, please poll the affirmative roll."

Clerk McLennand: "Those voting in the affirmative. Representatives Balanoff. Blagojevich. Brunsvold."

Speaker Dunn: "Mr. Clerk, let me interrupt. Vote Representative Wyvetter Younge 'aye'. Please continue with the poll of the affirmative record."

Clerk McLennand: "Bugielski. Burke. Capparelli. Curran. Currie. Dart. Davis. Deering. DeJaegher. Dunn. Erwin. Flinn. Flowers. Frias. Gash. Giglio. Giolitto. Giorgi. Hannig. Hartke. Hawkins. Hicks. Hoffman. Homer. Jones, Lou. Kaszak. Kotlarz. Lang. Laurino. Levin. Lopez. Martinez. Mautino. McAfee. McGuire. McPike. Moore, Eugene. Moseley. Mulligan. Murphy, H. Ostenburg. Phelan."

Speaker Dunn: "Please vote Representative Hannig 'aye'."

Clerk McLennand: "He's already recorded as voting 'aye'."

Speaker Dunn: "Please continue."

Clerk McLennand: "Phelps. Prussing. Pugh. Ronen. Rotello. Saltsman. Salvi. Santiago. Schakowsky. Schoenberg. Sheehy. Steczo. Stephens. Stroger. Woolard. Younge and Mr. Speaker."

Speaker Dunn: "Mr. Clerk, please vote Representative Shirley

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

50th Legislative Day

April 27, 1993

Jones, 'aye'. Mr. Wennlund, questions of the affirmative record?"

Wennlund: "Pardon? Thank you, Mr. Speaker. Representative Lou Lang?"

Speaker Dunn: "Representative Lang? Representative Lou Lang, is at the well."

Wennlund: "Representative Dart?"

Speaker Dunn: "Representative Dunn? Who did you call, Sir? Representative Dart? Representative Dart is at the well."

Wennlund: "Representative Prussing?"

Speaker Dunn: "Representative Prussing is in her chair."

Wennlund: "Representative Capparelli?"

Speaker Dunn: "Representative Capparelli is at his seat."

Wennlund: "Representative Ostenburg?"

Speaker Dunn: "Representative Ostenburg is at his seat."

Wennlund: "Representative Sheehy?"

Speaker Dunn: "Representative Sheehy is at his seat. He's...well he's on the Democratic side raising his hand, near his seat." he."

Wennlund: "Representative Homer?"

Speaker Dunn: "Representative Homer? Representative Homer? Is the Gentleman in the chamber? Mr. Clerk, remove him from the roll."

Wennlund: "Representative Hicks."

Speaker Dunn: "Representative Hicks? Representative Hicks? Is the Gentleman in the chamber? Mr. Clerk, please remove him from the roll."

Wennlund: "Representative Schoenberg?"

Speaker Dunn: "Representative Schoenberg? Representative Schoenberg? Representative Schoenberg, Jay Schoenberg? Representative Schoenberg? Is Representative Schoenberg in the chamber? Mr. Clerk, please remove him from the roll."

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

50th Legislative Day

April 27, 1993

Wennlund: "Representative Steczko?"

Speaker Dunn: "Representative Terry Steczko is entering the chamber, Democrat side."

Wennlund: "Representative Currie?"

Speaker Dunn: "Representative Currie. Representative Barbara Currie. Representative Currie is entering the chamber on the Democratic side."

Wennlund: "Representative Levin?"

Speaker Dunn: "Representative Ellis Levin is in his chair."

Wennlund: "Representative Phelps?"

Speaker Dunn: "Representative Phelps, is in his chair."

Wennlund: "Representative Giolitto?"

Speaker Dunn: "Representative Barb Giolitto? Representative Giolitto? Representative Giolitto? Is the Lady in the chamber? Mr. Clerk, please remove her from the roll."

Wennlund: "Representative Morrow?"

Speaker Dunn: "Representative... Who were you calling, Sir?"

Wennlund: "He's in the chamber, I just spotted him. Nothing further, Mr. Speaker."

Speaker Dunn: "Representative Tim Johnson, for what purpose do you rise?"

Speaker Dunn: "Mr. Clerk, please vote Representative Tim Johnson, 'aye'. Representative von Bergen-Wessels. For what purpose do you rise, Representative von Bergen-Wessels? Representative von Bergen-Wessels wishes to vote 'aye'. Mr. Clerk, please vote Representative von Bergen-Wessels 'aye'. Mr. Clerk, please take the record. On this question, there are 61 voting 'aye', 48 voting 'no', 3 voting 'present'; and House Bill 1929, having received the required Constitutional Majority, is hereby declared passed. Representative Parke, for what purpose do you rise, Sir?"

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

50th Legislative Day

April 27, 1993

Parke: "Thank you, Mr. Speaker. A point of personal privilege. I'd like to take a moment to recognize all the boys and girls and young men and women that are here with us today helping page. From the Northwest Special Recreation Center and all of the other associations associated with them, and all the young people that are here on the floor helping us, we appreciate you all being here, and thank you very much, and we look forward to saying hello."

Speaker Dunn: "House Bill 1930, Representative Lang. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 1930, a Bill for an Act in relation to the civil justice system. Third Reading of this Bill."

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

Lang: "Thank you, Mr. Speaker. House Bill 1930 would create the Sunshine and Litigation Act, and this is a Bill that...whose time has come. This is a Bill that if you're interested in an open court system and an open system so that people can go into their courthouse and read files and trust that the court system is open and that justice is moving along in the State of Illinois, you're gonna be for this Bill. Because of actions by parties and lawsuits over the years, there have been settlements in cases and court documents in cases that should be public record that have been kept out of public eye, kept out of public scrutiny; and so because of that, records on some of the most heinous cases involving products liability and and other areas have been kept out of the public eye. Now, some of this to be sure has been accomplished through agreement between the parties, so we're not attacking any one party here or any kind of groups of people. But the issue here is to have an open court system, a court system that allows the people in the State of Illinois, just as in other

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

50th Legislative Day

April 27, 1993

states such as Texas and New York, to go into their courthouse and pull a court record and understand what's going on in court proceedings. If our courts are open to the public for people to listen, if our courts are open to the public for public debate, and for members of the public to hear what's going on in a courtroom, to hear how the judge rules, to hear how the parties are testifying, then we should also have a court system whose records are open to the public, and I would urge your 'aye' votes."

Speaker Dunn: "The Lady from DuPage, Representative Biggert."

Biggert: "Thank you, Mr. Speaker. To the Bill. The courts are meant to resolve legal disputes and not as to act as public information clearing houses. Limitations on protective orders will encourage law suits, resulting in businesses being sued more often and losing vital information to competitors in the process. This might mean more money for lawyers, but more lawsuits and legal expenses for everyone else. Public disclosure may work towards discouragement of settlements, further crowding of the courts and driving up the cost of litigation. I urge a 'no' vote on this Bill."

Speaker Dunn: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To the Bill. What this Bill will do, if it becomes law, will be to discourage major companies from entering into and settling litigation to keep from clogging up the courts' calendar. It will discourage settlement of serious litigation between litigants, and what you will do is if you require a disclosure of the terms of every settlement, you take away the ability of industry and of all litigants to have their settlements not disclosed to the public which, in fact, may require the disclosure of vital manufacturing secrets, techniques, mixtures, compounds, all

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

50th Legislative Day

April 27, 1993

sorts of things, and open them up so that competitors can see exactly what you're doing, or how it was built, or to get around the patent laws to provide for full disclosure. What they're really trying to do here (and this is a trial lawyers Bill), what they're really trying to do here is to open up additional areas of litigation, and what's gonna result is you're gonna have more litigation if this Act takes effect. It's gonna promote additional litigation, instead of reducing the amount of litigation that's pending. Our courts are already overclogged. This is a bad Bill and ought to be defeated."

Speaker Dunn: "The Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I, also, rise in opposition to this Bill. When a lawsuit is settled, one of the provisions that are possible, is that the judge, through the agreement of counsel, or at the request of the attorneys or the parties in the case, can seal the case and in many situations, sealing that case is a vital part of the settlement. What this Bill would do is to say the judge or those folks don't know what's best, and that everybody ought to have a chance to look at what are these documents. It allows other attorneys to then use someone else's work as an opportunity to sue a third party. If I were an attorney and I worked hard on a case, I got a good settlement for my client, and I got a better settlement for my client because I agreed to seal the case, I'd be very unhappy if now somebody in the Legislature said, 'Whatever you did in that case is public record'. If I were a defendant in a case like this, knowing that whatever was produced in discovery, whatever I said during depositions, whatever answers to interrogatories might be filed, would ultimately be public record, then I would not

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

50th Legislative Day

April 27, 1993

answer those. I would have to go kicking and screaming into court, suggesting that I would not answer the discovery. It would, at the same time, be injurious to plaintiffs and defendants. In addition to which, it would cause litigation to take longer. Court orders to be more prevalent and would, in general, slow down an already overcrowded and extraordinarily tardy legal process. All this is, is some attorneys who want somebody else to do their work for 'em, so that they can take that information, piggyback it, and sue other people. It is not a good idea. It is not part of jurisprudence as we understand it, and I would strongly suggest your opposition."

Speaker Dunn: "Representative Lang, to close."

Lang: "Thank you, Mr. Speaker. Each year in Cook County alone, over 2,400 cases are stamped confidential and hidden from the public. We have an open court system. We say we have an open court system, and yet hundreds and thousands of cases each year are hidden so that the public cannot research records, so that they can't determine what...where's there's products liability and where there isn't. Here's a couple of examples, not from Cook county, but in general. For over seven years General Motors has used court secrecy procedures to hush up information about dangerous fuel tanks that burst into flames. When suits were filed against Johnson and Johnson in 43 states for reactions and fatalities based on Zomax (a pain reliever), they insisted on protective orders to prevent injured people from alerting others who were harmed by the same drug. This is an outrage in our society. People should have the opportunity to get the information. We cannot have an open court system for some reasons and not for others, and for those that say that an attorney later down

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

50th Legislative Day

April 27, 1993

the line shouldn't have the opportunity to take the work of another attorney, the whole point here is that an open court system would allow members of the public to get whatever information they need from a courthouse. To those that say a court's not supposed to be a clearinghouse, I agree; they're not supposed to be a clearinghouse. But a court is an open procedure. The courthouse is a civil courthouse, paid for by tax dollars. The records in a courthouse are all open to the public, except these records, except these records, and for those who are concerned about costs to parties for litigation, I would suggest to you that having the information will save litigation dollars and save the cost of products down the line, because the defense would not have to do the same job all over again. This is a good Bill. If you want an open court system, you must vote for this Bill. Vote 'aye'."

Speaker Dunn: "The question is, 'Shall House Bill 1930 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Representative Kaszak wishes to vote 'aye'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Ryder, one minute to explain your vote."

Ryder: "No explanation's necessary. Just indicate should it get the requisite number, that I'll be verifying the vote."

Speaker Dunn: "The Gentleman from St. Clair, Representative Hoffman, one minute to explain your vote."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This really is just an issue of fundamental fairness, and it's an issue of notice to all the consumers in the State of Illinois. We're talking here about if something is done in this state, if something is uncovered

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

50th Legislative Day

April 27, 1993

through a court proceeding, if something is found out, that the rest of the general public's going to be able to be made aware of that piece of information. This is so, so so important, so important to the individuals of the State of Illinois, and also important for fundamental fairness to individuals. I think that everybody, everybody should really take a second look at the way that they're voting if they're voting 'no', because what we're doing if you're voting 'no', is you're saying that if, for instance, something terrible happens and there is an individual, for instance, in our area right now, there is a problem in our area with sexual allegations against some people of the Catholic faith. That should not be held..."

Speaker Dunn: "Bring your remarks to a close, Representative Hoffman."

Hoffman: "I am a practicing Catholic. However, I think that some of the court records that were frozen and not allowed to be made public at that time should be made public, so that the children (sic-parents) who are sending their kids to parochial schools are...know who is...who the...who is teaching their children. And I think that that in and of itself is enough reason, is enough reason to vote in favor of this. Because right now what has happened, many of these cases...they're being...many of these cases are being hidden from the general public, the people are not aware of it, and I think that is reason enough for an 'aye' vote."

Speaker Dunn: "Representative Lang, your light is on, Sir. Do you wish to explain your vote, Sir?"

Lang: "If this fails to get the requisite number, I would request postponed consideration."

Speaker Dunn: "Mr. Clerk, have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On

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

50th Legislative Day

April 27, 1993

this question, there are 55 voting 'aye', 57 voting 'no', and the Gentlemen requests postponed consideration. Bill 2111, Representative Lang. Do you wish to call your Bill, Sir? Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 2111, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of this Bill."

Speaker Dunn: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2111 is a Bill we visited in previous Sessions. It would require that prejudgment interests be paid on judgments from the date of the filing of a lawsuit. The purpose of this is to alleviate the problem where defense attorneys and defendants delay litigation for years and years and years at no fault to the plaintiff. It seems to me that the plaintiff's entitled to compensation from the date the lawsuit is filed; frankly, I'd like to make it from the date of the injury, but we'll settle on the day that the lawsuit is filed. It's a good Bill to protect plaintiffs and to make sure the court system moves along smoothly, and I ask your 'aye' votes."

Speaker Dunn: "The Lady from DuPage, Representative Biggert, on the question."

Biggert: "Thank you, Mr. Speaker. To the Bill. Again, this is a Bill that will hurt business in Illinois. It might be fine for the plaintiff, but it really hurts defendants. Defendants would be penalized for litigation delays as the courts struggle through the backlog of cases and really through no fault of the defendants would then have to pay interest from the time that the case was begun. If it's right for the plaintiff, it should be right for the defendant, and this is...doesn't balance it out."

Speaker Dunn: "Representative Wennlund."

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

50th Legislative Day

April 27, 1993

Wennlund: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. We're seeing as a series of Bills that will definitely have the effect of costing the State of Illinois jobs; that's what it's all about. The more we make it difficult to do business here in Illinois, the more we expose employers to liability, the companies to liability for more and more things and additional costs, prejudgment interest is gonna increase the cost of doing business in Illinois, increase the cost of litigation and is gonna end up costing jobs, and you think about even the small mom-and-pop employer back home in your district. They're gonna affected by this type of thing, also. It's not just General Motors. It's not just NBC. It's not just Caterpillar. It's the small mom-and-pop businesses that employ the biggest share of employees in the entire state. That's who you're affecting if you vote for this. This is a bad concept, and it's gonna discourage anybody from doing business in Illinois and will end up costing more jobs because employers are gonna leave the state because they can't do business here."

Speaker Dunn: "The Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I rise in opposition to this Bill, as does every major business group within this state. And the reason that they're in opposition to it, is that this Bill that allows interest from the date that the suit is filed, is a way of blackmail, because that interest starting that day allows the plaintiff to have nothing to lose by continuing more discovery, more interrogatories and ultimately the threat of the interest on top of the potential judgment, would bring the defendants to make settlements that they should not make, and that the cost of businesses would be so great that it would drive business

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

50th Legislative Day

April 27, 1993

and jobs away from this state. This idea has been soundly defeated in years past. I suggest that this a year that we should continue to soundly defeat a Bill that is anti-jobs, anti-business, and anti the people of the State of Illinois."

Speaker Dunn: "Representative Lang, to close."

Lang: "Thank you, Mr. Speaker. Is it any great surprise to anyone in this chamber that business groups are opposed to this? Of course they are. They're opposed to it because as defendants in some of these cases, there is an interest in the defense to delay these cases, and they delay and delay and delay, and it's five years and six years and seven years, and so when there finally is a settlement or a judgment, the money is worth much less to the plaintiff. The plaintiff is entitled to what they're entitled to at the time of the injury, much earlier on in the process. And if we're gonna move cases in and out of the court system and have courts that are less clogged up, we must move the cases more quickly, we must give the plaintiff's what they're entitled to, and we must discourage delays by the defense attorneys. I would encourage your 'aye' votes."

Speaker Dunn: "The question is, Shall House Bill 2111 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Kaszak wished to be voted 'aye'. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 36 voting 'aye', 77 voting 'no', 2 voting 'present'; and House Bill 2111, having failed to received the required Constitutional Majority, is hereby declared lost. House

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

50th Legislative Day

April 27, 1993

Bill 2156, Representative Tom Johnson. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 2156, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this Bill."

Speaker Dunn: "Representative Tom Johnson."

Johnson, Tom: "Yes, Mr. Chairman and Members of the House. In light of the fact that we have many children on the floor today, I am going to urge the Membership please to take a hard look at your analysis on this Bill, and hopefully not get into a great deal of discussion, as this really relates to sex acts committed against our children. The sex act provisions do not...contain an omission as it relates to the use of objects in the commission of sex acts, most often promogated against young children, and I am asking for a 'do pass' Motion on this and a vote in favor of this Bill, but again I would appreciate the sensitivity of the constituents that we have on the floor today, that you take a hard look at your own analysis before we cast this vote. Thank you."

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

Dart: "Will the Sponsor yield?"

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

Dart: "Representative, what...was there a problem or a court case that required this change in the law?"

Johnson, Tom: "Yes. The state's attorneys office in Cook County brought this to the attention of myself, and it was behind this Bill, and evidently they were having some problems as it related to the use of objects such as vibrators, et cetera, in the performance of sex acts against children."

Dart: "Was there a...I mean like a specific court ruling or anything that required the language to be changed?"

Johnson, Tom: "As I understand it from the state's attorneys

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

50th Legislative Day

April 27, 1993

office, yes the courts were reluctant to convict where objects such as these were used on children. Instead, they were talking about going to battery and those types of offenses as opposed to the sex crime."

Speaker Dunn: "Representative Tom Johnson, to close."

Johnson: "I would just ask for a favorable vote on this Bill. Thank you."

Speaker Dunn: "The question is, 'Shall House Bill 2156 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Edley wishes to vote 'aye'. Have all voted who wish? Representative Turner. Okay, I think we have 'em all on board now. Mr. Clerk, please take the record. On this question, there are 115 voting 'aye', 0 voting 'no', 0 voting 'present'; and House Bill 2156... Representative Parcells wishes to be recorded as 'aye'. Anyone else wish to vote? Now, Mr. Clerk, please take the record. On this question, there are 116 voting 'aye', 0 voting 'no', 0 voting 'present'. House Bill 2156, having received the required Constitutional Majority, is hereby declared passed. House Bill 2386, Representative Hoffman. Representative Hoffman. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 2386, a Bill for an Act to amend the Illinois State Auditing Act. Third Reading of this Bill."

Speaker Dunn: "The Gentleman from St. Clair, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. All this Bill would do...would it would redefine under the State Auditing Act, would redefine investigation to include inquiries into misfeasance. I ask for an 'aye' vote."

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

50th Legislative Day

April 27, 1993

Speaker Dunn: "The Lady from DuPage, Representative Biggert."

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

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

Biggert: "Representative, is this a change in the law, or is this just a vehicle Bill?"

Hoffman: "It is a change in the law, and it could be a vehicle Bill. I'll tell you the difference. Webster's dictionary says that 'mifeasance' is 'the doing of a lawful act in an unlawful way', and we're adding that to the Auditing Act. 'Malfeasance' is 'a wrong doing or misconduct which is positively unlawful'. So, yes it is a change in the law."

Biggert: "All right. Is this also a vehicle Bill?"

Hoffman: "It possibly... I want to change a law, but it possibly could be a vehicle Bill."

Biggert: "Thank you."

Speaker Dunn: "Representative Wennlund."

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

Speaker Dunn: "He indicates he'll yield?"

Wennlund: "Yes, Representative Hoffman, I didn't hear the last comment. Is it possible that it is a vehicle Bill?"

Hoffman: "Well, everything is possibly a vehicle Bill."

Wennlund: "Oh, so this might well be a vehicle Bill is what you're telling us."

Hoffman: "Like every other piece of legislation we pass out of here. But it does make a substantial...or it does make a change in the law, in addition to the possibility of it being a vehicle Bill."

Wennlund: "In addition. Okay, to the Bill. Ladies and Gentlemen of the House, you've seen a number of vehicle Bills passed out of this House, and you never know what they're gonna end up being used for. For all I know, it may come back as...as a tax increase, and there you are strung out,

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

50th Legislative Day

April 27, 1993

having voted 'yes' on this seemingly meaningless unimportant Bill, but when it comes back from the Senate in the form of a Conference Committee Report, it may end up with all sorts of things in it. It's a dangerous precedent to allow these vehicles to pass out of here. Who knows what they're gonna put on 'em. What it does is, it'll string ya' out on a roll call that'll be used against ya' in the next election by your opponent, when it ends up to be maybe even a property tax increase of kinds or a mandate or a tax. We should keep these Bills in here. We don't need 'em, and they're dangerous."

Speaker Dunn: "Representative Hoffman, to close."

Hoffman: "Just two things in response. Number one, I can guarantee that this Bill will not be used for a tax increase. This does make a change in the law, and it does add the word 'misfeasance' in the State Auditing Act, which is a substantial change. It says that the 'misfeasance' is 'the doing of a lawful act in an unlawful way'. Right now, the auditor can only look into 'malfeasance' which is 'wrongdoing and unlawful, positively wrongdoing in and of itself'. So, it is a change, but I'm not going to say that it may not be amended in the Senate. It will not be used by a tax increase; I'm a target, also."

Speaker Dunn: "The question is, 'Shall House Bill 2386 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Representative Black, to explain his vote."

Black: "Thank you very much, Mr. Speaker. To explain my vote, Senate Bill 960 is an identical Bill to this one. It has already passed the Senate under bipartisan sponsorship. It has been assigned to the House Executive Committee. So, we already have basically an identical Bill that's passed the

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

50th Legislative Day

April 27, 1993

Senate, it's in the House, it has bipartisan support. So, this Bill, if it goes to the Senate, will be stripped and used for something else. So, I would suggest that there is no need to vote for this Bill. The identical Bill sponsored by the auditor and requested by the Auditor General, has already passed the House. It's here in the Senate. If you want to vote for it, you get a chance. You vote for this one, it's gonna go to the Senate, it will be stripped, and who knows what it will come back as."

Speaker Dunn: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 67 voting 'aye', 46 voting 'no', 3 voting 'present'. House Bill 2386, having received the required Constitutional Majority, is hereby declared passed. House Bill 2422, Representative Dart. Out of the record. Page 7 of the regular Calendar, appears House Bill 781, Representative Cowlshaw. Representative Cowlshaw, do you wish to call your Bill? On the Order of Second Reading. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 781, a Bill for an Act to amend the Northeastern Illinois Planning Act. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Cowlshaw."

Speaker Dunn: "Representative Cowlshaw, on the Amendment."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 was a slight revision in this Bill that was suggested by the Illinois Homebuilders Association. I am not absolutely certain that the specifics of that Amendment would remain the same in the Senate. There may be some final fine tuning of this, but basically the Bill will be as it should be if we adopt Amendment #1, and I move for its adoption."

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

50th Legislative Day

April 27, 1993

Speaker Dunn: "Representative Cowlshaw."

Cowlshaw: "Mr. Speaker, I'm sorry, I have this confused with another Bill. I would like to withdraw Amendment #1, please."

Speaker Dunn: "The Lady withdraws Floor Amendment #1. Are there further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments."

Speaker Dunn: "Third Reading. Mr. Clerk, please read House Bill 781."

Clerk McLennand: "House Bill 781, a Bill for an Act to amend the Northeastern Illinois Planning Act. Third Reading of this Bill."

Speaker Dunn: "Representative Cowlshaw, on House Bill 781, on the Order of Third Reading."

Cowlshaw: "Thank you very much, Mr. Speaker. I'm sorry about there being a slight delay. I have some difficulty reaching the things in my desk at the moment, so... Senate Bill 781 is a Bill that is an initiative of the Northeastern Illinois Planning Commission. I am carrying the Bill for that entity, and what the Northeastern Illinois Planning Commission (commonly known as NIPCI) wants to do, is to review applications to change the boundaries of waste water facility planning areas as Amendments to the State Water Quality Plan, which NIPSI already does; that simply puts into the statutes what they already do. But it, also, authorizes them to charge a fee of up to \$10 per acre to the developer or subdivision applying to be annexed into the planning area, in order to cover NIPSI's costs of performing federally required review of the proposed annexation. The homebuilders and developers groups understand this. This is a user fee, and it would be a help to avoid the taxpayers of Illinois

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

50th Legislative Day

April 27, 1993

having to pay for these things, and I move for the adoption of House Bill 781."

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

Granberg: "Will the Lady yield?"

Cowlshaw: "Yes."

Speaker Granberg: "She indicates she will."

Granberg: "One quick question, Representative. You discussed this Bill with Representative Steczo?"

Cowlshaw: "Yes, I did. In fact, Representative Steczo and I were the Co-Sponsors of the Amendment."

Granberg: "All right, I just wanted to make sure that Representative Steczo, you and he were together on this Bill, and Terry realized the Bill was going to be called and there were no objections to it."

Cowlshaw: "Yes, Representative, there was a question raised by the Northeastern...by the Illinois Homebuilders Association, as to whether they...there might be some representation on the NIPSI board, but we have worked that all the way through, and consulted with the people who make those appointments and so on, and that whole issue has been resolved without the use of an Amendment. And so as far as I know, there is now accord."

Granberg: "Thank you, Representative."

Speaker Dunn: "Representative Cowlshaw, to close."

Cowlshaw: "I would appreciate a 'yes' vote on House Bill 781. Thank you, Mr. Speaker."

Speaker Dunn: "The question is, 'Shall House 781 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 86 voting 'aye', 26

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

50th Legislative Day

April 27, 1993

voting 'no', 2 voting 'present'. House Bill 781, having received the required Constitutional Majority, is hereby declared passed. Representative Daniels, in the Chair."

Daniels: "Ladies and Gentlemen of the House, I'd like to introduce a young man from my district by the name of Matt Carroll, whose here today with a group from all over the State of Illinois that you've seen from the Illinois Association of Park Districts serving as assistants to all of us in the General Assembly today. Matt is from Elmhurst in my home area, and one of the assistants today to make sure we vote right. Is that right Matt? Do you want to just say hello to everybody?"

Carroll: "Hello."

Daniels: "Tell 'em to vote right now. Make sure they vote right. Right? Matt says he's sure that you're all gonna vote right; and, of course, the area of my district NESTRA, the Special Recreation Association, Larry Riner, is with us who is our executive director. So, can all of the assistants that are here as part of the park district program, stand up so we can say hello to them. They're all over the area here, and so, now you can all turn to the Legislator that you're assisting and make sure they vote right. If they watch my switch, that'll help a lot."

Speaker Dunn: "On page 8 of the regular Calendar, appears House Bill 903, Representative Hartke. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 903, a Bill for an Act concerning first aid training. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hartke."

Speaker Dunn: "Representative Hartke, on Floor Amendment #1 to House Bill 903."

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

50th Legislative Day

April 27, 1993

Hartke: "Withdraw Amendment #1."

Speaker Dunn: "The Gentleman withdraws Amendment #1. Are there further Amendments, Mr. Clerk?"

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

Speaker Dunn: "Representative Hartke, on Floor Amendment #2."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. House Bill 903 is a piece of legislation that I introduced that dealt with the issue of CPR and first aid training for agencies and teachers. After discussion and so forth, it was put on the Calendar early after committee, and was there on hold until we got together with the Illinois Police Training Board, the Board of Education...or not the Board of Education, the Illinois Education Association of Firefighters and Representative Churchill and I met, and we've come to the conclusion that before we mandate some CPR training and so forth on individuals, that we ought to be doing a study to see where we are right now in that training throughout the State of Illinois. So, Amendment #2 to House Bill 903 just does that. It creates a task force within the Department of Public Health, appointing seven...the Governor will appoint seven members with the Department of Public Health taking the lead, having members from the Police Training Board, the Illinois Education Association, the State Board of Education, the American Red Cross and the Illinois Hospital Association, as well as the Firefighters Association in the State of Illinois, to make a study on the status of first aid and CPR in the State of Illinois, and to report back to the General Assembly by January 1, 1994. I would appreciate your support, and be happy to answer any questions."

Speaker Dunn: "Mr. Clerk, has the Amendment been printed and

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

50th Legislative Day

April 27, 1993

distributed?"

Clerk McLennand: "The Amendment has been printed and distributed."

Speaker Dunn: "Representative Black."

Black: "Thank you very much, Mr. Speaker. We received a copy of this Amendment in the last 90 seconds, given that brief period of time, would the Sponsor yield?"

Speaker Dunn: "Indicates he'll yield."

Black: "Representative, Amendment #2 becomes the Bill?"

Hartke: "That is correct."

Black: "It's very noisy in here, and as this Bill started out it was a definite mandate on not only schools but police and fire departments, and there was a lot of concern, and I think I heard you say that those mandated CPR programs have been removed from the Bill via this Amendment correct?"

Hartke: "That is correct, Representative Black. You see, behind me the representative from the Illinois Police Training Board, and she and I and several other people were at that meeting this morning and made that decision, as well as Representative Churchill's at your side, and we seem to be in agreement on this is the avenue that we ought to be taking so that we have some consensus on where we are right now in the various state agencies and so forth that do training in the school systems; and, hopefully, after a study of the situation, we may find out where we have to do this training. One of the things suggested by the Illinois Education Association is, the question is the need for CPR training for all teachers in the State of Illinois. Now, that would be great, but how many incidents of CPR have we had in our school system between six years old and 18 year olds, and is it necessary to train the thousands of teachers for maybe one incident in the last 20 years? We

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

50th Legislative Day

April 27, 1993

don't know, and that would be part of this study, and I would hope that you would understand that and support this Amendment."

Black: "All right, as my colleague, Representative Churchill, just came over and said that this simply creates a task force. We'll get the results of that task force and then you'll visit this Bill later. In all due respect to you, Representative, I think you should seriously consider adding Members of the General Assembly to this CPR mandate if it ever becomes that, because things get a little heated here on occasion, and heaven forbid, I might need you to do CPR on me some night."

Hartke: "Well, let me think about that just a little bit. But, I would be more than happy to help save your life in case you need it some time Bill."

Black: "Oh, and I'm very grateful for that, but I saw Representative Granberg rise shaking his head that he would not. So, the task force needs to really study this, there's no question about it. We stand in support of your Amendment."

Hartke: "Thank you very much."

Speaker Dunn: "The Gentleman move for adoption of Floor Amendment #2, to House Bill 903. All those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments."

Speaker Dunn: "Third Reading. The Gentleman asks leave for immediate consideration. Is there leave? Hearing no objection, leave is granted by use of the Attendance Roll Call. Mr. Clerk, please read the Bill on Third Reading."

Clerk McLennand: "House Bill 903, a Bill for an Act concerning first aid training. Third Reading of this Bill."

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

50th Legislative Day

April 27, 1993

Speaker Dunn: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. To save a little time, I think everyone has heard and understood what Amendment #2 does and that becomes the Bill. We've just adopted that. I would appreciate your support on House Bill 903."

Speaker Dunn: "The question is, 'Shall House Bill 903 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 113 voting 'aye', 0 voting 'no', 0 voting 'present'. House Bill 903, having received the required Constitutional Majority, is hereby declared passed. Special Order of Business, Civil Justice, Second Reading, page 5 of the Calendar, appears House Bill 224, Representative Pugh. Representative Pugh? Out of the record. House Bill 764, Representative Lang. Representative Lang? Out of the record. House Bill 1468, Representative Blagojevich. Representative Blagojevich? Out of the record. House Bill 1661, Representative Homer. Representative Homer? Out of the record. House Bill 1662, Representative Homer. Out of the record. House Bill 1663, Representative Homer. Out of the record. House Bill 1664, Representative Homer. Out of the record. House Bill 1917, Representative Mulligan. Out of the record. House Bill 2191, Representative Lopez. Representative Lopez? Out of the record. House Bill 2428, Representative Lang. Out of the record. House Bill 2423, Representative Lang. Out of the record. Special Order of Business, Agriculture and Conservation, page 9 of the Calendar, appears House Bill 1074, Representative Churchill. Representative Churchill on House Bill 1074? Out of the record. House Bill 1990,

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

50th Legislative Day

April 27, 1993

Representative Brunsvold. Representative Brunsvold. Out of the record. Special Order of Business, Business and Job Development, Second Reading, page 16 of the Calendar appears House Bill 2267, Representative Giolitto. Representative Giolitto? Out of the record. Special Order of Business, State and Local Government, Third Reading, page 17 of the Calendar, House Bill 165, Representative Balanoff. Representative Balanoff? Out of the record. House Bill 169, Representative Lang. Out of the record. House Bill 471, Representative Currie. Representative Currie? Out of the record. House Bill 694, Representative Turner. Representative Turner? Out of the record. House Bill 1055, Representative Phelps. Representative Phelps, do you wish to call your Bill, Sir? Out of the record. House Bill 1565, Representative Kotlarz. Do you wish to call your Bill, Sir? House Bill 1565. Out of the record. House Bill 1715, Representative McGuire. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 1715."

Speaker Dunn: "Representative McGuire."

McGuire: "Ladies and Gentlemen of the House, I have House Bill 1715, which we've discussed before..."

Speaker Dunn: "Representative McGuire."

McGuire: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I have House Bill 1715, which we have discussed before and it has been amended, and I'd like to ask for your favorable vote."

Speaker Dunn: "The question is, 'Shall House Bill 1715 pass?' And, on the question, Representative Wennlund."

Wennlund: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. This Bill is like a revolving door, in yet another attempt to pass it out. What we're doing is, we're placing

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

50th Legislative Day

April 27, 1993

yet one more...one more mandate on all employers in Illinois. Now I'm talking...this Bill includes all public and private employers. The State Board of Education says it will cost school districts in Illinois about \$2 million a year to implement this just in the public schools; that's just in the public schools. Can you imagine what it's gonna cost employers to implement this Act throughout the state. We're gonna be losing more jobs every time we place another mandate on employers. But, also remember, it applies to school districts, park districts, municipalities, all of them. And, yes, the Amendment that said 50 employees, how many schools do you know of that have less than 50 employees? This is a ridiculous Bill. You defeated it in the past and you ought to defeat it again, because you're gonna place yet another mandate on your local municipalities and school districts. The Bill ought to be defeated for a final time now."

Speaker Dunn: "The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just want to remind everybody that you need to pay attention what Representative Wennlund said, the estimated annual cost for downstate, downstate municipalities for this is approximately \$3 million, that's according to our staff analysis. I will tell you that this is not a good idea. The Sponsor wanted to try and put the Bill back and put an Amendment on that would have made it a little bit better; but, quite frankly, I don't believe that Amendment ever went on. Did it, Representative? It did go on? Our staff says that it did not go on."

McGuire: "May I answer that, Mr. Speaker?"

Speaker Dunn: "Representative McGuire."

McGuire: "Yes, the Amendment went on yesterday, Representative."

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

50th Legislative Day

April 27, 1993

The Amendment went on yesterday."

Parke: "Could I ask the Clerk? Mr. Speaker, may I have clarification on that? Did the Amendment go on?"

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

McGuire: "The Amendment went on yesterday to make it more palatable, 50 employees."

Parke: "Thank you. Okay, well that did not delete the cost factor that's involved in this, but we do appreciate that you did try..."

McGuire: "That's debatable."

Wennlund: "...and put that Amendment on. But, it's still a mandate, and we know that the business community is opposed."

Speaker Dunn: "Representative McGuire, to close."

McGuire: "Thank you, Mr. Speaker. The Amendment was to make the Bill a little more acceptable, and I think the cost figures that we're hearing are somewhat debatable and questionable. The fact of the matter is, that what we're trying to accomplish with this Bill is to encourage worker safety, to cut down on the costs of workmens' compensation claims, that's the real genesis of the Bill. The Bill is not punitive. If the working place does not establish a committee or does not follow through with anything that the Bill establishes, there's nothing to be done. The workplace just does not practice workplace safety as we'd like to see it done. So, the Bill is just to promote workplace safety, to cut down on workmans' comp claims, and that's all that the Bill is trying to do, and I'd appreciate your favorable vote. Thank you."

Speaker Dunn: "The question is, 'Shall House Bill 1715 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted

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

50th Legislative Day

April 27, 1993

who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 60 voting 'aye', 49 voting 'no', 4 voting 'present'. House Bill 1715, having received the required Constitutional Majority, is hereby declared passed. House Bill 1932, Representative Phelan. Do you wish to call your Bill, Sir? House Bill 1932. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 1932, a Bill for an Act to amend the School Code. Third Reading of this Bill."

Speaker Dunn: "The Gentleman from Cook, Representative Phelan."

Phelan: "Thank you, Mr. Speaker. I would like this Bill taken out of the record and tabled."

Speaker Dunn: "The Bill will be taken out of the record. The Gentleman moves to table House Bill 1932. All those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Motion carries. The Bill is tabled. House Bill 2193, Representative Frias. Mr. Clerk, please read the Bill. (House Bill) two-one-nine-three, 2193."

Clerk McLennand: "House Bill 2193, a Bill for an Act in relation to increasing worker mobility in Illinois. Third Reading of this Bill."

Speaker Dunn: "Representative Frias."

Frias: "House Bill 2193 creates the Worker Mobility Act. It creates the Worker Mobility Advisory Council. It provides that the council shall review applications and advise the Illinois Development and Finance Authority on financing of projects related to workers, transportation through private or employer sponsored car-pools or transportation centers. Amend the Illinois Development and Finance Authority Act. It authorizes the Illinois Development and Finance Authority to guarantee loans made by the financial institutions for projects of the type specified in this

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

50th Legislative Day

April 27, 1993

Bill. It authorizes the authority to issue bonds to finance the guarantees. I'll be happy to answer questions. I ask for a favorable vote."

Speaker Dunn: "Representative Black."

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

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

Black: "Representative, does this Bill have any fiscal impact on the state? In other words, would the state be guaranteeing certain bond funds that might be on loan guarantees that might be issued?"

Frias: "Yes, they would."

Black: "How high might that liability go?"

Frias: "The loan would be 85%.. It would be up to \$20 million, but that's only until the...that would not be in effect until the reserve was...would be up to \$4 million."

Black: "All right, and how would that \$20...potential \$20 million liability be financed?"

Frias: "It's backed by the reserve fund."

Black: "And where does the reverse...Yeah."

Frias: "Reserve fund."

Black: "Where does the reserve fund come from?"

Frias: "According to the Illinois Economic and Fiscal Commission, that fund would come from the unexpected...the unanticipated revenues from the Illinois Estate and Generation Skipping Tax Act, to the amount equal of 10% of the collections exceeding the \$120 million annually."

Black: "Okay, and without this program, where would those dollars revert?"

Frias: "Well, they wouldn't. This only refers to the unanticipated revenues."

Black: "So, we're going to incur a \$20 million liability to be

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

50th Legislative Day

April 27, 1993

paid back out of unanticipated revenue, correct?"

Frias: "No, there isn't a liability until the reserve fund has the proper amount of money."

Black: "Yes, but the reserve fund, you just said, wouldn't divert money from any where else because the income would be unanticipated."

Frias: "Exactly."

Black: "So, I guess under sound accounting practices and procedures, you're gonna issue a \$20 million liability to be paid out of unanticipated revenue. If you took that equation to a bank, what would your chances be of getting a \$20 million loan?"

Frias: "Representative, again you would not be liable. We are being liable for the \$20 million until the reserves are in place."

Black: "Okay, that you very much, Representative, I appreciate your patience. Mr. Speaker and Ladies and Gentlemen of the House. The Sponsor has fairly accurately portrayed this Bill, but what you are doing is to create loan guarantees to create a new Act, called the Worker Mobility Advisory Council and Loan Guarantee Fund, to increase financing of projects relating to worker mobility. Now, let me tell ya' where the money comes from that would be responsible for paying back the upwards of \$20 million liability of that occurs. It would come from the Illinois Estate and Generation Skipping tax. That tax...revenues from that tax generate anywhere from \$161 million to \$57 million since 1981; it varies. And guess where those dollars go now? Those dollars now go to the General Revenue Fund. So, if we enact, as I understand it, the Gentleman's legislation and it goes above a certain percentage from the Estate and Generation Skipping Tax Act, then those revenues, rather

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

50th Legislative Day

April 27, 1993

than go to the General Revenue Fund that we need to pay some \$800 million in past due bills, would then go to guarantee loans to a new Act. In all due respect to the Sponsor, when your fiscal house is not in order, I submit to you, you do not create new programs that could have a potential liability of \$20 million in loan guarantees from the state taxpayers of the State of Illinois, and at the same time divert money from that fund that could go into the General Revenue Fund which is cash-strapped. This is not a good idea. It might be, when we get our fiscal house in order. I question whether it would be the correct thing to do now, because of the \$20 million liability, potential liability, excuse me, and because it could potentially rob the General Revenue fund of that kind of money, I respectfully ask you to vote 'no' on this legislation."

Speaker Dunn: "Representative Frias, to close."

Frias: "Thank you, Mr. Speaker, and I agree with the previous speaker, this is not a good idea. This is a great idea. This is an idea that works. There is a company, the Suburban Job Linking, a not-for-profit organization in my community, that has made this idea work. Every day they transport 300 residents from the little village North Lawndale and Pilson area out to the suburbs. They transport them where their jobs exist, and if we expect to keep the corporations in Illinois (as I've heard the other side suggest that we do time and time again), then this is an idea whose time has come. We're talking about taking blue-collared workers from within the city, where they are in abundance and where jobs are scarce, and taking them out into the suburbs where the work force is not meeting the demands of the corporations that are there, and if we do

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

50th Legislative Day

April 27, 1993

not help them by sending them the blue-collar workers, they're just simply gonna move elsewhere. So, I agree this isn't a good idea, this is a great idea. This is an idea that works, and I ask for your vote. Thank you very much."

Speaker Dunn: "The question is, 'Shall House Bill 2193 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Have all voted who wished? Have all voted who wish? Mr. Clerk, take the record. On this question, 59 voting 'aye', 57 voting 'no'. Representative Giolitto votes 'aye'. Mr. Clerk, take the record. On this question, there are 60 voting 'aye', 56 voting 'no', and 0 voting 'present'. House Bill 2193, having received the required Constitutional Majority, is hereby declared passed. Representative Monique Davis, in the Chair for an introduction."

Davis: "Thank you, Mr. Speaker, thank you very much. It gives me great pleasure, Ladies and Gentlemen, to introduce to you the former Illinois State PTA Chairperson and currently from the Chicago region, and currently the President of the Chicago Board of Education, Mrs. Florence Cox."

Cox: "Thank you very much for all the support you've given public education. This is a difficult job; it doesn't pay. But, we're up to the task and with your help and with the help of God, we'll bring the children of Chicago and Illinois through educationally. Thank you very much."

Davis: "Thank you."

Speaker Dunn: "Now we'll back up on this order to House Bill 471. House Bill 471. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 471, a Bill for an Act in relation to a tax on firearm sales. Third Reading of the Bill."

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

50th Legislative Day

April 27, 1993

Speaker Dunn: "The Lady from Cook, Representative Currie."

Currie: "Thank you Speaker and Members of the House. This is a Bill whose genesis was the Governor's budget message of a year ago, in which he pointed out that we've failed to apply user fees to those items that when abused do cost us money. Items like smokeless tobacco, items like alcohol. This, in fact, is not a proposal to suggest additional taxes on either of those items, but it does pick up on that idea to propose a tax on firearms. The tax under this Bill would be 5% for long guns, 15% of the retail purchase price for handguns, and the point of the measure is to help our failing trauma system find the dollars they need in order to continue to treat the victims of gun violence. In Cook County alone last year, there was a \$22 million loss over the last five years in the Cook County trauma network, resulting in the closure of at least four trauma institutions. The costs to society, generally, the costs across these United States of handgun violence, in terms of medical care, in terms of lost time on the job, in terms of rehabilitative therapy, amount to \$14.4 billion dollars, a health care cost of \$14.4 billion across this nation. I would not suggest to you that the rather meager sums involved in House Bill 471 are going to solve that problem in the State of Illinois, but there's no question the passage of this measure would send an important message to people in respect to their ability to control firearms, use them carefully and sanely, and would, as I say, help make sure that we do not keep dripping blood from the trauma centers where these victims are served. I would be happy to answer your questions, and would appreciate your support for this reasonable proposition that will help us make sure trauma care is available to those who need it."

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

50th Legislative Day

April 27, 1993

Speaker Dunn: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House, and in all due respect to the Sponsor. To stand up and talk about the Governor's user fees, when all of that fee package has been kept bottled up by the House Majority, we couldn't even get a voluntary Bill out of committee this year to let the Dana Thomas House here in Springfield request a user fee so that they could keep that open. Now, I find it odd that almost all of the museums in the City of Chicago either have or are going to a user fee. But, all of the fees that the Governor asks for, all of the fees that some of us ask for, no those couldn't be considered, those were bottled up. Now I have a hunch that before this day or week is over, we're going to see all of those fee Bills in one Bill. So, you get a chance maybe to vote on 100 or 150 fees; that'll be an interesting Bill, and it's certainly the intent of the Sponsors that all of their Bills be rolled into one. Ladies and Gentlemen of the House, this Bill simply adds a 15% tax on handguns sold at retail in this state, a 5% tax on long guns sold at retail in this state, and that's on top of the sales taxes, on top of the federal tax, and on top of whatever taxes might be applicable. You know, if we're gonna get serious about fees, there are at least 12 Bills that Sponsors can't get called because they have the word 'fee' in it. I'm the Sponsor of one of those Bills that has no opposition from the County of Cook to the City of Chicago to the City of Carbondale. It's House Bill 561 Representative Hicks has a fee Bill that's not the Governor's plan, doesn't raise taxes, it enables governments to use the IEPA lab at a reasonable level of cost. We can't get that Bill called either, because it has the word 'fee' in the Bill's

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

50th Legislative Day

April 27, 1993

language, and yet here's a Bill that has the word 'fee' in it somewhere, it's okay to call. It's okay to call because it tweeks the nose of anybody who owns a gun, any law-abiding citizen who wants to purchase a shotgun for next year's hunting season. It tweeks them. There must be something wrong with somebody who owns a gun. Let's see, last month three people were murdered in the City of Chicago by a bow and arrow, but I see no tax on bows and arrows in this Bill. One of the worst crimes perpetrated in New York City two years ago, was when a young man threw five gallons of gasoline into an underground after hours night club, lit it and killed 90 people, but I see no extra tax on gasoline, or the cans used to carry gasoline for various purposes. It's really strange to me that good Bills that are widely supported and needed in this state can't be called because it has the word 'fee' in it, and yet this Bill, (and we've debated Bills like it for years and will continue to do so), and the Sponsor, I will say this, the Sponsor is sincere in her efforts, this Bill can be called. We all know how we're gonna vote on this Bill. We don't need to debate it for another half hour. I resent the fact that this Bill can be called, when there are broad bipartisan support Bills that cannot be called because they have a three-letter word in it called 'fee'. Well this is a tax or a fee or whatever you wanna call it. Let's not debate it to death. We know how we're gonna vote. Vote 'no'."

Speaker Dunn: "The Gentleman from Washington, Representative Deering."

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

Speaker Dunn: "Indicates she'll yield."

Deering: "Representative, who's gonna be paying this tax, the

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

50th Legislative Day

April 27, 1993

law-abiding citizen?"

Currie: "Anyone buying a firearm at retail in the State of Illinois would pay this small additional charge."

Deering: "Does this include the criminals?"

Currie: "It includes anyone who buys a gun at retail in the State of Illinois, yes."

Deering: "How much money is this gonna bring in here?"

Currie: "We aren't sure. When... The Bill, as originally introduced, would have imposed a flat \$20 fee. That seemed unfair since \$20 on a \$75 purchase is a major hit, while \$20 on a \$750 purchase is not. We also felt it was important to distinguish between those kinds of guns, hand-guns that are most likely to be involved in violence and intentional...the infliction of intentional damage and those guns that...long guns, which are more likely to be involved in purely accidental, though none-the-less equally devastating, accidents and tragedies. That's why we've done the differential, 5% for long guns, 15% for handguns. Our best estimate, but it is only an estimate, is that the user fee might bring in about between \$3 and \$4 million a year, but that as I say is an estimate."

Deering: "To the Bill, Mr. Speaker. You know, here we go again. We know we have a problem with crime in this state, and this is another effort to hammer the law-abiding citizen, the sports person, the hunter, the fisherman, who goes out and purchases guns for sports, who uses them in legal ways. It's not gonna do nothing to deter crime. The criminals are gonna have the guns. One of these days, none of the law abiding citizens will have the gun, the criminals will have 'em. I'm sure they're not gonna be willing to pay this tax. This is a stupid idea. Let's vote this down."

Speaker Dunn: "The Gentleman from Madison, Representative

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

50th Legislative Day

April 27, 1993

Stephens."

Stephens: "Well, thank you, Mr. Speaker. I was looking through some of the revenue Bills. I know we have the discussion of impact fees, we have additional taxes, we have real estate taxes, we have sales taxes. Maybe it would be more appropriate, Representative, that we change this to an impact fee. Why don't we tax the bullet holes that criminals bring upon us and address the real problem. You're worried about violence caused by weapons, but time and time again, when we try to deal with toughening the punishment on criminals, you don't stand with us. You'd rather find a way to tax those of us that are law-abiding gun users, who know how to use weapons, we use them correctly, we pay sales taxes when we buy 'em, we pay sales tax on the ammunition that we use in them, we use the fireman safely. The people that use the weapons incorrectly, inappropriately and for violence, don't even buy the weapons; they either steal 'em or they buy 'em on the black market. Your Bill will do nothing to lower the crime rate; as a matter of fact, all it will do is discriminate further against those of us who think it's right and proper to own and use weapons in a safe manner. I stand in opposition, in strong opposition to this Bill. It's one of the worst to come before the Assembly this year."

Speaker Dunn: "The Gentleman from Coles, Representative Weaver."

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

Speaker Dunn: "Indicates she'll yield."

Weaver: "Representative, can you give us an estimate as to how much money that you think this Bill, if enacted into law, would raise?"

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

50th Legislative Day

April 27, 1993

Currie: "I tried to answer that in response to Representative Deering's question. The difficulty is that we don't have...we don't have gun registration in the State Of Illinois, so we don't know how many guns are bought each year. I can tell you that the rough estimate for a flat \$20 fee was somewhere about \$3.4 million. We based that estimate on FTIP requests, although anybody whose name comes through the FTIP program may be buying more than a single weapon, or may decide to buy no weapon at all. That, too, was a rough estimate, but we think based on that figure, that it's likely that we're talking somewhere between \$3 and \$4 million."

Stephens: "Do you have an estimate as to approximately how many weapons this would keep out of the hands of the public?"

Currie: "We have no estimate of that. We anticipate that a 5% charge on a \$750 sporting gun is probably not going to dissuade the potential buyer from completing the purchase."

Weaver: "Thank you. Mr. Speaker, to the Bill. Ladies and Gentlemen of the House, by the Lady's own admission (and I don't fault her for wanting to do what she wants to do), but we have absolutely no way of verifying how much money this is gonna produce. We have no way of estimating how many weapons this might take off the streets, if that is the intent of the Bill, and something that we failed to address at all, is the latest FBI report that I've seen indicates that the weapon of choice, that weapon which creates more injury and death in the State of Illinois are not guns, they are knives. So, if our interest is actually in reducing the injuries and death to crime in the State Of Illinois, we ought to be placing a tax on knives. You know, 5% on a table knife and 10% on a hunting knife. You know, if she's really serious about this, we need to

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

50th Legislative Day

April 27, 1993

approach it from a different manner. I really don't think this is a serious Bill. It's simply a glossed-over attempt to try and remove weapons from circulation, and the law-abiding citizens are the only ones that are gonna be hurt. The only correct vote is a 'no' vote."

Speaker Dunn: "The Lady from Cook, Representative Erwin."

Erwin: "Thank you, Speaker. To my colleagues on the other side of the aisle, I hope you appreciate that this seems to be the most logical extension of a current policy in our state to tax liquor, the sale of liquor and alcoholic beverages, as well as cigarettes. It's a health policy, public policy to try and discourage the uses of those instruments that do cause harmful effects to ones health. Now, everyone that drinks does not become a drunk driver, and yet everyone that has a beer, has to pay that extra liquor tax. Everyone that smokes does not get cancer and go on Public Aid, and yet everyone that smokes needs to pay the extra cigarette tax. A tax on the sale of firearms is a recognition that gun shots and guns cause a public health problem in our state. It's not only logical and consistent, but it makes the most sense in trying to help fund a health care system that is currently grossly underfunded. We listen to a former Governor every year annually talk about a penny a drink, that the state just needed to pay another penny a drink to bring increased revenues in this state. And, Representative Weaver, we do not ask how many people stop smoking every time we increase cigarette taxes, nor do we ask how many people have quit drinking every time we increase the liquor tax; that's an unreasonable standard. I think this is a very logical, good piece of legislation, and frames the gun issue in a public health framework as it should be, and I urge an

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

50th Legislative Day

April 27, 1993

'aye' vote."

Speaker Dunn: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. A question that seems to have gone unanswered, not only from Representative Deering but also from Representative Weaver, was how much is this gonna cost? What kind of a tax, and how much will this tax bring in annually? The Economic and Fiscal Commission estimates that the tax would cost gun owners in Illinois \$3.4 million. Now, who's gonna pay that \$3.4 million? It's the law-abiding citizens who go to a gun store to purchase a weapon for hunting or whatever purpose. The unlawful ones, the criminals, who get 'em on the black market are never gonna pay this tax, it's only the law abiding citizens. If it walks like a duck, quacks like a duck, it must be a duck, and this is a tax duck."

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

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to oppose this Bill. Over the last years, we have tried every conceivable way to get the guns away from the legal gun owners in this state, and this is another attempt. In fact, we've gone so far now as to include this along with the sin taxes. It's gonna be a sin now to own a gun. I think it's ridiculous. It's another way of getting another \$20 out of somebody so they won't buy a gun. It's not gonna work. It's taxing the wrong people. I would strenuously ask everyone for a 'no' vote on this Bill."

Speaker Dunn: "The Gentleman from Jefferson, Representative Hicks."

Hicks: "Thank you very much, Ladies and Gentlemen of the House.

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

50th Legislative Day

April 27, 1993

Let me tell ya' a quick story that a few years ago happened to me here. You know, I had the kids from my civics classes at home to come up for Youth in Government, and they proposed a Bill, and one of the father's came to me and said, 'Larry, do you think you can get my daughter's Bill drafted like you all do it up there?', and I said, 'Sure I'd be happy to do that'. So, I sent down this idea down to LRB and they drafted this Amendment (actually it was a Bill) to be introduced and I had it all put in the right form, and you know how in the rush of introduction of Bills sometime we just have a stack of Bills and we put 'em in, and so they called me one day and said, 'Larry, we've got these six Bills we want to put in, what do you want us to do?' I said, 'Well, just introduce 'em and we'll take care of 'em, so my staffer took and put those Bills in for me, and we introduced those Bills and suddenly I find out that that Bill that I had drafted for that young lady in Mt. Vernon was introduced in the Illinois General Assembly. And that was a \$1 tax on every single person that went into the hospital in Illinois, and that revenue then would be used for...for...ideas just like this trauma center idea. It sounded like a pretty good idea to the kids, but you know, the Hospital Association, they came running to my door saying, 'Larry, now doggone it, what are you doing here to us', and it wasn't my intention, but it happened. You know, what sounds like a good idea to some people isn't necessarily a good idea. Representative Erwin says it sounds like a good idea, that this is a good way to fund trauma centers in Illinois. Well, let me tell you, in downstate Illinois where I'm from, I think if you would put a \$5 tax on for the use of the Chicago skyway or for the use of the Illinois tollways up in DuPage County, from

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

50th Legislative Day

April 27, 1993

downstate that sounds like a good idea to me for you to be able to fund the trauma centers in Illinois. You know, down in my area, we don't have any tollways. So, why don't we just put a \$5 tax on the tollways in Illinois? I don't have to worry about paying that, but my law-abiding citizens that buy long guns in southern Illinois, that buy 'em in Central Illinois, they're the ones that got to worry about paying this tax to fund the trauma center. So, what sounds like a good idea to some folks, doesn't necessarily sound like a good idea to some of the rest of us. Thank you."

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

Ronen: "Thank you, Mr. Speaker...thank you, Speaker and Members of the House. I rise in support of this Bill. If this is a good idea, it's not often that we get a chance to take a firm stand against the violence that is wreaking havoc in all of our neighborhoods. This is a fair tax. And it's not often that we get a chance to support something that's going to generate revenue to address a problem. The funding of the trauma centers...this makes sense. It's a good way to address a problem. We need, all of us, to stand firm and say we're going to end the violence. This Bill would not stop anybody from using a gun lawfully. It's a way of creating a fair stream of revenue to fund trauma center. We need support on this Bill. I urge your support."

Speaker Dunn: "Representative Currie, to close."

Currie: "Thank you, Speaker and Members of the House. We've had a lot of discussion about Bills that are not presently before us. This is not a Bill to add a user fee on the sale of knives, although if Representative Weaver introduced...wishes to introduce such a Bill, I'm sure we'd

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

50th Legislative Day

April 27, 1993

all be happy to have a look at it. No, indeed, it is not all those fees and taxes that Representative Black referred to, but let's talk about this measure, House Bill 471, on its own merits. There is no question that firearms are a hazard. Even in the best of hands, they are a hazard. Accidental shootings, deaths, maimings occur even among sport-conscious people who think they know all there is to know about gun safety. There are 23,000 deaths in this country each year because of guns, because of gun violence, because of gun misuse, because of gun abuse; 23,000 deaths and hundreds of thousands of injuries. Guns are the fourth leading cause of death among children in this country. Every day, 12 American children under age 19 are killed in gun accidents, gun suicides, gun homicides. The costs...the costs of those deaths, the costs of those accidents are staggering. We are looking at a trauma care system in the State of Illinois that is unable to bear the cost of gunshot victims, of gunshot tragedies, of gunshot accidents. I am proposing in this measure that we adopt a simple, straightforward proposition, a user fee that says let's make sure we try to help the trauma centers by asking those who buy the guns to help bear a small share of the costs that we pay. This Bill, House Bill 471, is supported by the Illinois Hospital Association (unlike Representative Hicks, your \$1 a day proposal). The Illinois Hospital Association is for this Bill, as is the Cook County State's Attorney, Jack O'Malley, the President of the Cook County Board, Richard Phelan, the Mayor of the City of Chicago. and gun control advocates across the State of Illinois. Help staunch the flow of blood from our trauma centers. Help make a difference in our ability to protect and care for the victims of guns that are out of control. Vote

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

50th Legislative Day

April 27, 1993

'yes' on House Bill 471."

Speaker Dunn: "The question is, 'Shall House Bill 471 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Representative Levin, one minute to explain your vote."

Levin: "Mr. Speaker, in explaining my 'aye' vote, we all got a letter from one of our colleagues a few weeks ago indicating that the long-time lobbyist for the NRA, Jim Hayes, had been fired. Personally, as somebody who is anti-gun, I'm glad that that kind of effective spokesman for the gun industry is gone. But for those of you who believe in guns, I think we need to send a message that the NRA should not have gotten rid of Mr. Hayes, and the best way to send that message is to vote for this Bill. Thank you."

Speaker Dunn: "The Gentleman from Effingham, Representative Hartke, one minute to explain your vote."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. Each and every year we have thousands of individuals who are burned with their barbecue grills. They light their propane grills or their charcoal grills or they're standing back with the flammable liquid squirting on the charcoal. I'm willing to bet there are probably more people entered into trauma centers because of their lighting their barbecue grills. Why don't we tax barbecue grills and the flammable liquids that we use that? That's just about...it makes as much sense as this does, and I oppose this legislation."

Speaker Dunn: "Representative Davis, one minute to explain your vote."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen. I think that we can't find a better place to put a fee to help

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

50th Legislative Day

April 27, 1993

support the trauma centers. I received word from Christ Hospital that's located in my district, that they have doubled the number of gunshot victims since 1992. Every year, the number of gunshot victims is doubling and hospitals have a tremendous cost in treating those patients. I think this is excellent use for those dollars. I vote 'aye'."

Speaker Dunn: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 31 voting 'aye', 80 voting 'no', 3 voting 'present'. House Bill 471, having failed to receive the required Constitutional Majority, is hereby declared lost. Special Order of Business, Education, Second Reading, appears House Bill 1192, Representative Currie. Mr. Clerk, please read the Bill. She wants it out of the record. Out of the record. Special Order of Business, Education, Third Reading. House Bill 125. Gentleman from Cook, Representative Pugh. For what purpose do you arise, Sir?"

Pugh: "Mr. Speaker, I'd like my vote recorded 'present' on that last Bill."

Speaker Dunn: "Let the record reflect that Representative Pugh would have voted 'present' on the previous Bill. House Bill 125, Representative Levin. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 125, a Bill for an Act amending the Illinois Human Rights Act. Third Reading of the Bill."

Speaker Dunn: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 125 codifies the increasing trend throughout this country in terms of how we interpret sexual harassment. It codifies what two federal circuits have said is the law and what the Human Rights Commission

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

50th Legislative Day

April 27, 1993

believes the law to be. Basically what it says in determining what is a threatening or harassing conduct in the workplace or in the context of the academic setting, it says that you look at the reasonable...the sex of the victim; and based on that, you get the determination of not...an extreme person, not somebody that's supersensitive, not somebody that is not sensitive at all, but the reasonable person. So, if the victim of sexual harassment is a woman, you look at the woman's perspective and you don't look at the supersensitive woman, you don't look at the totally insensitive woman. You look at the reasonable woman in determining what kind of conduct would be threatening or harassing to her. This Bill enjoys widespread support. It is something which I think the entire country became aware of as an issue a couple of years ago when we were all riveted to our televisions watching the confirmation hearings in terms of Clarence Thomas and the testimony of Anita Hill, and what we found is that there really is a vast difference in perception between men and women in terms of what kind of conduct is threatening and is harassing. As a male, I can understand what women think and how they feel, but I can't fully appreciate it, I can know that there's a vast difference and this legislation codifies the judicial cases and the interpretations of the Human Rights Commission that say that we ought to put that into our law in the State of Illinois. This is a very modest change in the law. It does not in any way change the standards that exist now in terms of determining sexual harassment. Those standards are set forth in Section E of Section 2-101 of the Human Rights Act, and they're unchanged. Those standards talk about the, one, when the submission to such conduct is made

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

50th Legislative Day

April 27, 1993

either explicitly or implicitly a term or condition of an individuals' employment, that's not changed by this legislation; two, the submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting each individual, this standard doesn't affect that. The third standard in the current law is such conduct has a purpose or effect of substantially interfering with an individual's work performance or creating an intimidating hostile or offensive work environment. That is where this legislation would come into play, because it would say that in interpreting that standard, you look to the sex of the victim and what a reasonable person of that person's gender believes to be threatening and harassing. Be happy to answer any questions. I think this is an important Bill, and I urge your support for House Bill 125."

Speaker Dunn: "The Lady from Kane, Representative Lindner."

Lindner: "Thank you, Mr. Speaker. To the Bill. I do rise in support of this Bill and would ask colleagues on my side of the aisle to support this. I want everyone to understand this does not mean that the woman who does bring the suit is a reasonable woman. That suit may not be valid, but it will be judged not by her standard, but by a reasonable woman's standard. The... Certainly men and women think differently about some comments in our society, some hand signals, hoots and hollers that men may find unoffensive, women may find very offensive, so it would be the reasonable woman's standard. This has already been codified in 1991 in a federal court case of Ellison vs. Brady which was a sexual harassment in the workplace case. The court said that the reasonable person standard did not adequately consider the unique position of the woman

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

50th Legislative Day

April 27, 1993

worker, and I would urge an 'aye' vote on this."

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

Skinner: "Yes, Mr. Speaker. I have a question that's based in reality. What if you hire a male as a male to do a job and he decides to dress as a woman. Would there be any impact under this Bill if you told the male that he was hired as a male, if he wanted to dress as a woman he could find a job someplace else? I hear people laughing, and this happened at my wife's hospital. It's a legitimate question."

Speaker Dunn: "Representative Levin, will you yield? Indicates he will."

Levin: "Representative, this legislation says you look at the...to the sex of the victim. If the alleged victim is a male, you would apply a reasonable male standard; and if the reasonable male found such conduct to not be offensive, then it would be inactionable. I guess in your...the situation you raised, the employer would be able to say, 'It's not proper conduct and you can't do it'."

Skinner: "All right. So this does not protect transvestites?"

Levin: "Absolutely not. This has no effect at all."

Skinner: "All right now..."

Levin: "What this case does...what this does is to recognize what the ninth circuit said in its...in the Ellison vs. Brady case that we believe that a sex blind reasonable person standard; in other words, not looking at whether the victim is a male or female, tends to be male biased and tends to ignore the experiences of women. All we're doing is saying there are differences in perception between men and women, you look to the sex of the victim and it's the reasonable woman or the reasonable man that you apply to the standard in terms of interpreting the existing provisions in the

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

50th Legislative Day

April 27, 1993

Human Rights Act."

Skinner: "Could you tell where the ninth circuit is?"

Levin: "The ninth circuit is on the west coast..."

Skinner: "Oh. Thank you."

Levin: "In addition, the third circuit has come down with a similar ruling."

Skinner: "This is the Flaco, California, ninth circuit?"

Levin: "No, the third circuit...the ninth circuit is on the west coast, includes I think Washington, Oregon, as well as California, but the third circuit I believe is a southern circuit, and they have reached the same decision, as has the Human Rights Commission of our own state believes that this is the proper interpretation and has put in a slip in favor of House Bill 125."

Skinner: "Now, tell me what an implicit...what does implicit mean here? If you glance at someone..."

Speaker Dunn: "Let's...Representative Skinner, we're going to have a lot of debate here."

Skinner: "...and the person takes the glance as salacious, would they be guilty of sexual harassment?"

Speaker Dunn: "Representative Skinner. Representative Skinner, let's just try to avoid a dialogue and ask the questions and let's just try to move on if you will, please."

Skinner: "I thought had asked three questions so far. This is just the third question."

Levin: "The provision...the Amendment that we're talking about, House Bill 125, refers to the third standard that's found in Section E which is 'such conduct has the purpose or effect of substantially interfering with an individual's work performance, or creating an intimidating, hostile or offensive work environment'. The language you're referring to, Representative, 'explicit or implicit', is not found in

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

50th Legislative Day

April 27, 1993

that particular standard. So, this legislation would have no affect on interpreting that 'implicit or explicit' language that you were talking about."

Skinner: "If there were a jury trial, would men be able to serve on a jury in which a woman was charging sexual harassment under this proposal? Did the Gentleman hear my question?"

Levin: "Representative, what is the question?"

Skinner: "If a woman were charging sexual harassment and it were a jury trial, would a man be able to serve on the jury?"

Levin: "Absolutely. We currently have a standard...it's called the reasonable person, and a juror or a judge or the Human Rights Commission is asked to determine what a reasonable person would do in terms of a particular situation. That's been in the law for more than a hundred years. What the federal courts have said, and what our Human Rights Commission says, is that we need to look not as a reasonable person, because that is really more oriented towards what a male would see, but would a reasonable woman or a reasonable man would perceive, so what a juror would be asked to do, is to recognize that there is a difference in perception, and that's what the law provides, and decide whether or not a reasonable woman would find this conduct to be threatening or harassing."

Skinner: "And you're willing to trust men to reach this conclusion of what a reasonable woman would perceive?"

Levin: "I believe that the common experience that we all shared over a year ago in watching the Anita Hill/Clarence Thomas hearings, educated an awful lot of males as well as females that there really is a vast difference..."

Speaker Dunn: "The Chair will renew its request to these two Legislators to bring your dialogue to a close and..."

Skinner: "I would have settled for a 'yes' answer on virtually

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

50th Legislative Day

April 27, 1993

all of them. Thank you very much for your indulgence."

Speaker Dunn: "...address...well, I know. We have four or five other people that are seeking recognition. So, if you could be brief, please, or speak to the Bill, whatever. Representative Skinner, do you wish to speak to the Bill? Okay. All right. The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I want you to take a very, very careful look at what this Bill does. The Sponsor is modest. He says it doesn't have much effect other than codifying what's already in law, but what it does do is establish two, not one, count 'em, but two separate standards for harassment. During committee hearing, I asked the Sponsor and the person there to testify, I set up a scenario, and I said, 'If I were having a conversation with a lady, she made a comment to me that I did not consider to be offensive. I may have been flattered, who knows. If I turned right around and repeated her very own words back to her, she could legally, under this law, sue me for harassment using her same language because it's on two different standards'. I think...I'm really chagrined. My God, where has equality gone. Our founding fathers must absolutely be spinning in their graves. This is totally a step backwards from equality and the only possible logical vote is 'no'."

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

Schakowsky: "Thank you, Speaker and Ladies and Gentlemen of the House, particularly the Gentlemen of the House that I'd like to address my remarks to. You know, after the Anita Hill hearings, there was kind of a rallying cry of women

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

50th Legislative Day

April 27, 1993

who said about men, 'they just don't get it'. They just don't get it, and I think that that reflected not so much just a condemnation, but a reality that...that there are different perceptions about the same event. Now, this is not trying to take anything away from men who may suffer harassment, because we're going to use the reasonable male standard, but in situations where women are involved, it is simply true that what some men may feel is perfectly appropriate behavior and something that they feel comfortable with for years and years and years, have demeaned women. And now it's time for those kinds of situations to be judged by our standard, and I would urge the men to respect the sensibilities of women to try and create a situation where you put yourselves in our shoes and to support this legislation. Thank you."

Speaker Dunn: "Representative Black."

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

Speaker Dunn: "Indicates he'll yield."

Black: "Representative, on page 3 of the Bill, under Section E, language...new language is added to the Act. That language...and let me quote from the Bill. That language says 'whether conduct has the effect of creating an intimidating, hostile or offensive work environment shall be measured from the point of view of a reasonable person of the agreed parties gender'. Now, let me ask you a specific question given that language. Let's say that a female is working in an office environment where the supervisor smokes cigars. That reasonable female asks that supervisor to please not smoke cigars in her presence as she is allergic to the smoke. The supervisor says, 'this is my office. I will smoke cigars in here as long as

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

50th Legislative Day

April 27, 1993

company policy says I am able to do so'. With that answer, could that female employee then bring charges against that supervisor?"

Levin: "There is no sexual harassment in the case you've described. The elements of sexual harassment require some kind of a taking advantage by an employer of an employee on sexual grounds. You have described no sexual grounds of any kind."

Black: "But the language says, 'an offensive work environment'. How would that be interpreted by a court? You're an attorney. Could not that be interpreted that a person's unwillingness to change the work environment to meet somebody's reasonable standard could be then adjudicated as creating an offensive work environment?"

Levin: "Representative, if you go to the beginning of the definition of 'sexual harassment', it means 'unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature'. You have not described any conduct that falls within those parameters."

Black: "All right. Thank you. One last question, Representative. Does the legislation develop two different standards for men and women as to how cases will be heard before the Department of Human Rights?"

Levin: "It provides that you would look to the sex of the alleged victim and if the victim is a female, you would apply one standard, which is a reasonable woman's standard, which is not a woman that's overly sensitive or not one that's not sensitive at all. If the sex of the alleged victim is a male, he would apply a reasonable male standard; again not a male who is supersensitive or one that's not sensitive at all; one in the middle. So, the answer to your question is 'yes'."

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

50th Legislative Day

April 27, 1993

Black: "Thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House. I don't think anyone would rise to oppose this Bill had it been crafted in a more narrow sense. But by the Gentleman's own answer, it does create two different standards for men and women. It requires, for example, that on a claim of sexual harassment, the Department of Human Rights must match an administrative law judge of the same sex as the complainant who has filed the charge. If no such match was made, it is then conceivable that in a case where a male administrative law judge has found in favor of an employer, the female complainant would then have an argument for appeal because of that quote judges that male judges inability to evaluate the case as a reasonable woman. Well, most male judges would probably be found guilty of that. They could not evaluate the case as a reasonable woman. I submit to you that this is a fine idea that nobody could quarrel with. This Bill is not well crafted. This procedure, because of what it does to the Department of Human Rights and matching law judges or claims judges to the sex of the complainant is only going to back up cases even further than they are already. As we stand here today, the department has a 9,000 caseload backlog. Justice delayed is not justice, and this Bill, as crafted, will simply further delay the justice that I think the Sponsor wants, and that all of us want. I submit to you, in all fairness to the Sponsor and the issue, which is a critical issue, this Bill will not address it, it will simply obfuscate the issue more than it already is and create a backlog of cases in the department that they not only do not have the money to hear, that they won't get around to a hearing for years and years and years. And I submit to you, justice delayed is no justice

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

50th Legislative Day

April 27, 1993

at all. Vote 'no'."

Speaker Dunn: "The Lady from DuPage, Representative Biggert."

Biggert: "Thank you, Mr. Speaker. I rise in opposition to this Bill. While two federal courts of appeals have agreed to this concept, that means that there are several more districts that have not, and it may be possible in the future that the U.S. Supreme Court will decide this issue; but until then, I think we do have the reasonable man standard, which really is the reasonable person standard, and I think that that is sufficient in this case, that it's...we're not trying to set up two separate standards, and I would oppose this."

Speaker Dunn: "The Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Move the previous question."

Speaker Dunn: "Gentleman has moved the previous question. The question is, 'Shall the main question be put?' Those in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it. The question is put. Representative Levin, to close."

Levin: "Thank you, Mr. Speaker. In closing, you know, we have...we know that it is wrong to discriminate, and we have put into the statutes that one should not discriminate in terms of employment based on sex just as we have in terms of religion, just as we have in terms of race and other areas. But what is different in terms of sex, is that you can have sexual harassment in the workplace which forces women who want to work to resign because conditions are created that make it impossible. This legislation is one of basic respect. It's one that basically sends the message that this state recognizes that there is discrimination. It recognizes that women deserve respect

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

50th Legislative Day

April 27, 1993

in the workplace and in the academic setting, and that even if we're a man, we recognize there is a difference in the way the sexes perceive what's threatening and harassing. I urge your support for House Bill 125, which represents the mainstream thinking of what many of the corporations in this country are doing as well as the courts and the Human Rights Commission. Thank you."

Speaker Dunn: "The question is, 'Shall House Bill 125 pass?' All those in favor vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there... On this question, there are 85 voting 'aye', 24 voting 'no', 4 voting 'present'; and House Bill 125, having received the required Constitutional Majority, is hereby declared passed. House Bill 658, Representative Currie. Out of the record. House Bill 1089, Representative Churchill. Wish to call your Bill? Out of the record. House Bill 1195, Representative Dunn. Out of the record. House Bill 1919, Representative Currie. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1919, a Bill for an Act amending the School Code. Third Reading of the Bill."

Speaker Dunn: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This Bill is an effort to deal with a 1988 Supreme Court ruling, Hazelwood School District versus. Kohlmeier, establishing what counts as appropriate expression for high school students in the State of Illinois. The legislation describes what content may be appropriate for the students themselves to respond to with the supervision of faculty, journalism and other editors; and, of course, proscribes

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

50th Legislative Day

April 27, 1993

expression that would lead to any kind of an immediate endangerment or would be in direct violation of rules and so forth. The legislation is similar to Bills that have been adopted in other Legislatures across this country in places like Iowa and Kansas, Massachusetts and so forth. I would be happy to answer your questions and would appreciate your support for this measure."

Speaker Dunn: "Representative Wennlund."

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

Speaker Dunn: "Indicates she'll yield."

Wennlund: "How does this affect a school newspaper?"

Currie: "The point of the measure is, as I say, to go back to an earlier Supreme Court ruling, 20-year-old Tinker vs. Des Moines Independent Community School District, which would say that except for speech, except for expressions of opinion in a student newspaper, that are in clear violation of school rules or would lead to immediate dangers (crying fire in a crowded theater and so forth), essentially the content is one that should be left to the freedom of expression of those students."

Wennlund: "What gave rise to the legislation? Is there a specific incident that we're attempting to address?"

Currie: "Pardon me, I can't hear you?"

Wennlund: "I said, is there a specific incident that you're trying to address that..."

Currie: "No, the incident was a 1988 Supreme Court say... There had been a 1970 Supreme Court ruling that, in my view, would establish the standard for the amount as it were of free speech available to school students at precisely the level that is involved in this Bill. A later court case, 1988...an Iowa case, led to a different result by the United States Supreme Court, one that established certain

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

50th Legislative Day

April 27, 1993

liabilities on the school if the students expressed themselves in ways that were legitimate under school rules, but might have been not approved by somebody else. What this measure does is restore to the 1970 standard, the kind of speech opportunities that should be available to students and protects school districts against any kind of responsibility for the content of that expression. Again, within the parameters that say that you can't...you can't speak or write speech that is going to lead to imminent endangerment or that is clearly in violation of the school handbook and so forth."

Wennlund: "Well, would the effect of this have any bearing on, for instance, a student's display of a flag...of an American flag on the floor in an art exhibit? Would that be covered under the provisions of this?"

Currie: "We're talking here about students in the context of their own school. We're not talking about students in some other place at some other time. This is the question what goes on in the context of the school itself."

Wennlund: "Does it limit or restrict what the local school boards can do with respect to the same issue?"

Currie: "It establishes what rights the students have, although as I say, any kind of incitement to imminent lawless action would be excluded from protections under this Bill, and the whole measure is constrained by the kinds of rules and regulations that apply within the school district."

Speaker Dunn: "So, the local school board can still adopt its own standards and...of conduct for students?"

Currie: "The school districts would adopt their written rules concerning this measure."

Wennlund: "Okay. Thank you very much."

Currie: "I'm sorry, and I did mis-speak. I talked about actual

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

50th Legislative Day

April 27, 1993

speech. Really, what the Bill is about is what goes into the student publication. We're only talking about the student news letter, not...or newspaper or what have you, student journal...we're not really dealing with what students say in an assembly hall or what they say in a classroom. The only topic is the question what goes on in the student newspaper."

Wennlund: "Thank you very much."

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

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

Speaker Dunn: "Indicates she'll yield."

Black: "In other words, the heart of the issue is a student publication, would that be fair to say?"

Currie: "Sorry? I can't hear you, Representative."

Black: "The heart of the issue would then be...this Bill is really aimed at student publications, correct?"

Currie: "That's right, and as I say, tries to restore in Illinois law what was the accepted standard from 1970 until 1988. There was no particular incident that triggered this Bill, but the fact that the standard...Supreme Court set standard, changed in 1988 from one that...applying between 1970 and 1988 essentially offered precisely the program that is offered under House Bill 1919."

Black: "Under this Bill, if a school district had an existing policy that said the student newspaper shall not write derogatory articles about any member of the faculty or administration or board of education, and the student editor or reporter wanted to write an extremely inflammatory article, would that student then be protected under this Bill for his or her right to do so?"

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

50th Legislative Day

April 27, 1993

Currie: "Representative, I'm not sure exactly the answer. I can tell you that no expression is authorized that is obscene, is libelous or slanderous or constitutes an unwarranted invasion of somebody else's right to privacy or an addition..."

Black: "Well I would...I would assume that the basic rules of journalism transcend this Bill. Libel..."

Currie: "Right. That's right."

Black: "Okay. I guess what I'm trying to get at is what Representative Wennlund was talking about. Some schools maintain a policy that their student newspaper cannot deal in gossip columns or...you know, in other words, they have some fairly stringent rules on what a student publication can or cannot be or can or cannot do. I'm not sure I always agree with those rules, but what I'm really trying to understand is...does your Bill tell that school board that that student newspaper is free to print or write basically anything they feel is appropriate as long as it doesn't violate the accepted standards of libel, obscenity, et cetera."

Currie: "Essentially, the Bill says the content with the exceptions that it not be libelous, slanderous or incitement to illegal activities, the content of the student newspaper should be up to the students."

Black: "Okay. That's what I wanted to get. So, in other words, whatever board policy might exist, this would supercede board policy, correct? So that a student could go to a board and say, 'You cannot have a policy that inhibits my right to write a news article for an editorial on a topic that I think should be covered in the student newspaper'. And we both know that in the past, superintendents or principals have said, 'You will not write that, and if you

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

50th Legislative Day

April 27, 1993

do, I will take the paper and not distribute that'. So, if this Bill becomes law, that student would have the right to not only write, but I assume distribute that paper on school property, even though it flies in the face of existing board policy."

Currie: "Well, the Bill does require the school districts to adopt rules and regulations regarding the section, and of course, it requires journalism advisors to work with the students in the organizing of the student document."

Black: "And I think that's an interesting point, too. Does this cover or does this eliminate from liability the position of a newspaper advisor in case the article later ends up in court? I thought I read that in the Bill."

Currie: "And the school district."

Black: "And the school district, as well."

Currie: "Right, and that's a legitimate concern for a school district..."

Black: "Right."

Currie: "...that might say hey, we don't want the students saying something that is going to put us in trouble."

Black: "Okay. That's fine. Thank you very much."

Speaker Dunn: "The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I wonder if the Sponsor would yield for just one quick question."

Speaker Dunn: "Indicates she'll yield."

Cowlshaw: "Representative Currie, I don't actually have this Bill in front of me, but I have an analysis here which indicates that one of the provisions of this Bill is that it...and this you, I'm sure is meant to protect the school officials that are involved with the school newspaper. It says that it requires the student publications are to be

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

50th Legislative Day

April 27, 1993

supervised by journalism advisors who shall instruct students to maintain professional standards of English and journalism. My question is, for the purposes of legislative intent, 'Is anyone who is selected by that school district to be an advisor to the school newspaper a journalism advisor?' You do not mean to imply that every school district has to have a person..."

Currie: "Right."

Cowlshaw: "...who has a degree in journalism in order to do this."

Currie: "Absolutely correct, Representative. That is not the intent here. Generally, the journalism advisors come from the ranks of the English or speech teachers, and no, there's nothing in this Bill that would require a school district to hire additional personnel."

Cowlshaw: "Very good. As long as...thank you. Mr. Speaker, to the Bill. As long as there is a clear understanding that the school district is still free to select anyone, regardless of what that individual's background may be, and is not required to hire somebody with a degree in journalism in order to serve as advisor to the student newspaper and as long as that is perfectly clear to all of us, so that we are not imposing a mandate upon the schools, in that event I stand in support of this legislation and believe that students ought to have their rights respected and protected just the same as the rest of us. Thank you."

Speaker Dunn: "The Lady from Cook, Representative Davis."

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

Speaker Dunn: "Indicates she'll yield."

Davis: "Okay. Representative, it states here in the analysis of the Bill that your Bill changes the standard for determining whether student expression is not protected by

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

50th Legislative Day

April 27, 1993

this Act. Could you kind of explain that?"

Currie: "Yes, Representative. There has been a United States Supreme Court ruling in effect began in 1970, Tinker vs. the Des Moines Independent Community School District. That ruling essentially guaranteed to students the right of expression that is promulgated in House Bill 1919. That rule served the students of the state...of this state well, for 18 years. Another case coming out of Iowa came to the United States Supreme Court in 1988. The result of that case was to narrow the opportunity for self-expression among students. This Bill is attempting to restore in Illinois the standard that was set in 1970 and that did apply from 1970 to 1988."

Davis: "All right. Does your Bill remove the guidance that an adult or a group of adults might provide students who are preparing or writing a newspaper? Does it say that the student has a right to express him or herself in this paper in any way he or she chooses and that they cannot be in any way censored by the faculty or the policymakers of that school?"

Currie: "First it requires supervision by faculty members, so that there is supervision by faculty members; second, it constrains the speech by virtue of incitement to imminent unlawful action, libel, slander, the kinds of things that people are not generally permitted to express without getting themselves into hot water."

Davis: "Let me tell you why..."

Currie: "This has...this Bill does have the support of the people who do provide supervision, the professional journalism groups..."

Davis: "But you feel that..."

Currie: "...that provide supervision to people..."

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

50th Legislative Day

April 27, 1993

Davis: "But Representative, you feel that the latest law, the last one in the 70's that we're operating under, you feel it's too restrictive?"

Currie: "The 1988 ruling by the Supreme Court has resulted in a very substantial chilling of the willingness and ability of students to express themselves through their student newspapers. That's according to the Columbia University survey of supervisors of student newspaper...of the young people who themselves are involved in student newspapers."

Davis: "Well, to the Bill, Representative, and to the Speaker and the Ladies and Gentlemen of the House. You know, sometimes I think we take our freedoms a bit too far. Recently in the Chicago public schools, different high schools on different days were bombarded with sexually explicit materials in reference to the HIV virus and reference to sexual expression, and it really was extremely base in nature. It isn't something that you would want your child to see, because you don't think that love is necessarily expressed in such a debased fashion. And sometimes I think we use these freedom of expression...what shall we say, laws, in order to promulgate some differences from the norm that we may possess, and I'm just not sure that young people who write newspapers should be given 100% opportunity to write what they think at that time is what they want to promote. When I was a college and high school student, I wrote for the newspaper, and we were always grumbling if that advisor said to us, 'This is not in good taste. This is offensive.' But as an adult standing here today, I am so glad that none of that writing with my name on it ever saw the light of day. As a young person, I felt that this person was denying me a right and denying me a freedom; however, those things that were funny and cute at

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

50th Legislative Day

April 27, 1993

that young age would be very harmful to one as an adult, and had an adult with good taste and who believed in the freedom of expression had not been there, it would just be a libelous situation for that person as they move on down the line. Thank you."

Speaker Dunn: "The Lady from Cook, Representative Currie, to close."

Currie: "Thank you, Speaker and Members of the House. This is a pretty straightforward proposition. Student newspapers will continue to be guided under this Bill by members of the faculty who will instruct them in proper standards of journalism and in the appropriate use of the English language. This is not a measure that says, 'Get out of the way, no holds are barred.' Ordinary standards of obscenity, of libel, of slander, of calls to imminent reckless behavior would continue prohibited, but the standard that would be imposed under House Bill 1919 is a standard that worked from 1970 until 1988 and will avoid the kind of chilling effect that we see today in students' right of expression by making sure they have legitimate rights, but that the school districts are protected and that we give our high school students some opportunity to enjoy the freedom of speech clauses in both our Illinois Constitution and the United States version as well. I'd appreciate your 'aye' votes."

Speaker Dunn: "The question is, 'Shall House Bill 1919 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 81 voting 'aye', 31 voting 'no', 1 voting 'present'. House Bill 1919, having received the required Constitutional Majority, is hereby

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

50th Legislative Day

April 27, 1993

declared passed. On the Order of Business, State and Local Government, Third Reading, appears House Bill 2207. (House Bill) 2207. Representative Lang. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 2207, a Bill for an Act in relation to games of chance. Third Reading of the Bill."

Speaker Dunn: "Representative Lang."

Lang: "Thank you, Mr. Speaker. I would ask leave of the House to move the Bill back to Second Reading for purposes of an Amendment."

Speaker Dunn: "Okay. Does the Gentleman have leave to return the Bill to the Order of Second? Okay. The Gentleman moves to return the Bill to the Order of Second Reading for the purpose of an Amendment. All those in favor... The Gentleman moves to return the Bill to the Order of Second Reading. All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Representative Black, on the Motion. Have all voted who wish?"

Black: "Speaker."

Speaker Dunn: "Representative Black, do you wish to..."

Black: "Yes. An inquiry of the Chair."

Speaker Dunn: "State your inquiry."

Black: "I assume that you are asking to suspend the appropriate rule for moving this back to Third Reading and the inquiry of the Chair is, how many votes does that take?"

Speaker Dunn: "The Parliamentarian advises the Motion requires 60 votes for passage, and it's not a suspension..."

Black: "Under what rule, if I may be so bold."

Speaker Dunn: "...of the rules, I'm advised."

Black: "Okay. It's always good to see the real Parliamentarian back."

Speaker Dunn: "The Motion is in accordance with Rule 37(e).

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

50th Legislative Day

April 27, 1993

Sixty votes are required."

Black: "All right. Thank you."

Speaker Dunn: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On the Motion, 63 voting 'aye', 52 voting 'no'. The Motion carries. The Bill shall be replaced on the Order of Second Reading. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 2207. The Bill has been read a second time previously. Amendment #2 has been adopted to the Bill. No Motions filed. Floor Amendment #3, offered by Representative Lang."

Speaker Dunn: "Representative Lang, on Floor Amendment #3."

Lang: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment 3 changes Amendment 2, and becomes the Amendment. In this Amendment, we have much of what was in the previous Amendment, a Code of Ethics for gaming board members and employees, prohibition against revolving door, background checks for applicants, protection from advertising in low income areas, a requirement that there be publicity regarding the availability of treatment programs for addictive gamblers, a check for the handling of underage patrons and a prohibition against ex-party communication. It's a good Bill regarding ethics and gambling in the State of Illinois to keep our state clean in the area of gambling, and I would recommend your 'aye' votes."

Speaker Dunn: "Gentleman from Cook, Representative Walsh on the Motion."

Walsh: "Mr. Speaker, I'd like a point of personal privilege, please. I'd like to recognize a good friend of mine, a former colleague, the President of the Metropolitan Water

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

50th Legislative Day

April 27, 1993

Reclamation District, President Tom Fuller."

Speaker Dunn: "That is a violation of our rules. The Gentleman from Jefferson, Representative Hicks, on the Amendment."

Hicks: "Thank you, Mr. Speaker. In regard to House Bill 1919, the previous Bill, I inadvertently pressed 'no' on that. I wish the record to reflect that I voted...would have been reported 'yes'."

Speaker Dunn: "Let the record reflect that Representative Hicks would have voted 'aye' on...would have voted what, Representative Hicks? 'Aye' on House Bill 1919."

Hicks: "Correct, Sir."

Speaker Dunn: "And Representative Deering makes the same request. Let the record reflect that Representative Deering would have voted 'aye' on House Bill 1919. Representative Rotello makes the same request. He would have voted... Representative Rotello, for what purpose do you arise?"

Rotello: "Thank you, Mr. Speaker. I'd like the record to reflect that I should have been recorded as a 'no' vote on House Bill 1715. The vote was taken while I was out in the hallway."

Speaker Dunn: "Let the record reflect that Representative Rotello would have voted 'no' on House Bill 1715. Gentleman... The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you, Mr. Speaker. We would request a Republican Conference at 3:00 lasting for about an hour, please."

Speaker Dunn: "All right. The Gentleman from Cook, Representative Lang, moves the adoption of Amendment #3 to House Bill 2207. All those in favor of the Amendment say 'aye'. On the Motion, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, and Mr. Speaker, I want to request a Record Vote on the Amendment; and in the event it receives the requisite

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

50th Legislative Day

April 27, 1993

number of votes, I would seek a verification. To the Amendment. Ladies and Gentlemen of the House. This is another, yet another one of Treasurer Pat Quinn's..."

Speaker Dunn: "Representative Wennlund, let's back up a moment. We got into all the introductions. The Gentleman Sponsor's not had a chance to explain his Amendment. Let's afford him that courtesy, and then we'll come back to you. Representative Lang, to present the Amendment."

Lang: "Well, I was pretty much finished, and as Representative Wennlund was about to say, this is an issue of Treasurer Quinn. It's very similar to the...to the Amendment we adopted the other day. A few things have been dropped out of it. Basically, it's a good, sound Bill, an Amendment relative to ethics on the riverboats. And, Mr. Speaker, you were in the middle of taking a vote on this when you decided to call on Mr. Wennlund. I think it'd be a good idea if you continued to take the vote."

Speaker Dunn: "Representative Wennlund, do you wish to bring your remarks to a close? You've requested a Roll Call Vote, correct?"

Wennlund: "Yes. Thank you."

Speaker Dunn: "The Gentleman Sponsor, Representative Lang moves for adoption of Amendment #3 to..."

Wennlund: "Speaker."

Speaker Dunn: "...you do wish to address the Amendment?"

Wennlund: "Correct."

Speaker Dunn: "I'm sorry. I misunderstood you. Please address the Amendment."

Wennlund: "Thank you. This is yet another one of Treasurer Pat Quinn's election Bills, but let me tell you what it does and how it affects the riverboat gambling industry. I point out to you that on page 30, 'any person employed on a

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

50th Legislative Day

April 27, 1993

riverboat who permits a person under 21 to make a wager, is guilty of a Class IV felony.' That's a three years to six years in the penitentiary. Three years to six years. Now, that doesn't provide any excuses. If a person uses a false I.D., it doesn't make any difference; it's still a Class IV felony. If a young person lies and, in fact, is under 21 and places a wager, he's guilty of a Class IV felony. It doesn't make any difference if he knows or he doesn't know. There are two classifications. Just permitting or knowingly aiding and encouraging a person under 21 to make a wager. So, if anyone was an employee for instance of a riverboat, allows or permits a person under 21 to make a wager, even though that person may have a false I.D. (for all we know), he's guilty of a Class IV felony. This is just one example of the many bad parts of this Bill. The provisions of the Bill make it almost impossible for a riverboat gambling casino to go public. This is no better than the prior Amendment. It's no better than the original Bill. It's yet another Pat Quinn initiative that ought to be defeated."

Speaker Dunn: "The Gentleman from Cook, Representative Lang, to close."

Lang: "Thank you, Mr. Speaker. Just briefly, in response to the one comment of Mr. Wennlund, on page 34 of the Bill, it's got numerous exemptions to the problems of allowing an underage person to gamble. It's very well covered there, requiring intent, false representation and all sorts of other things. Mr. Wennlund again has not properly read the Bill as we discovered the other day, and I would ask for you 'aye' votes on this Amendment."

Speaker Dunn: "Gentleman moves for adoption of Floor Amendment #3 to House Bill 2207. On that question, all those in favor

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

50th Legislative Day

April 27, 1993

vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, vote Representative Edley 'no'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Sixty-six voting 'aye', 42 voting 'no', and the Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Dunn: "Oh, wait. Let's back up. We had a request for verification. Do you wish to persist with your verification? No, he does not. Now, are there further Amendments? Further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments, but a fiscal note, a state mandates note, a correctional budget impact note, as amended, by Amendment #3, has been requested on the Bill."

Speaker Dunn: "The Gentleman from Cook, Representative Lang, for what purpose do you rise?"

Lang: "I would move that the Chair rule that all note requests are inapplicable."

Speaker Dunn: "The Gentleman moves that all the fiscal note requests filed are inapplicable; and, on the Motion, Representative Black."

Black: "Well, thank you very much, Mr. Speaker. To the Motion that is before us. If the Gentleman is going to classify this as an ethics Bill, then how ethical could it be to just summarily say that all of the notes requested on this Bill don't apply? There are substantial changes in this Amendment as to criminal penalties, as to the cost of the state agency involved in carrying out some of the mandates or the acts that this Bill, should it become law, will require them to do. To summarily stand up and say that on a piece of ethics legislation no notes apply seems to be a

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

50th Legislative Day

April 27, 1993

contradiction in terms to me. If the Gentleman persists in his call, I would ask that a Roll Call Vote be made on his Motion to rule notes applicable, so we can see who's really interested in the underlying concept and who's just doing this for political reasons, and I would also ask that it get's the applicable number, I may seek a verification, Mr. Speaker."

Speaker Dunn: "The question is, 'Is the Fiscal Note Act inapplicable?' On that question, all those in favor vote 'aye'; those opposed vote 'no'. 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? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 58 voting 'aye', 55 voting 'no'; and the Motion... Representative Black, do you wish to persist in your request for a verification?"

Black: "Well, first an inquiry of the Chair. The Parliamentarian could advise me very quickly. Does this require 60 votes? I thought it did. A simple Majority?"

Speaker Dunn: "The Parliamentarian advises the question calls for a Majority of those voting on the issue."

Black: "All right. Well, it's very close. If it were not this close, I would not persist in the verification, but I...on this issue of ethics and ruling notes not applicable, yeah, I must persist in a verification, Mr. Speaker."

Speaker Dunn: "Mr. Clerk, poll those not voting."

Clerk Rossi: "Poll of those not voting. Representative Brunsvold and Representative Younge."

Speaker Dunn: "Mr. Clerk, poll the affirmative votes."

Clerk Rossi: "Poll of those voting in the affirmative. Representative Balanoff. Blagojevich. Bugielski. Burke. Capparelli. Currie. Dart. Davis. Deering. Dunn.

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

50th Legislative Day

April 27, 1993

Edley. Flinn. Flowers. Frias. Giglio. Giolitto.
Giorgi. Granberg. Hannig. Hartke. Hicks. Hoffman.
Homer. Jones, Lou. Jones, Shirley. Kaszak. Kotlarz.
Lang. Laurino. Levin. Lopez. Martinez. Mautino.
McAfee. McGuire. McPike. Moore, Eugene. Morrow.
Moseley. Murphy, H. Novak. Ostenburg. Phelan. Phelps.
Prussing. Pugh. Ronen. Rotello. Santiago. Schakowsky.
Schoenberg. Sheehy. Steczo. Stroger. Turner. von
Bergen -Wessels. Woolard. Mr. Speaker."

Speaker Dunn: "Question of the Affirmative Roll Call.
Representative Black."

Black: "Thank you very much, Mr. Speaker. Representative
Martinez?"

Speaker Dunn: "Representative Martinez. Representative Ben
Martinez. Is the Gentleman in the chamber? Representative
Martinez? Gentleman is not in the chamber. Mr. Clerk,
remove him from the roll call."

Black: "Representative Hartke?"

Speaker Dunn: "Representative Hartke. Gentleman from Effingham,
Representative Hartke. Representative Hartke is on the
Republican side."

Black: "Where he's always welcome, I might add, Mr. Speaker.
Representative Schoenberg?"

Speaker Dunn: "Representative Schoenberg is on the podium."

Black: "Oh. I'm not used to seeing him up there, but good work.
Representative Flowers?"

Speaker Dunn: "Representative Mary Flowers is in the center
aisle."

Black: "Representative Pugh?"

Speaker Dunn: "Representative Pugh. Representative Coy Pugh.
Representative Pugh. The Gentleman from Cook. Is
Representative Pugh in the chambers? Representative Pugh."

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

50th Legislative Day

April 27, 1993

Mr. Clerk, remove him from the roll call. Mr. Clerk, Representative Brunsvold wishes to be recorded as voting 'aye'. Representative Steczko asks leave to be verified, Representative Black."

Black: "That's fine. That's fine. I believe Representative Santiago is seeking..."

Speaker Dunn: "Representative Santiago wishes leave to be verified. Is leave granted, Sir?"

Black: "Yes. Yes, by all means. Is..."

Speaker Dunn: "Further requests?"

Black: "Yes. Thank you, Mr. Speaker. Is Representative Shirley Jones in the chamber?"

Speaker Dunn: "Representative Shirley Jones. Representative Shirley Jones. Is the Lady in the chambers? Representative Shirley Jones. She will return in a moment, I am advised."

Black: "I'm certainly glad to hear that, but at the present time is she in the chamber?"

Speaker Dunn: "She is not in the chamber. Remove the Lady from the roll call."

Black: "Representative Lou Jones?"

Speaker Dunn: "Representative Kotlarz, I believe, has requested to be verified."

Black: "Oh. Yes, by all means. I see Representative Jones in the center aisle. Lou Jones, that is."

Speaker Dunn: "Representative Kotlarz has leave to be verified, is that correct?"

Black: "Yes. Absolutely."

Speaker Dunn: "Thank you. Representative Lou Jones is in the chambers. Representative Shirley Jones has returned to the chambers. Restore her to the roll call voting 'aye'."

Black: "I see her back there. Yes, yes. I see her."

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

50th Legislative Day

April 27, 1993

Speaker Dunn: "Representative McGuire requests leave to be verified. McGuire's in the center...aisle requested to be verified."

Black: "I'm sorry...by all means."

Speaker Dunn: "...aisle requests to be verified."

Black: "By all means. I never argue with anybody that wears a double-breasted blazer with Navy insignia on it."

Speaker Dunn: "Do you have further requests?"

Black: "Unfortunately, Mr. Speaker, is Representative Hicks in the chamber?"

Speaker Dunn: "Representative Hicks is in his chair."

Black: "I see. All right. Nothing further."

Speaker Dunn: "On this question, there are 57 voting 'aye', 55 voting 'no', and the Motion carries. Third Reading. Gentleman asks leave to suspend Rule 37(d) for the... Is there...for immediate consideration. Is there leave? The Gentleman moves that Rule 37(d) be suspended. Representative Wennlund, for what purpose do you arise?"

Wennlund: "To demand a Record Vote, pursuant to Rule 37(d)."

Speaker Dunn: "Gentleman requests a Roll Call Vote."

Wennlund: "Request 71 votes is the requirement."

Speaker Dunn: "We will not deny any requests for a Roll Call Vote, of course. The Gentleman moves for immediate consideration to suspend the appropriate rule. On that question, all those in favor vote 'aye'; those opposed vote 'no'. Voting is open. This Motion requires 71 votes to be adopted. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 60 voting 'aye', 52 voting 'no', and the Motion fails. The Republicans have requested a caucus immediately in Room 118...for how long, Representative Leitch? Representative

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

50th Legislative Day

April 27, 1993

Leitch? Representative Black. Somebody."

Leitch: "About an hour."

Speaker Dunn: "The Republicans have requested a caucus for one hour in Room 118. The House will be in recess until 4:00. The Democrats will not caucus. Representative Black, for what purpose do you rise?"

Black: "Mr. Speaker, an inquiry of the Chair. House Bill 2207 will now appear on the Calendar on the Order of Third Reading, what legislative day?"

Speaker Dunn: "The Parliamentarian advises me it will appear on the 51st Legislative Day."

Black: "And, is that tomorrow, Mr. Parliamentarian?"

Speaker Dunn: "Yes."

Black: "On the Order of Third Reading, 51st Legislative Day. Thank you. I appreciate that. It certainly narrows it down."

Speaker Steczo: "The House will be in order. Representative Steczo, in the Chair. On the regular Calendar, on page 5, appears House Bill 203, Representative Giorgi. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 203. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Kubik."

Speaker Steczo: "The Chair recognizes Representative Kubik, on Amendment #1."

Kubik: "Withdraw Amendment #1, Mr. Speaker."

Speaker Steczo: "Amendment #1 will be withdrawn. Are there further Amendments, Mr. Clerk?"

Clerk Rossi: "Floor Amendment #3, offered... Floor Amendment #2, offered by Representative Kubik."

Speaker Steczo: "Representative Kubik, on Amendment #2."

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

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

50th Legislative Day

April 27, 1993

House. Amendment #2 is language that has been agreed to by the Gaming Board. What it would do is it would provide that 50% of the monthly riverboat gambling wagering tax revenues collected by the state would be transferred to the Education Assistance Fund. I would...I would make sure that the Members understand that this does not in any way alter local funding, so all of the local funding remains the same. The Gaming Board is in favor, and I would appreciate your support and would be happy to answer any questions you might have."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #2. Is there any discussion? All those in favor of the adoption of the Amendment will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment's adopted. Any further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Steczo: "Third Reading. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 203, a Bill for an Act amending the Riverboat Gambling Act. Third Reading of the Bill."

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

Giorgi: "Mr. Speaker, the only language on the Bill is the Amendment that Kubik just put on. I support his Amendment, I'd like to get this over to the Senate."

Speaker Steczo: "Is there any discussion? The Gentleman has moved for the passage of House Bill 203; and, the question is, 'Shall House Bill 203 pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take

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

50th Legislative Day

April 27, 1993

the record. On this question, there are 92 voting 'yes', 16 voting 'no', 6 voting 'present'; and House Bill 203, having received the required Constitutional Majority, is hereby declared passed. On the Special Order of Consumer Protection, Third Reading, appears House Bill 1504, Representative Schakowsky. Representative Schakowsky? Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1504, a Bill for an Act amending the Medical Patient Rights Act. Third Reading of the Bill."

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

Schakowsky: "Thank you, Speaker. House Bill 1504 is a Bill designed to protect Medicare patients. This does...this is a Bill that would require number one, that Medicare beneficiaries be told whether or not their doctor accepts Medicare assignment. What that means is, whether or not that doctor charges more than the Medicare approved rate, or simply charges what the Medicare rate is. We're asking that a notice be sent to Medicare beneficiaries, and that the doctors post this information in a conspicuous place in their office so that they can know whether to expect additional charges. Then there is an Amendment which is consistent with current federal Medicare law that says that doctors may not charge more than 115% of the approved Medicare rate, that's what currently is in effect right now across the nation; and finally, it says that a physician who does decide to treat Medicare beneficiaries will prepare their Medicare claim and submit it within 60 days after providing the services, and it says that the doctors can't charge from the Medicare beneficiary until after the Medicare carrier has made a written determination on the claim. This is a Bill that's very, very important to

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

50th Legislative Day

April 27, 1993

seniors who are the largest consumers of health care services in the State of Illinois. These are reasonable requirements. It doesn't forgive anybody from paying their Bills. The seniors still have to pay the full amount the doctors ask them for. It just simply makes it easier and ends some of the problems that seniors are finding in meeting their health care bills, and I would...I would really urge that anyone who cares about senior citizens and the problems that they're having paying their med...their doctor bills, would support this legislation."

Speaker Steczo: "The Lady has moved for the passage of House Bill 1504; and, on that question, is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Steczo: "She indicates she will."

Black: "Representative, in your opinion, are you...are you adding a state regulation to that...to a federal program?"

Schakowsky: "Almost all states in some way address the issue of Medicare, so I guess it would be fair to say but it is nothing unusual. Many, many states have even gone beyond Medicare requirements. This is a way of implementing the current Medicare requirements."

Black: "Oh. So, you're saying...you're telling me that the federal government favors this legislation, right?"

Schakowsky: "I don't know that they don't."

Black: "Oh. Well, I don't think they do. Isn't it a fact that the federal government has several incentives in the Medicare program that will encourage physicians to accept assignment?"

Schakowsky: "And yet fewer than about a third of the doctors in

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

50th Legislative Day

April 27, 1993

Illinois do accept Medicare assignments all the time."

Black: "Oh, I don't think so. I don't think so, but anyway, the federal government makes it very clear that the federal incentives that they give to doctors for assigning of Medicare beneficiaries may well be compromised by this Amendment. What percentage of Medicare claims for physician services, as submitted by physicians, are on an assigned basis?"

Schakowsky: "The issue is that only about a third of the doctors do it all the time, so no Medicare beneficiary can be sure that their doctor who doesn't agree to always accept Medicare assignment, will do it in their particular case. This will let them know in advance whether or not that particular service will be covered through Medicare assignment."

Black: "Well, let me...let me just correct something. According to data from the Marion office provided from the Marion office on Medicare Part B, currently 81% of all Medicare claims for physician services in Illinois are submitted by physicians on an assigned basis. Furthermore, data from HICVA shows that nearly 64% of all Illinois physicians licensed to practice medicine are participating physicians in the Medicare Part B program. Now, given those figures from the Marion office and the federal government, wouldn't it...wouldn't it seem kind of strange to impose very stringent requirements on all physicians to address the potential concerns that involve 19% of the Medicare claims?"

Schakowsky: "I challenge the notion that these are stringent requirements, that notification of whether or not a doctor will accept Medicare assignments is not a stringent requirement. Asking them to process the claim for a senior

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

50th Legislative Day

April 27, 1993

citizen is not a stringent requirement. Asking them to wait for collection until the federal government determines how much they'll pay is not a stringent requirement. Beyond that, I would dispute that 66% or whatever you said of the doctors are participating physicians in Illinois."

Black: "Well, perhaps you could call Mrs. Clinton tomorrow, because that data is released by HICFA, which is a federal health care agency; but, be that as it may, thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House. Federal law very clearly allows non-participating physicians to accept assignment on a case-by-case basis. Now, given the fact that from the data that we receive from the Marion office, 81% of the Medicare claims in Illinois are already assigned such a posting as is required under this Bill, may very well be misleading to the consumer. Patients may wrongfully assume that a non-participating physician will never accept assignment; and, therefore, fail to ask that assignment be accepted on their specific case. Now, we could go on and on and on, but basically we have so many warning labels, signs, rules, regulations, but what really gets to the heart of the matter in my part of the state, is there's a penalty clause in this Bill. We don't have enough doctors in rural Illinois to do anywhere near the kind of accessibility percentages that we'd like to have, but any doctor who runs afoul of this law could be found guilty of a Class C misdemeanor. So what few doctors we have, God forbid they make a paperwork mistake, may very well find themselves locked up in the county jail. Now, that will certainly add a great deal to the accessibility and affordability of medical care in rural areas. It's the damn paperwork that's running physicians out of this state. For once in

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

50th Legislative Day

April 27, 1993

your life stand up and say 'Enough paperwork. Let doctors practice medicine and let Mrs. Clinton tell us how that medicine will be practiced and delivered at the end the May.' We don't need this Bill. Vote 'no'."

Speaker Steczo: "The Chair recognizes the Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Although the previous speaker is a difficult performance to follow, just how does the Sponsor of this Amendment...or this Bill believe that penalizing doctors, telling doctors how and whom they must treat and how much they receive, is going to encourage the accessibility of physicians within this state? I submit to you just the opposite. I submit to you that the further state regulation of a federal program is just exactly what is causing the number of physicians in this state and the areas served by Representative Phelps, the areas served by myself, Representative Black and others, to be so few and far between. It is the kind of governmental bureaucratic interference that is being proposed by this Bill that is causing the problems within the state...within this nation today. Not only are they telling physicians how to practice, who to see, when to see them, but physicians now spend more money and time on bureaucratic paperwork than ever before. This is the person who suggested state government can do better with universal health than the federal government; and, having failed that, now decides, well since we can't do that, the state is going to come in and regulate a federal program. The insanity of such an approach amazes me. When the huge percentage of what it is in medical care is the paperwork, the very item that is argued by those in favor of universal health care as a reason for universal health care; and yet, here it is that

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

50th Legislative Day

April 27, 1993

people are attempting to put in more bureaucracy, more administration and more paperwork. It just doesn't work, and it's for that reason that so many groups including the state medical society oppose this very piece of legislation. It is not a good idea. It is more bureaucracy, and it should be defeated."

Speaker Steczo: "The Chair recognizes the Gentleman from McDonough, Representative Edley."

Edley: "Mr. Speaker and Ladies and Gentlemen of the General Assembly, I'm...I'm bemused by some of the comments from the other side of the aisle. They're always the ones promoting market mechanisms and empowering consumers to make choices and yet they're against having price information available to the consumer. This Bill doesn't require physicians to charge the Medicare assessment rate. It simply tells their patients whether they'll accept it or not, and then let the patient decide whether they want to use a physician who abides by the Medicare...the Medicare assessment schedule or whether they're willing to search around and find a physician who will bill at that rate. You can't have a market system work unless there is known prices, unless you know what your service is going to cost you, and I have in my district office probably talked to dozens of senior citizens that come in and say, 'My goodness, I got this procedure done and I didn't realize this, but I'm being balance billed six, 1,000, \$2,000 for a procedure that I thought that Medicare was going to take care of. That's the problem that the Representative is trying to address, and I think that those of us who have voted against (and I had been one that voted against) requiring physicians to accept the Medicare assessment rates. I voted for...against it on numerous occasions. I

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

50th Legislative Day

April 27, 1993

don't see anything wrong with requiring the physician to notify their patients what their billing schedule and their billing practices are, and I would urge an 'aye' vote."

Speaker Steczo: "The Chair recognizes the Gentleman from Grundy, Representative Weller."

Weller: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Would the Sponsor yield?"

Speaker Steczo: "He indicates he will."

Weller: "Representative, I'm just trying to better understand how you plan to police the requirements that are in this legislation. Now, does this... Does House Bill 1504, has it been amended by House Amendments 1 and 2?"

Schakowsky: "Amendment... Amendments were adopted, yes."

Weller: "So Amendment 1 and 2 are attached. It's my understanding as the Bill's amended, it requires the physician to submit a Medicare claim within 60 days after providing the service. How will that be policed? Who's going to monitor those 60 days?"

Schakowsky: "The individual would have to file a complaint."

Weller: "So, you're saying the patient would file the complaint?"

Schakowsky: "Correct."

Weller: "And who would they file it with?"

Schakowsky: "Well, if it's a misdemeanor, they'd file it with the state's attorney."

Weller: "They'd file that complaint with the state's attorney. So, will the state's attorney then have local law enforcement... For example, going in physicians offices to check the records to see whether or not they have the paper work done within 60 days of providing a service."

Schakowsky: "Like anyone else, Representative, if a physician breaks the law, they would be subject to the same kind of scrutiny and sanctions...as anyone else."

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

50th Legislative Day

April 27, 1993

Weller: "I see. Now it's my understanding, also, if a physician fails to give the required notice regarding Medicare assignment or charges, that the patient could recover twice the amount of any Medicare overcharge plus court costs. So, does that mean that this legislation would make the physician liable where the patient can then file suit in local court?"

Schakowsky: "It would allow patients to seek civil action for failure to...comply, yes."

Weller: "All right. Then, you've also got here a physician who...relates this provision. But anyway, who can also commit a Class C misdemeanor for exceeding 115% of reasonable charges. What's the penalty for a Class C misdemeanor?"

Schakowsky: "What is a Class C misdemeanor?"

Weller: "You don't know, Representative?"

Schakowsky: "Is this... Is this some kind of a quiz? I mean, a Class C misdemeanor... Do you know, Representative? Maybe you can share that information with us."

Weller: "No. That's why I'm... Representative, that's why I'm asking you. You're the Sponsor of the Bill, and... I don't know. Does this send a physician to jail?"

Schakowsky: "Well, look, Representative, we want to make it illegal to violate federal law. We want to make it state law...make it illegal under state law as well. The Physician Payment Review Commission has indicated that there is no effective sanctions to insure compliance. We want to make sure that there are sanctions to ensure compliance of federal law that is now on the books."

Weller: "So, then, this legislation could send a physician to prison, then, for not complying with the requirements. Is that the case?"

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

50th Legislative Day

April 27, 1993

Schakowsky: "Rarely is that penalty ever applied."

Weller: "But they would be eligible for...they would be eligible to go to prison, then if they failed to meet the requirements of this legislation."

Schakowsky: "You know, it's really fascinating to see how Members will stand up and say that physicians should be held to a different standard than the rest...of all of us. And I would suggest that maybe the time has come for once in your life, to stand up to the doctors in favor of the senior citizens."

Weller: "Well, Representative, I...I think I have stood up in favor of senior citizens many times. Sometimes we look at issues in a different way. But many of us, and I know you, I think, have spoken on this issue are concerned about making health care more affordable, making health care more accessible to the people of Illinois. Well, just the three provisions of this Bill that we've talked about, Representative, you're gonna turn the local state's attorney loose on the physician, then you're gonna allow the poor...the physician, the man or woman, to be sued in court, then you could send them to prison. Boy, that's an incentive to practice medicine in the State of Illinois. You want health care to..."

Schakowsky: "A simple act of compliance..."

Weller: "...accessible. If you want health care to be accessible, if you want health care to be affordable, how can you do that by threatening a physician to send him to prison, or suing them, or turning the local state's attorney loose on him?"

Schakowsky: "A simple act of compliance would avoid any problems for physicians and the requirements of this Bill are so simple and so easy to follow that any physician who wants

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

50th Legislative Day

April 27, 1993

to obey the law could avoid those sanctions."

Weller: "You know, Representative... I don't know, Mr. Speaker, I wasn't even asking her a question and she's speaking back. I assume she'll have the opportunity to close."

Schakowsky: "I heard a question."

Weller: "But to the Bill, Ladies and Gentlemen. We try and enact common sense legislation in this General Assembly. And we're all concerned about health care reform. And we're all concerned about making health care more accessible, more affordable, and more easily obtained by senior citizens and our young people and everyone who needs health care. And if you want health care accessible in this state, you're not gonna go out and tell local physicians that if he doesn't post a little notice on the wall, that he could go to prison or he can be sued or the local state's attorney is gonna haunt his office looking for some way to send him to prison or provide an opportunity to go to suit. This legislation just does not make sense, Ladies and Gentlemen. It's a bad Bill. Best vote is a 'no' vote."

Speaker Steczo: "The Chair recognizes the Lady from Whiteside, Representative von Bergen-Wessels."

von Bergen-Wessels: "Thank you, Speaker. Will the Sponsor yield?"

Speaker Steczo: "She indicates she will."

von Bergen-Wessels: "Thank you. Representative Schakowsky, there's nothing in this Bill that requires a physician to take assignment, is that correct?"

Schakowsky: "Nothing in this Bill would require it. That's correct, Representative."

von Bergen-Wessels: "Representative, the Amendment #1 you said...codifies current federal law concerning the 115% of reasonable charges, that's... Is that correct?"

Schakowsky: "That's exactly right. This is current federal law."

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

50th Legislative Day

April 27, 1993

von Bergen-Wessels: "Is there any federal sanction against a physician that...exceeds that 115% limit?"

Schakowsky: "The Physician Payment Review Commission says that currently there are no effective sanctions to ensure compliance."

von Bergen-Wessels: "On Amendment #2, I understood the previous answer to this question to be that if...if a file...a claim wasn't filed within 60 days, that that would be a misdemeanor also, or...would that only be a civil action? If the claim wasn't filed within 60 days?"

Schakowsky: "The same sanctions would apply for that provision as well...to the rest of the Bill."

von Bergen-Wessels: "Would that be...a Class C misdemeanor then, for not filing it?"

Schakowsky: "I'm not sure. I believe so."

von Bergen-Wessels: "And lastly on Amendment #2. Would you have any idea of how long it takes Medicare to give a written determination on a claim?"

Schakowsky: "Let me just clarify. No, Amendment 1 had the Class C misdemeanor. Amendment #2 did not include that language."

von Bergen-Wessels: "Okay. So there would... There seemed to be a little confusion on this point. So, there would be no sanction if a...if a claim was not filed by the doctor's office in 60 days?"

Schakowsky: "There would not be a Class C misdemeanor under Amendment 2 provisions."

von Bergen-Wessels: "And then lastly, do you have any idea how long it takes Medicare to make a written determination of a claim? I mean, in Amendment 2, the physician cannot charge or collect money from the beneficiary until Medicare has made a written determination of the claim, and I wondered if you have any idea how long it takes for Medicare to do

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

50th Legislative Day

April 27, 1993

that?"

Schakowsky: "My understanding is that the turn-around time is fairly prompt from Medicare."

von Bergen-Wessels: "To the Bill, Mr. Speaker. I am married to a practicing podiatrist who certainly would fall under the...the...all the ramifications of this Bill. He currently accepts Medicaid assignment. I don't think there'd be any difficulty with him posting a notice to that effect in his office. I'm certain that he probably would not be outside the federal law of 115%, and, therefore, wouldn't find himself violating any criminal laws. I don't see anything in this Bill that is so terribly onerous to physicians who are conscientious and who are trying to help out our senior citizens. I remember in the past, physicians waived that 20%. The federal government came in and said, oh, no, you can't give the seniors that kind of a break'. So, I would urge support of this Bill. As being married to a physician, I don't think it's that onerous, and I think my colleagues don't need to fear passage of this Bill. Thank you."

Speaker Steczo: "The Gentleman from Madison, Representative Stephens."

Stephens: "Well first of all, Medicaid processing is not very nearly immediate. It is a lengthy process on most occasions. What the Lady is trying to do is take a federal regulation that, by the way has no sanctions in federal law, codify it in statute and then have sanctions, including misdemeanor... Ladies and Gentlemen, in my part of the state and further south, we have a terrible time attracting physicians. And this is just another signal. Physicians who, instead of practicing in Illinois along the border states, go to those other states where you're

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

50th Legislative Day

April 27, 1993

treated more kindly. That is the wrong message when time after time, especially from your side of the aisle, we hear method after method to...in order to attract physicians and to keep physicians practicing in our state and, yet, you come up with another mechanism by which to chase them out of our state. Physicians are here to help and heal and to...to make a fair profit in the meantime. For you to demean that is...is wrong and it sends a bad message to the medical profession to which we should send the opposite message, one of attraction and retention. Thank you very much. I stand in opposition to 1504."

Speaker Steczo: "Representative Schakowsky to close."

Schakowsky: "Thank you, Speaker. While, I've heard a lot of sympathy for the doctors here in this chamber, and I believe, not enough for the senior citizens who are paying the largest portion of their income toward health care costs. I want to remind you, all of you who concerned about access to health care, that the doctors have been opposed efforts that would ensure access to health care by use of nurse practitioners, et cetera, and now all we're asking the doctors to do, is to inform their patients about how much they're charging and to facilitate the payment of Medicare bills. That's all. The other thing is the concern about doctors who break the law. Yesterday, I heard from the other side of the aisle how we're too soft on defen...a...on defendants and how we have to make sure that we protect the rights that those have been acted against. Now, you're saying that doctors are another class of citizens, and that we have to worry about them providing health care to the elderly, if we make them obey the law. This is a Bill, a modest Bill that senior citizens want. It doesn't... It doesn't require doctors to accept Medicare

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

50th Legislative Day

April 27, 1993

assignments, only to let them know and to help them file their bills. This doesn't create more paperwork; the paperwork exists. It's a question of do you want your senior citizens to be burdened by that paperwork or do you want an office of doctors to help them do that work. It's a clear choice, Ladies and Gentlemen, between doctors and seniors. I hope you'll pick the seniors this time. This is not unfair to the doc. Thank you."

Speaker Steczo: "The Lady has moved for the passage of House Bill 1504. The question is, 'Shall this Bill pass?' All those in favor, will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. The Chair recognizes the Lady from Cook, Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I'd like to explain my vote."

Speaker Steczo: "Please proceed."

Mulligan: "I see nothing wrong with physicians explaining...what they're charging, particularly to elderly seniors. What I do find wrong is adding a misdemeanor to this. I feel that if we do not want to have a physician have a misdemeanor under parental notification, we shouldn't add one here, either. And I find it inappropriate that sometimes some people on both sides of the aisle will not vote in the same way consistently to penalize physicians in this area."

Speaker Steczo: "Representative Biggins. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 29 voting 'yes', 75 voting 'no', 10 voting 'present'; and this Bill, having failed to receive the required Constitutional Majority, is hereby declared lost. On the Order of Consumer Protection, Third Reading, appears House Bill 1505. Out of the record. House Bill 1928, Representative Currie. Out of the record. House Bill 2005,

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

50th Legislative Day

April 27, 1993

Representative Schakowsky. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 2005, a Bill for an Act to amend the Layaway Plan Act. Third Reading of the Bill."

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

Schakowsky: "Well, for those who think I'm discouraged, I'm gonna keep going. Thank you, Speaker, Ladies and Gentlemen of the House. This is a Bill that was originally put on the Consent Calendar, and is, again, a consumer disclosure Bill that requires retailers to tell the conditions of layaway plan and just to inform consumers of the detail of those conditions, and I would urge its passage."

Speaker Steczo: "The Lady has moved for the passage of House Bill 2005. On that, is there any discussion? The Chair recognizes the Gentleman from Will, Representative Wennlund."

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

Speaker Steczo: "She indicates she will."

Wennlund: "What... What does this Bill require the retailer to disclose to the customer?"

Schakowsky: "There would be a receipt for layaway purchases, and the receipt would include a description of the item that was purchased, the purchase price, the amount of applicable taxes, other charges, et cetera. The... There'd be a written receipt with the cancellation policy, so...the written receipt given to the customer shall state the store's cancellation policy. And...basically, that's what needs to be disclosed and the...the problem that we're trying to address here is that...the...there have been numerous complaints which alleged violations of the Layaway Plan Act, which includes substitution of merchandise, the

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

50th Legislative Day

April 27, 1993

failure to deliver the merchandise which was purchased, and the failure to offer refunds for defective merchandise."

Wennlund: "Well, the reason I asked the question is I've never heard of complaints since I've been in office about a layaway receipt...not containing enough information. But... But to the Bill. You know, we all profess to encourage and promote jobs in Illinois. We all want to see more jobs, not fewer jobs, and yet, we have employers like Sears closing stores down. Like Phar-Mor closing their stores down, because of increased government regulation on businesses. And this applies to small businesses as well as the larger businesses. We do everything we can in this General Assembly to discourage the growth of businesses and jobs in Illinois. You want to have more employees, you got to have more employers, and if you're gonna have more employers, you got to get government off the backs of these employers and small business people in Illinois so it is profitable to do business here, instead of requiring more and more paperwork. They're getting just like the government because we're mandating that they do it. This is a bad idea and a bad concept. It ought to be defeated."

Speaker Steczo: "Is there any further discussion? Representative Schakowsky, to close."

Schakowsky: "This legislation was...introduced in response to a fair number of complaints, particularly received by the City of Chicago. Lots of people, particularly again low-income people, buy merchandise with layaway plans and then find when they go to pick up the merchandise, that it may have been substituted. They...didn't receive the merchandise that was actually purchased, and all this does, it..it...it would make clear what the policy of the store is regarding layaway plans so that people would be able to

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

50th Legislative Day

April 27, 1993

predict what might happen to them. This is a consumer protection Bill. I urge its passage."

Speaker Steczo: "The Lady has moved for the passage of House Bill 2005; and, on that question, the question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker. To explain my vote. I was off the floor talking to some people. Of all the issues we have to face us today, the budget, Medicaid assessment, Bills that are on the Calendar that used to be on Consent, but we can't get called. We're gonna pass a Bill here, the way it looks, to amend the Layaway Plan Act. I don't know how many times I have stayed awake at night, I couldn't sleep because I knew...I knew somewhere in my district people were in anguish over the layaway plan. The heck with the Medicaid assessment, the heck with the budget, se it that schools in my district are going bankrupt at a alarming rate, wan...w can kill Bills on the Calendar, won't have to call Bills that people want, Bills that were on the Consent Calendar, but I'm glad to see there will probably be 60 red-blooded elected officials who can say to heck with all that stuff, but I'll tell you what I did for you when I was in Springfield. I changed the Layaway Plan Act. I think a 'no' vote, given the crises we have in this state... You know, this is kind of like voting for the state soil or the state fish. With all the problems we have addressing us, by God, we can take ten minutes to change the Layaway Plan Act. I vote 'no'."

Speaker Steczo: "Representative Stephens."

Stephens: "Representative Black, I don't know that I appreciate

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

50th Legislative Day

April 27, 1993

your remarks. This is not the Layawake Bill. Now pay attention, Representative, this is the Layaway Plan, not the Layawake Plan. Quit laying awake and worrying about these things."

Speaker Steczo: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 57 voting 'yes', 57 voting 'no', and 2 voting 'present'; and this Bill, having failed to receive the required Constitutional Majority, is hereby declared lost. On the Order of Consumer Protection, Third Reading, appears House Bill 2006, Representative Schakowsky. Out of the record. On the Order of Education, Second Reading, appears House Bill 2107, Representative Levin. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 2107. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Levin."

Speaker Steczo: "Representative Levin."

Levin: "Could I have an inquiry of the Clerk? How many Floor Amendments are filed on this Bill?"

Clerk Rossi: "Three."

Levin: "Okay. I want..."

Speaker Steczo: "Mr. Levin, there are three Floor Amendments filed. Mr. Levin, what's your pleasure?"

Levin: "I wanna... I wanna go with the Amendment, which I believe is Amendment 3, LRB8804551THCDAM. Is that Amendment 3?"

Speaker Steczo: "Repeat that LRB number, one more time, Mr. Levin."

Levin: "LRB8804551THCDAM. Is that Amendment 3?"

Speaker Steczo: "I'm informed that's Amendment #3, so do you wish to withdraw Amendment #1 and 2?"

Levin: "Yes."

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

50th Legislative Day

April 27, 1993

Speaker Steczo: "Amendments #1 and 2 are withdrawn. Representative Levin on Amendment #3."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #3 is technical in nature. The underlying Bill deals with the internal accounts of the local schools in Chicago. And the...the Amendment simply clears up several technical problems that were raised with the underlying Bill. It's intention is two-fold. Number one, to clear up the problem that has existed as far as whether or not local school councils can accept grants and other contributions directly from outside sources...or whether the money has to go through Pershing Road. And...you know...Illinois Bell wants to make a con...a grant to a particular school, this says, 'yes, you can do that'. And secondly, it guarantees access to the internal accounts of...of...of...to the local school council, so they can see what is going on in terms of the moneys. There have, unfortunately, been a problem of...embezzlement in certain schools. I know of no opposition to the Amendment. The Amendment becomes the Bill."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #3. On that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Dart."

Dart: "Yes, will the Sponsor yield."

Speaker Steczo: "Indicates he will."

Dart: "Representative, I know the Bill in its original form had quite a few opponents. Now, is everybody okay in this? I know some of the...different PTA groups and the like did not like this Bill at all."

Levin: "...As I indicated in committee, I wanted to deal with the problem of the PTAs being able to raise money in the school and allow them to do that, and this takes care of that. We

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

50th Legislative Day

April 27, 1993

don't want to discourage the PTAs from being able to raise money. This allows them to do it, and for them to be able to keep their money..."

Dart: "So... They've agreed to this, and...and they agree with the Bill, now?"

Levin: "This is... I...I can't say I've talked to the PTA...showed them the language, but this addresses that concern which you're raising."

Dart: "So, they would still be able to conduct their fundraising that they presently do now under your Bill."

Levin: "That is correct. ...The Bill is intended to address the problem...of...that the previous superintendent...was on record as saying that local schools could not...raise money and keep it locally. The example I gave is Illinois Bell wanting to give a grant directly to a particular school for a particular project. The previous superintendent was on record saying that all moneys had to go through Pershing Road."

Dart: "They... They had a concern, though, with this as it was originally drafted because they felt that numerous organizations that presently used the schools would have to then run through the local school council for any event. Does that affect this?"

Levin: "No, this was corrected. ...There was a concern that was expressed to the drafters of this by the previous version. By Lendemke's version, the Mayor's education person. We have dealt with with...with that problem."

Dart: "The... The City of Chicago agrees with this in this form?"

Levin: "This has been run by Demingus."

Dart: "And... And they're fine on it?"

Levin: "Yes."

Speaker Steczo: "The Chair recognizes Representative Cowlshaw."

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

50th Legislative Day

April 27, 1993

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

Speaker Steczo: "He indicates that he will."

Cowlshaw: "Ellis, does this have anything to do with Chapter I moneys?"

Levin: "No."

Cowlshaw: "There is a separate Bill that does have to do with that and it relates to local school councils. This has nothing to do with that. Is that correct?"

Levin: "No. No. The... I think..."

Cowlshaw: "And it applies only to the City of Chicago?"

Levin: "Correct."

Cowlshaw: "I stand in support of this Bill. Thank you, Mr. Speaker."

Speaker Steczo: "Is there any further discussion? The Gentleman has moved for the adoption of Amendment #3 to House Bill 2107. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment's adopted. Any further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of Elections and State Government, Second Reading, appears House Bill 660, Representative Schoenberg. Representative Schoenberg? Out of the record. House Bill 704, Representative Curran. Mr. Curran, House Bill 704? Out of the record. House Bill 1201, Representative...Currie. Representative Currie, House Bill 1201. Out of the record. House Bill 1228, Representative Curran. Out of the record. House Bill 1745, Representative Rotello. Out of the record. House Bill 2296, Representative Prussing. Representative Prussing? Out of the record. On Elections and State Government, Third Reading, appears House Bill 820, Representative Ostenburg. House Bill 820.

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

50th Legislative Day

April 27, 1993

Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 820, a Bill for an Act relating to the collection of debts owed the state. Third Reading of the Bill."

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

Ostenburg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We've talked about this Bill before, too, as we've put some Amendments on. It basically is a provision that allows for increased collection of debts and fees that are owed to the state. It amends the Illinois State Collection Act of 1986 and the Illinois Administrative Procedure Act. It makes the State Treasurer a member of the Debt Collection Board, since his office deals with banks and others that have a connection there, and it empowers the board to order state agencies that issue licenses to initiate proceedings to deny, revoke, or suspend the licenses if there's outstanding...fees or taxes that are owed by those entities. And I would move passage of the Bill."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 820. On that question, is there any discussion? The Chair recognizes the Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. My congratulations to the Treasurer. He has just put on his 118th Bill. Absolutely amazing. At a cost of about \$5,000 a Bill, I hope the Treasurer's real happy with what he's cost the taxpayers of Illinois running all these different Amendments and different Bills and different legislative agendas and different legislative programs. This is absolutely a silly idea. The Treasurer wants to sit

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

50th Legislative Day

April 27, 1993

on every agency and every board in this entire state. It's absolutely ridiculous. This one ought to be defeated like the rest of them."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. Until we change the way we do business in this House, anybody can introduce any number of Bills that he or she would want to introduce. But I...I think we oughta concentrate not so much on the number of Bills introduced by any one individual, but may I share with you, Mr. Speaker, may I share with you what these Bills, collectively, as supported by the State Treasurer (who may not be the State Treasurer 18 months from now). Let me just tell you what the impact is of the various Bills taken together. Now, I...I've got a little sheet here that tells me all these Bills that you all have passed at his request. The total fiscal impact of these Bills, \$48 million. The total debt impact of the Bills that we've acted on so far, \$174 million. We have created eight new funds for Illinois. We have created 20 new boards, councils, authorities, or task forces, and we have placed the Office of Treasurer on five additional existing authorities, agencies or boards. Now, given that impact, given the fact that you are voting to create yet another new board, council, or authority in the State of Illinois, and the hour grows late. And you still have Bills on the Calendar that need to be passed and have broad bipartisan support. You better ask yourself at some point in the process, 'How many more of these votes do you want to be recorded on? If you want to create the 21st new board and add to a \$48 million impact, you go right ahead and vote

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

50th Legislative Day

April 27, 1993

that way. But you're gonna have to explain it in less than two years. It seems odd to me that we can't get the broad bipartisan support Bills that are necessary, but we can call 74 Bills that have been suggested by one individual who serves in state government and has already said he doesn't want to serve in that office two years from now. He wants another office. Hell, we may have a Republican treasurer two years from now, and he won't want all these Bills. Watch out. I think you've already made enough votes. Seventy-four Bills, \$48 million, eight new funds, 20 new boards, and placing the Office of the Treasurer on five additional existing authorities. I think maybe it's time you vote 'no' or 'present'."

Speaker Steczo: "Is there any further discussion? There being none, the Gentleman from Cook, Representative Ostenburg, to close."

Ostenburg: "Thank you, Mr. Speaker. The... The... The Gentlemen on the other side of the aisle are anxious to campaign against the State Treasurer, and I don't think that's issue that's present here with this particular Bill. This has nothing to do with other Bills. This does not create another board. This is an effort to actually collect moneys that are due to the State of Illinois. We talk about the need to have more revenue, and no one wants to go out and raise taxes to get...to generate that revenue. Here's an opportunity for us to enforce some of the bills that are due to the state and make sure that we have collection. I urge a 'yes' vote on this measure."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 1820. The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. House Bill 820. Have

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

50th Legislative Day

April 27, 1993

all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On... On this question, there are 66 voting 'yes', 46 voting 'no', 4 voting 'present'; and House Bill 820, having received the required Constitutional Majority, is hereby declared passed. On the Order of Elections and State Government, appears House Bill 1202, Representative Currie. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1202, a Bill for an Act amending the Illinois Human Rights Act. Third Reading of the Bill."

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

Currie: "Thank you, Speaker and Members of the House. This is a Bill that would provide the opportunity in act...in successful actions brought under our Illinois Human Rights Act before the Department of Human Rights and the Human Rights Commission for instances of malicious or reckless or callous indifference to...to the law, to provide for the opportunity for punitive damages. As you know, the Federal Civil Rights Acts now provide that opportunity. Sooner or later, the feds will require that of us as well. But the experience of people who bring claims before the Human Rights...Department and Commission in this state, particularly when those claims have to do with instances of sexual harassment, find that the...the awards at the end of the day are likely not enough to make it worthwhile for people who have been serious victims, especially of sexual hara...harassment, to bother bringing their claims before the commission. ...I would be happy to answer your questions and would appreciate your support for a proposal that will help make whole those people who have not only been victims of discrimination, but have been victims of

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

50th Legislative Day

April 27, 1993

discrimination when that discrimination involves intentional malicious discrimination, not an accident or a something that happened that nobody thought to prevent before it began. I'd appreciate your support."

Speaker Steczo: "The Lady has moved for the passage of House Bill 1202. On that question, is there any discussion? The Chair recognizes the Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Over a period of the last six or seven years, we have expanded the Human Rights Act to include virtually just about everybody except dogs and cats. Now... Now, what we want to do, is we want to allow the Human Rights Commission to award punitive damages, without limit. A million dollars. We're doing virtually everything we can do to drive employers out of the State of Illinois. We're doing everything we can do to drive business and jobs out of the State of Illinois. This is just one more step. No limits whatsoever on the amount of punitive damages the commission can award; no basis, no standards for the awarding of them, and this will be the only administrative agency in the state that would be allowed to award punitive damages if the board, in its own determination, thinks that there might have been malice involved. This is an anti-jobs Bill. It's an anti-Illinoisan Bill and ought to be defeated."

Speaker Steczo: "The Chair recognizes the Lady from DuPage, Representative Biggert."

Biggert: "Thank you, Mr. Speaker. To the Bill. I...I, too, strongly oppose this Bill. The punitive damages provision will really deter settlement and quick resolution of charges as it...as it encourages complainants and

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

50th Legislative Day

April 27, 1993

respondents to continue and appeal charges. And I'd like to reiterate that no other administrative body in the state government has the authority to award punitive damages. I oppose this Bill."

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

Skinner: "If Republicans were included under the...those who could bring suit and if the House of Representatives were part of the action here, I might be able to vote 'yes'. Would the Lady consider taking this back to Second Reading and aiding us Republicans? I don't hear anything, so I guess she wouldn't."

Currie: "I'm sorry. Did you ask a question, Representative Skinner?"

Skinner: "Yes. I wondered if you would consider taking this back to Second Reading to add Republicans?"

Currie: "No."

Skinner: "Phooey."

Speaker Steczo: "The Lady from Cook, Representative Currie, to close."

Currie: "Thank you, Speaker and Members of the House. What this Bill would do is track federal opportunities that are now available and must soon be available in Illinois. Think of the victims of sexual harassment in employment. At the end of the day, the current awards that are available to that victim by the Department of Human Rights and our Human Rights Commission are so inadequate that there's a little likelihood that an individual will bring a just complaint before our enforcement agencies. I believe those enforcement agencies are able to distinguish between malicious and willful discrimination and other kinds of discrimination, other kinds of civil wrongs. I would urge

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

50th Legislative Day

April 27, 1993

your support for legislation that is intended only to help people (women, the disabled, elderly, members of minority groups, people who have been victims of racial or ethnic discrimination, purposeful, wanton, and willful discrimination), help those people become whole again. I urge your support for this Bill."

Speaker Steczo: "The question is, 'Shall House Bill 1202 pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To explain my vote. I just want to point out...that the majority of the business community is against this, and it's very easy to tell why. Punitive damages cannot be insured; and, therefore, punitive damages are laid on a company, then that company, more than likely, will go out of business. And I don't think that we should be in...in the business of...forcing companies out of business."

Speaker Steczo: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 37 voting 'yes', 68 voting 'no', 9 voting 'present'; and House Bill 1202, having failed to receive the required Constitutional Majority, is hereby declared lost. On the Order of Elections and State Government, Third Reading, appears House Bill 1562, Representative Deering. Out of the record. House Bill 2416, Representative Edley. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 2416, a Bill for an Act in relation to debt issuance. Third Reading of the Bill."

Speaker Steczo: "The Gentleman from McDonough, Representative Edley."

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

50th Legislative Day

April 27, 1993

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Cham...of the General Assembly. House Bill 2416 would bring some competitiveness to the state's bonding...process by requiring bonds to be sold through a competitive bid process. It also proposes, where possible, such services and contracts would be awarded to the lowest...possible...and responsible bidder. And it would end some of the revolving door policies of state employees going to work for some of these bond houses after their employment ceases. I...I think this is a reasonable Bill. This is real reform in the operation of hundreds of millions of dollars of...of state bonding. And I think we...we deserve...and our taxpayers deserve that our bonds be competitive bid...bid. I would urge an 'aye' vote."

Speaker Steczo: "The Gentleman has moved for passage of House Bill 2416; and, on that question, is there any discussion? The Chair recognizes the Gentleman from Will, Representative Wennlund."

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

Speaker Steczo: "He indicates that he will."

Wennlund: "Representative, exactly what changes does this make to existing law?"

Edley: "Oh, this.... This would be new law. This would be a change in how we...let...out...our state bonding. Currently, almost 75% of the state's bonds are...sold under a negotiated bond...sale, rather than putting them out for competitive bid, and sell them...to the highest bidder."

Wennlund: "Well, the Debt Issuance Reform Act would require who to do what?"

Edley: "...Would you repeat that? I didn't hear what you said."

Wennlund: "What would this Bill require state officials to do?"

Edley: "It would require that...that, like I said earlier,

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

50th Legislative Day

April 27, 1993

that...that these bonds be sold on a competitive bid, rather than on a negotiated basis."

Wennlund: "Well, does it also extend to professional services?"

Edley: "The same thing on...on professional services, if they are a responsible contractor."

Wennlund: "So, it would require to go to bid on attorneys, for instance, who would write opinions with respect to state bond issues."

Edley: "That's correct."

Wennlund: "Thank you. To the Bill. And I guess I was wrong. Representative Black corrected me. It... It's not 118 Patrick Quinn initiatives. It's only 76, at a cost to the taxpayers of Illinois of \$48 million if they were all implemented. This Bill doesn't make any more sense; and, in fact, it will tie the hands of state government to be able to negotiate for a lower bid on professional services issued in connection with the issuance of a bond issue. Like attorneys, for instance, who would write the legal opinions on the bond issue. Like others; architects, other professional services. It would tie the hands of the Governor of this state, regardless of which Party he was in, to negotiate the best possible deal for the taxpayers of Illinois. That's the problem with this Bill, and that's why it should be defeated."

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

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

Speaker Steczo: "He indicates that he will."

Black: "Representative, in...in light of...some recent news stories and what have you, you know, at first look, I have to be honest with you, this doesn't appear to be a very bad

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

50th Legislative Day

April 27, 1993

idea. But in a lot of times, what we do down here...the idea doesn't always work in reality. One of the questions I'd like to ask you is, 'What kind of exemptions are in this Bill, on the sale of bonds?'

Edley: "Well, there... There's... Yeah. The exemptions are if the agency...establishes, by regulation, that the most economical way of putting this bond issue out is through a negotiated sale. I...would say...would assume that some of the smaller bond issues would be more economical under a...a negotiated sale, rather than on a competitive bid. And this legislation would allow a state agency or department to make that determination."

Black: "All right. Thank you, Representative. Another question, is there language in this Bill that says, in effect (now I'm not quoting exactly, but the best of my memory), is there language in the Bill that says competitive bidding does not have to take place if an experienced person in the process of issuing debt can provide substantial savings to the issuer?"

Edley: "Something along those lines. I think what we want to do is ensure that the state get the lowest interest rates...possible, and the highest rate of return in, as far as funds available...for the state's uses."

Black: "But wouldn't that...wouldn't that language create a considerable loophole in what you're really trying to accomplish?"

Edley: "Well, there's... You know...you can't argue both sides of this argument. You can say that competitive bidding should be in all cases, and then make the argument that that should be some exceptions. We're trying to make some reasonable...reasonable..."

Black: "All right..."

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

50th Legislative Day

April 27, 1993

Edley: "...exceptions and so that this would be administered in a...in a prudent manner...We can't legislate fiscal responsibility."

Black: "Well, on that, you and I can certainly agree, Representative. And thank you. I always appreciate your patience and your willingness to...answer questions. Mr. Speaker, to the Bill. You know, this is a Bill that's really a little hard to get up and quarrel with. There are some good ideas in this package. But I think it...it really needs to be redrafted and, perhaps, even recrafted. There are exemptions in this Bill that are rather large. If you'll take a look at the Bill, what you're really doing is tying the hands of almost every small governmental agency or quasi-governmental agency in the sale of bonds. And I think when you take away that flexibility, what you will probably end up doing, even though the Gentleman wants to bid competitively, I'm afraid that you're going to drive up the cost of that bond issue. Now, this...this isn't a partisan issue. There are a number of authorities who are opposed to this Bill. I don't think they're opposed to the concept, but they're opposed to this particular Bill, I suppose, because of the language. The...the State Toll Highway Authority is opposed. The Rural Bond Bank is opposed. The Sports Facilities Authority, an agency I didn't vote for in the first place; they're opposed. The Illinois Housing Development Authority is opposed. The Illinois Student Assistance Commission is opposed. The University of Illinois is opposed. Southern Illinois University is opposed. The Illinois Development Finance Authority is opposed. The RTA is opposed; as is the Metropolitan Pier and Exposition Authority in Chicago. I don't see this as a partisan issue. There are a number of

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

50th Legislative Day

April 27, 1993

agencies who have much more expertise than I will ever have in the sale of bonds and the raising of capital dollars to do what they have been charged with doing. Given that list (and I didn't read the whole list), given that list of agencies that cut across party lines, cut across regional and state lines or county lines, evidently there's something in this Bill that is not drafted to accomplish exactly what the Sponsor intends to accomplish without tying the hands of many state agencies and quasi-governmental agencies that this legislature has, in its wisdom, over the years, or lack of wisdom thereof, created. Now, in the... I simply rise to oppose this Bill, not on a partisan issue, not because of where it came from, not because who has the idea or anything else. When you get that kind of opposition that cuts across party and geographic boundaries in the State of Illinois, something must be wrong with the way this Bill is drafted. And it's for that reason only, that I stand in opposition to the Bill."

Speaker Steczko: "Representative Edley, to close. Mr. Edley. Please turn on Mr. Edley's microphone, please. Proceed, Mr. Edley."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. The tollway and IDA are all very large bond buy...bond sellers and...you know, it would be different if we were...weren't...weren't faced with a significant portion, over 75% of our bonds are sold on a negotiated basis. The federal government sells billions of dollars in T-Bills and treasury notes competitively. Competitively. And I think the taxpayers of our state deserve the same kind of open process so that we can ensure that we're getting our best value for our...for our dollar.

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

50th Legislative Day

April 27, 1993

Now, the previous...not the previous speaker, but the one prior to him alluded to the...that this is...is a political question, and probably...in...in...in a great extent, it is a political question. When you look back at who contributes and who contributed to Governor Edgar's last cam...political campaign, you'll find \$250,000 that was contributed by investment banking companies that do business with the State of Illinois. Many of them, \$10,000, \$15,000 at a crack. Now, that's not right. I don't know why...Paine-Webber or...or one of the other investment houses would have that kind of an interest in the operation of state government, if...if it wasn't for the fact that during a four-year period, they may have to be setting down and negotiating very...very juicy and lucrative...contracts for the sale of state bonds. This is a good government sunshine kind of legislation that corporations, the federal government, and I think the taxpayers of our state expect. They want the lowest possible interest rate, and the best way to do that is through open markets. And I would urge an 'aye' vote."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 2416, and the question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 45 voting 'yes', 61 voting 'no', 9 voting 'present'; and House Bill 2416, having failed to receive the required Constitutional Majority, is hereby declared lost. Mr. Blagojevich, what...for what purpose do you arise?"

Blagojevich: "Thank you, Mr. Speaker. I would like the record to reflect that I intended a 'yes' vote on that, but

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

50th Legislative Day

April 27, 1993

erroneously hit the 'present' button."

Speaker Steczo: "The transcript will so reflect. On the Order of Criminal Justice, appears House Bill 1930, Representative Lang. Mr. Lang? Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1930, a Bill for an Act in relat...in relation to the civil justice system. Third Reading of the Bill."

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

Lang: "Thank you, Mr. Speaker. House Bill 1930 was previously debated today. I move that we adopt the Bill."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 1930. The Chair recognizes the Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. To the Bill. I want to correct the Sponsor on this. The term was that this Bill was debated once before today. The proper term should be is this Bill was defeated once before today; and for the very same reasons it was defeated, it should be defeated again."

Speaker Steczo: "The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please record Representative Deering as 'aye'. The Gentleman from St. Clair, Representative Hoffman."

Hoffman: "Ladies and Gentlemen of the House, we debated this Bill earlier today and this Bill essentially...what it does is says that you can't hide court records on very important pieces of judicial action. This Bill is extremely, extremely important to the consumers in the State of Illinois. It is extremely important to the litigants. It is extremely important to the individuals in the State of

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

50th Legislative Day

April 27, 1993

Illinois who...who have anything to do with cases that have been litigated previously. If you're talking about the Ford Pinto case, you're talking about cases of teachers who have abused children who...who...who schools that enter judgments and then that is sealed and individuals can't get to that information and then the teacher still teaches throughout the State of Illinois. This is so, so important to the State of Illinois. I ask for an 'aye' vote."

Speaker Steczo: "Mr. Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To explain my vote. Once again we're on Postponed Consideration when there are dozens of Sponsors in here that have Bills on the Calendar that we haven't been able to call. This Bill was defeated earlier today. You know, in an era of tort reform, this Bill goes the other way. Public disclosure may work towards the discouragement of settlements that will simply further crowd the courts, drive up costs of litigation, and make you wait years and years and years before your case can even be heard. Mr. Speaker, in all due respect to the Sponsor, who's always a sincere man in whatever he attempts to accomplish, this is not good legislation. We defeated it once. I urge a 'no' vote. Should it get the requisite number of votes, Mr. Speaker, I am joined by the appropriate number of people on my side of the aisle under the appropriate rule, and we will seek a verification of the Affirmative Vote."

Speaker Steczo: "The Lady from DuPage, Representative Biggert."

Biggert: "Thank you, Mr. Speaker. To explain my vote. Again, the courts are not meant to resolve...are meant to resolve legal disputes, not to act as public information clearing-houses. Limitations on the public orders will

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

50th Legislative Day

April 27, 1993

encourage lawsuits resulting in businesses being sued more often and losing vital information to business competitors in the process. I urge a 'no' vote again."

Speaker Steczo: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 60 voting 'yes', 56 voting 'no'. The Gentleman from Vermilion, Representative Black, has asked for a verification of the roll call. Mr. Clerk, please poll those not voting."

Clerk Rossi: "There are no Members not voting."

Speaker Steczo: "Please proceed then with the poll of the...of those who are voting yes...voting 'aye'."

Clerk Rossi: "A Poll of those voting in the affirmative. Representative Balanoff. Blagojevich. Brunsvold. Cross. Curran. Currie. Dart. Davis. Deering. DeJaegher. Dunn. Edley. Erwin. Flinn. Flowers. Gash. Giglio. Giolitto. Giorgi. Granberg. Hannig. Hartke. Hawkins. Hicks. Hoffman. Homer. Jones, Lou. Jones, Shirley. Kaszak. Lang. Levin. Lindner. Martinez. Mautino. McGuire. McPike. Moore, Eugene. Morrow. Moseley. Murphy, Harold. Novak. Ostenburg. Phelan. Phelps. Prussing. Pugh. Ronen. Saltsman. Salvi. Schakowsky. Schoenberg. Sheehy. Steczo. Stephens. Stroger. Turner. von Bergen-Wessels. Woolard. Younge and Mr. Speaker."

Speaker Steczo: "Black. Mr. Black, Representative Giorgi asks leave to be verified. Okay, that's fine. Mr. Black, do you have any questions?"

Black: "Thank you very much, Mr. Speaker. Is Representative Flinn in the chambers?"

Speaker Steczo: "Representative Flinn. Is the Gentleman in the chamber? Please remove him from the roll call. Mr. Black, further questions?"

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

50th Legislative Day

April 27, 1993

Black: "Yes, thank you very much, Mr. Speaker. Is Representative Mautino in the chamber?"

Speaker Steczo: "Representative Mautino. He's in the back in the so-called non-smoking section, Mr. Black."

Black: "Oh, yes, the Clean Air Act."

Speaker Steczo: "The clean air section. Representative von Bergen-Wessels is asking leave to be verified."

Black: "Yes. Yes, that's fine."

Speaker Steczo: "She has leave?"

Black: "Yes. Representative Lou Jones?"

Speaker Steczo: "Representative Lou Jones. She's in the center aisle."

Black: "Okay. Isn't there some rule they have to be in their own chair or whatever? Anyway... Representative Hannig."

Speaker Steczo: "Representative Hannig. He's in the back of the chamber, Mr. Black."

Black: "I see. All right. Mr. Hawkins?"

Speaker Steczo: "Mr. Hawkins is in the chamber...is in the chamber. Mr. Black, anything further?"

Black: "Yes, thank you very much, Mr. Speaker, Representative Capparelli?"

Speaker Steczo: "Representative Capparelli. He's voting...'no', Mr. Black."

Black: "That's why I called him. He's a fine upstanding Representative. Is Representative Woolard in the chamber?"

Speaker Steczo: "Representative Woolard."

Black: "Yes, I see him."

Speaker Steczo: "He's in the back."

Black: "He's sitting in the back. Representative Stephens?"

Speaker Steczo: "Representative Ron Stephens. Representative Stephens. Is the Gentleman in the chamber? Please remove him from the roll call. Representative Stephens, remove him

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

50th Legislative Day

April 27, 1993

from the roll call. Anything further, Mr. Black?"

Black: "No, Mr. Speaker, I have nothing further."

Speaker Steczo: "For what purpose does the Gentleman from Champaign, Representative Johnson, seek recognition?"

Johnson, Tim: "Switch me to 'present'."

Speaker Steczo: "Mr. Johnson wishes to be voted 'present'. Are there any further changes? Please record Representative Rotello as 'aye'. Are there any further requests for change or any changes? Representative Cross, for what reason do you seek recognition?"

Cross: "Change my vote to 'present', please."

Speaker Steczo: "Please change Representative Cross from 'aye' to 'present'. On this question, there are 58 voting 'yes', 54 voting 'no', 2 voting 'present'; and House Bill 1930, having failed to receive the required Constitutional Majority, is hereby declared lost. On the Order of Environment and Energy, Third Reading, appears House Bill 350, Representative McGuire. Mr. McGuire? Out of the record. House Bill 815, Representative Dart. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 815, a Bill for an Act amending the Illinois Solid Waste Management Act. Third Reading of the Bill."

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

Dart: "Thank you, Mr. Speaker and Members of the House. House Bill 815, as amended, would set up a two-year pilot program for...low income and enterprise zones to be given up to \$50,000 from the Department of Energy and Natural Resources for the development of programs to do something with recyclables. Presently, we do a great deal of work in recycling...different items, but presently, we don't have

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

50th Legislative Day

April 27, 1993

enough people working in the area of doing something with recyclables. I'd move for its passage."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 815. On that question, is there any discussion? The Chair recognizes the Gentleman from Will, Representative Wennlund."

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

Speaker Steczo: "He indicates that he will."

Wennlund: "What... What does this Bill provide for with respect to the Department of Energy and Natural Resources to do that...that it doesn't already do?"

Dart: "There...there has been some questions raised about that, but the primary reason is that this Bill would direct them to do something, they presently may be allowed to do but they don't do it. And right now, the problem exists that this is something that is very necessary that we get going. It would be a little bit more pro-active in regards to recycling, and they aren't taking care of it now."

Wennlund: "And what...what are primary processors?"

Dart: "Pardon me?"

Wennlund: "This Bill apparently... The maximum amount of assistance that ENR can provide under the Recycling Grants Program to primary processors is \$100,000. Does it change that?"

Dart: "No. No. This deals with...this type of recycling. That's another thing all together. It's a \$100,000 limit, deals with the municipal...type of...things such as collection and processing. This does not deal with that. That's something all together different."

Wennlund: "...This requires the Department of Energy and Natural Resources to limit its grants to no more than \$50,000?"

Dart: "Yeah, the thrust of this thing is for small business."

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

50th Legislative Day

April 27, 1993

We're trying to encourage small business generating, you know, five to 15 jobs in regards to this Bill. We're not going after the big...the big ticket numbers. We're trying to go after small businesses 'cause we believe that small businesses are the one that will create the jobs that will benefit us. We... We don't want to get... The other one is something altogether different dealing with the \$100,000 limit. That deals with such things as processing and collection. This does not affect that."

Wennlund: "Well, then the impact of reducing the maximum grant could very well lead to...a focus on smaller, less efficient projects that really don't truly achieve the goals established for solid waste reduction and increased recycling."

Dart: "No. Not at all. The \$100,000 grant would deal with something completely different, and this...that is not gonna be affected by that. This deals with something that is geared towards small industry that we want...we...it's desperately needed right now."

Wennlund: "All right. To the Bill. Ladies and Gentlemen of the House, in the event that this Bill were to pass, the following recycling grants cannot be awarded by the Department of Energy and Natural Resources: Will County, the community of Plainfield; Cook County, Mt. Prospect; Winnebago, Loves Park; Morgan County, Jacksonville recycling project; Cook County, City of Chicago would not get a grant under this program; St. Clair County, the City of Belleville would lose its grant; Sangamon County, the City of Springfield would lose its grant under this Bill; Cook County, Maywood would lose its grant; Marengo; Monmouth; Pekin; Worth; Oak Park; Centralia; Freeport; Decatur; Barrington; Chicago; DeKalb; Hinsdale; Waukegan;

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

50th Legislative Day

April 27, 1993

Park Ridge; Quincy; Downers Grove; Ottawa; Bellwood; Carbondale; Danville; Greenville; Blue Island; Arlington Heights; Peoria; Hinsdale; and Granite City. All of those programs would be lost because they all provide for grants in excess of \$50,000 which this Bill would prevent. So if you have any of those cities in your district, you don't wanna vote for this Bill at all. You want to vote against this Bill because this Bill would knock them right out of the recycling program, and it would set recycling back in the State of Illinois 20 years to what it was. This is a bad Bill. It defeats the purpose of the whole grant program to encourage recycling and encourage waste reduction. Think about all those cities that would lose their recycling grants. The good environmental vote here is a 'no' vote. We want to encourage, not discourage. We want to expand recycling grants and expand recycling and waste reduction in Illinois, and that's the goal. That's why this Bill should be defeated."

Speaker Steczo: "The Chair recognizes the Gentleman from Vermilion, Representative Black. He does not wish to be recognized. The Gentleman from Cook, Representative Morrow."

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

Speaker Steczo: "He indicates that he will."

Morrow: "Representative Dart, with Amendment #1 to House Bill 18...815, what you're saying, it says to create a grant and loan program to encourage. Now that word 'encourage' could be used in a lot of ways. What...what... In this Bill, would not the word 'encourage' mean 'subsidize'?"

Dart: "I'm sorry."

Morrow: "In this Bill, would not the word 'encourage' actually mean 'subsidize'?"

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

50th Legislative Day

April 27, 1993

Dart: "No. No. No. No. You're confusing this with another Bill."

Morrow: "Oh. Oh. Another Bill that you didn't want to subsidize, but in this Bill, you want to subsidize. Am I correct?"

Dart: "No. No. No. This is not subsidizing. This is encouraging ENR to take money that they already have out there and direct it towards depressed areas, low-income areas, for small businesses to develop things to do with items that are recycled."

Morrow: "Like Robbins?"

Dart: "Sure, Robbins would be a candidate."

Morrow: "Oh, okay. To the Bill, on House Bill 815. I agree with the colleagues that have got up earlier to oppose House Bill 815. I'm gonna urge some of the Members on this side of the aisle to also vote red. We had a chance to generate a large amount of jobs last week and many of the Members of this Body at that time said, 'No, we don't need to subsidize that program'. Well, here's a program I don't think we need to subsidize, also. Fifty-thousand dollars grant is not gonna create enough programs to deal with the issue of waste. We had our chance last week. Many of you guys voted 'yea' or 'nay'; and on this one, I would advise that you vote 'nay'. Thank you."

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

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

Speaker Steczo: "He indicates that he will."

Balthis: "Representative, does this Bill provide any markets for recycled products? Is there any action in that...this Bill that would..."

Dart: "That's the whole purpose behind this Bill 'cause presently, right now, all ENR has been doing with these \$100,000 grants has been steering that towards processing,

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

50th Legislative Day

April 27, 1993

trucks and the like. We're saying that right now there is a national problem with there's a glut of certain products like plastic, glass. We're recycling 'em but we're not doing anything with 'em. The thrust of this Bill is to set up small industries that are gonna take these goods which we are recycling and do something with them. There's different organizations that have signed off on this Bill, based on the fact that they agree that we should be using some of these things that we're recycling for...different types of thin...things they do with glass and plastic and different types of boards they make with them. And this is what it's gonna encourage. Instead of having all these recyclable things piling up, doing nothing with them, this would encourage us to take it the next step further and say, 'Now let's encourage an industry which will do something with the things we're recycling'."

Balthis: "Is this money going to the private sector, or is this going to local governments..."

Dart: "It...it would go to private...businesses. Small businesses would submit proposals. It's a two-year pilot program. They would have hearings throughout the state to let people know about this and basically what they would do is they'd allow people to file requests for proposals to get...get this money to set up the business. It would be private industry, though."

Balthis: "To the Bill, Mr. Speaker. That...that...is an encouraging comment, because I think one of the biggest problems local governments have, is they are recycling... Four years ago, my home community started a recycling project and we were selling the goods and making about \$80,000 a year. This year, we're making about \$10,000. Something along this line in this Bill may not be the one

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

50th Legislative Day

April 27, 1993

is necessary, but we have got to create markets for recycled products before we can talk about recycling anymore. So, I commend the Gentleman for at least starting in the right direction."

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

Novak: "Will the Sponsor yield?"

Speaker Steczo: "He indicates that he will."

Novak: "Tom, where's the funding coming from for these grants? Is it coming from the existing tipping fee that ENR administers?"

Dart: "Yes."

Novak: "Okay. Well, you're aware..."

Dart: "It's...it's...it's reprioritizing is what I'm doing, actually. It's saying that, you know, right now because we have these recyclables that are building up and building up, we should reprioritize them so we start focusing some of our attention on what to do with the recyclables. So it is coming from the tipping fee, yes."

Novak: "Okay. And...I know a previous speaker on the other side of the aisle indicated a number of these communities would lose their grants. And I don't understand that."

Dart: "That...that...that's... We're talking apples and oranges with that, completely. That...that is something completely different. That... That's \$100,000 ceiling based on dealing with things such as...funding for collection, processing, and so on. This doesn't impact that. All this is all saying that a two-year pilot program. It's a very limited...for private industry, small businesses to submit proposals to get up to a \$50,000 grant to...to do something with recyclables. It would not touch those other ones that he...that wonder list that he said. It doesn't apply."

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

50th Legislative Day

April 27, 1993

Novak: "Is this for machinery to recycle products?"

Dart: "No, it would be for the business for whatever they may deem is required to take a recyclable, such as plastic and glass, and turn them into something useful...to us."

Novak: "Okay. Well, to the Bill. I support this legislation. I would ask my colleagues on this side of the aisle to support Representative Dart."

Speaker Steczo: "Mr. Black, you now wish to...engage in debate? The Gentleman from Vermilion, Representative Black."

Black: "Yes. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I thought that anything that could be added would be superfluous at this point, but in all due respect to the speaker, the Sponsor of the legislation, he just said that we were comparing apples to oranges or something... When those grants that a previous speaker listed would disappear. Now, I'm quoting directly from the Department of Energy and Natural Resources, who wrote a response to this Bill, 'House Bill 815 requires DENR to limit its grants to no more than \$50,000. Attached is a list of projects awarded grants above \$50,000. These projects could not have been allowed if House Bill 815 had been law.' Now, Ladies and Gentlemen of the House, you can't have it both ways. The list is available. I think all of you have a copy. It's from DENR. You have Members on both sides of the aisle that have risen in opposition to this Bill. If there's confusion, well, that's...that's par for the course at 6:30 in the Illinois House. But I would say when there's confusion on a Bill, you're better to err voting 'no' than you are voting 'yes'. There are a lot of communities that have a lot of questions about this Bill, and I dare say that, given the questions and the list of communities that you can look at, a 'no' vote would be

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

50th Legislative Day

April 27, 1993

advisable. If this is a good idea, the Sponsor can bring it back on a Senate Bill. He can recraft the Bill next year. If it's a good idea, it will come to pass. I think the Bill is flawed the way it's drafted. And I'll tell you the biggest city in my district has called me and said to vote 'no' because they feel that their grant would be in jeopardy. They got on board early, when we passed all this legislation and now, it's the opinion of that community that their grant and their program is at-risk under this legislation. I don't think that's fair. I don't think that's what the Sponsor intends to do. So, I intend to vote 'no'."

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

Ostenburg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I had a Bill in committee that called for increased recycling activity around the state. And the basic opposition that was raised to that Bill was that there weren't enough markets for the recycled products that we were generating already. This Bill addresses that problem, and it helps to create more markets for recyclable items. I would urge everyone to vote in support of this measure as another means of helping to control the solid waste problem we have in our state. Thank you."

Speaker Steczo: "Representative Dart, to close."

Dart: "...Thank you, Mr. Speaker. Just to clarify some things. If you read the Bill, the Bill's pretty straightforward. This is a two-year pilot program that deals with a very specific thing. It does not deal with \$100,000 grants that prev...that have been given out. Some of them very outrageous grants, like some of them being given out to Excel, up to \$500,000, no-interest loans given to them, and

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

50th Legislative Day

April 27, 1993

they don't actually recycle; as a matter of fact, they discourage that. What this is saying is that a two-year pilot program, maximum of \$50,000. So, we're targeting small business. Jobs will be created from that. We're not talking about \$100,000 grants that are used right now. This is specific in the Bill. It says that the department shall provide financial assistance to the most viable proposals in the form of low-interest loans. They're talking about these proposals for this grant in this pilot program. It is something that is required right now. And sure, you can run through a laundry list of communities that supposedly won't get these things. This only affects from here on out. So, it's not as if these proposals, these communities that were mentioned before are gonna have their...programs taken away, and it's not as if they're in jeopardy in the future. This deals with a two-year pilot program to deal with the recyclables; things that we are presently recycling that we don't have anything to do with. And as one of the Representatives mentioned, we keep...we keep emphasizing recycling, but we're gaining all these recyclables, but we're not doing anything with them, the value's gonna go down and we'll be stuck with 'em and that's what's happening. This is telling ENR this is the direction we should be going in. It's a very limited modest proposal, and I would encourage an 'aye' vote."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 815. The question is, 'Shall this Bill pass? All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are... For what purpose does the Lady from Winnebago,

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

50th Legislative Day

April 27, 1993

Representative Giolitto, seek recognition?"

Giolitto: "Mr. Speaker, on House Bill 1202, I'd like to change my 'yes' vote to 'present', please."

Speaker Steczo: "The transcript will so reflect, Representative Giolitto."

Giolitto: "Thank you."

Speaker Steczo: "On this question, there are 50 voting 'yes', 55 voting 'no', 10 voting 'present'; and House Bill 815, having failed to receive the required Constitutional Majority, is hereby declared lost. On the Order of Environment and Energy, Third Reading, appears House Bill 2065, Representative Morrow. Mr. Morrow? Mr. Clerk, please read the Bill."

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

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

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Yesterday, we...adopted Amendment... Well, no, we have to take this back to Third Reading, Mr. Speaker."

Speaker Steczo: "Second Reading? The Gentleman asks leave to return House Bill 2065 back to the Order of Second Reading, for the purposes of an Amendment. Is there objection? There being no objection, leave is granted. House Bill 2065 will now appear on the Order of Second Reading. Mr. Clerk, any Amendments?"

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

Speaker Steczo: "The Chair recognizes Representative Morrow on Amendment #1."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 makes House Bill 2065 basically a shell

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

50th Legislative Day

April 27, 1993

Bill. This is due to the fact that we're still in talks with ENR, with the chemical industry as to the language that we'd like to see in House Bill 2065. We're gonna work something out if we can get this Bill to the Senate. So, I urge to adopt Floor Amendment #1 to House Bill 2065."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 2065. On that, is there any discussion? Representative Black."

Black: "Yes. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I simply rise to support the Gentleman's Amendment. Negotiations need to continue with this Bill, with the Chemical Industry Council and automotive wholesalers and other people that he has mentioned. It's some very important legislation. Negotiation is under way, and the Sponsor is absolutely right. We need this Amendment we need this Bill to continue negotiations."

Speaker Steczo: "All those in favor of the adoption of the Amendment will signify by saying 'aye', those opposed by saying 'no'. The Amendment's adopted. Any further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of Health Care and Human Services, Second Reading, appears House Bill 2332, Representative Ryder. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 2332. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Ryder."

Speaker Steczo: "The Chair recognizes the Gentleman from Jersey, Representative Ryder, on Amendment #1."

Ryder: "I would withdraw Amendment #1 and Amendment #2."

Speaker Steczo: "Amendments #1 and 2 are withdrawn. Any further

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

50th Legislative Day

April 27, 1993

Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments. Floor Amendment #3, offered by Representative Ryder."

Speaker Steczo: "Representative Ryder, on Amendment #3. For what reason does the Gentleman from Cook, Representative Dart, seek recognition?"

Dart: "Mr. Speaker, have these Amendments been printed?"

Speaker Steczo: "The Amendments have not been printed, Mr. Ryder. Mr...Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I really hate to disagree with the Chair, but the Republicans have received these Amendments. I'm sure that Representative Dart is not indicating that the Democrats are behind the curve on this issue. Speaker said that they're always ahead of the curve last time. We have the Amendments. We're ready to go."

Speaker Steczo: "Representative Dart."

Dart: "An inquiry of the Chair. Has the Clerk printed these yet?"

Ryder: "Yes."

Clerk Rossi: "Three has not been printed."

Dart: "Has Amendment #2 been printed?"

Speaker Steczo: "Mr. Ryder, the Clerk has indicated that Amendment #3 has not been printed."

Ryder: "I assume the answer for #4 and #5 is the same; is that correct, Mr. Clerk?"

Speaker Steczo: "Mr. Clerk?"

Clerk Rossi: "There is no Amendment 4 and 5."

Ryder: "Then I suppose the answer to that is 'no'. That's fine. I wish to proceed with the Amendment and would ask guidance from the Chair as to that procedure. If it's helpful, I'll be glad to take it out of the record momentarily so that they can have an opportunity to observe it."

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

50th Legislative Day

April 27, 1993

Speaker Steczo: "Representative Black, for what purpose do you seek recognition? Mr. Ryder, we'll get back to you in just a moment on your question."

Ryder: "Thank you."

Black: "Thank you very much, Mr. Speaker. Unless your side of the aisle has a major problem with this Amendment (and I don't think that they do), we have acquiesced today at least on two occasions where your staff is kind enough to just run us over a copy of the Amendment, and we were able to look at it within a matter of seconds and go ahead and vote. Now unless you're telling us this Amendment is extremely controversial, or you don't intend to allow it to be called at all, why can't we be given the same courtesy that we have extended to you?"

Speaker Steczo: "Representative Ryder...Ryder. Upon reviewing, we find that the...unless an Amendment has been printed and distributed, it cannot be considered unless the rules have been suspended."

Ryder: "Mr. Speaker, I would so move that the appropriate rule be suspended for the purpose of consideration of this Amendment."

Speaker Steczo: "Representative Ryder moves that the House suspend Rule 36(b) to allow for the immediate consideration of this Amendment. The Gentleman from Clinton, Representative Granberg, on that question."

Granberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. With due respect to the Representative, we have not...previously, we have taken out Democratic Members Bills when the Amendment's have not been printed. We have tried to have a policy that in order...that all the Members realize what they're voting on. We've tried to stay with this policy. If the Amendment is non-controversial,

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

50th Legislative Day

April 27, 1993

possibly we could do it tomorrow and ask leave of the Body to bring it back to have immediate consideration, but at this time I think we ought to go with the interpretation of Rule 36 that the Amendments may not be adopted unless they've been reproduced. This Amendment has not been reproduced and distributed, and I would ask the Members to vote in opposition to the Motion."

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

Davis: "Mr. Speaker, I wish to be recorded as 'aye' on House Bill 815."

Speaker Steczo: "Representative Davis, the record...the transcript will so reflect. Thank you. On the Gentleman's Motion, all those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Representative Ryder."

Ryder: "Thank you, Mr. Speaker. As an explanation of my vote, I understand what Representative Granberg was indicating. In the event that he would allow this Amendment to be placed on the Bill this evening, I will not call the Bill on Third until he's had an adequate opportunity to review the Amendment. There has been a few occasions in which we've not had the opportunity to see or review an Amendment, and I would ask the same courtesy here. I will not ask, other than putting the Amendment on the Bill, that the Bill be moved beyond Second this evening."

Speaker Steczo: "Have all voted who wish? Representative Granberg."

Granberg: "Well, with respect to the Representative, Representative, we'd love to work with you tomorrow on this, but I don't think I have the ability to...to go along with that procedure. The rule clearly provides that we

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

50th Legislative Day

April 27, 1993

cannot do that, and as much as I respect your integrity and judgment as I always do, would love to discuss this matter with you for tomorrow morning."

Ryder: "My fear is that tomorrow morning may be given over to other matters that happen so quickly that in the dust that's left behind, that important matters might not be considered. I'll hold it on Second to give you an opportunity to review it. The Amendment becomes the Bill, but..."

Granberg: "Representative, we appreciate your courtesy as we always do, and with your standing in the House, I'm sure that you would be the top priority if everything is all right tomorrow."

Ryder: "I appreciate the compliment, however misguided it might be."

Speaker Steczo: "Mr. Ryder, do you wish to withdraw your Motion?"

Ryder: "No."

Speaker Steczo: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 56 voting 'yes', 56 voting 'no', and 2 voting 'present'. The Motion fails. The Bill will remain on Second Reading. On the Order of Health Care and Human Services, Third Reading, appears House Bill 552, Representative Phelps. Out of the record. House Bill 942, Representative Edley. Out of the record. House Bill 971, Representative Curran. Out of the record. House Bill 1390, Representative Ryder. Out of the record. House Bill 2048, Representative Ronen. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 2048, a Bill for an Act amending the Illinois Public Aid Code. The Bill has been read a third time previously and is on Consideration Postponed."

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

50th Legislative Day

April 27, 1993

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

Ronen: "Thank you, Speaker, Ladies and Gentlemen of the House. House Bill 2048 was debated at length last Thursday. To just recap, all this Bill does is say to the Illinois Department of Public Aid and the contacts to the Healthy Moms/Healthy Kids program, to enroll nurse practitioners in that program so that we can serve underserved populations throughout this state. There is a declining and decreasing pool of primary care physicians. Advanced practice nurses can meet a need that is currently being unmet in this state. Access to primary quality health care, according to the Illinois Department of Public Aid, is the most pressing health problem facing us today. We could take one small step to change that. I ask for an 'aye' vote on House Bill 2048."

Speaker Steczko: "The Lady has moved for the passage of House Bill 2048. On that question, is there any discussion? The Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Would the Representative yield for questions, please?"

Speaker Steczko: "She indicates that she will."

Ryder: "Representative, I noticed that the title shows nurse midwives. Could you... I'm sorry. Could you indicate if midwives are still part of the Bill?"

Ronen: "No, Representative, they are not part of the Bill."

Ryder: "Thank you. And previously you had indicated that under this nurse practitioners should receive 100% of the compensation of physicians. Has that been changed?"

Ronen: "Yes, Representative, that has been changed to 90%."

Ryder: "All right. Thank you for answering those questions. I make the clarification because the midwifery portion of

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

50th Legislative Day

April 27, 1993

this did cause some concern for those people that would have a large religious community within their district, such as an Amish group, that may have caused them concern about the Bill. That portion having been received, I believe now that those people might be able to vote in opposition to the Bill, as I am about to urge them to do. This Bill is a relatively simple concept, but what it's saying is that nurse practitioners would be paid 90%, 90% of the amount that a physician would be paid for exactly the same kind of work. I don't believe that anyone here believes that nurse practitioners possess 90% of the schooling that physicians possess, nor have they received 90% of the kinds of qualifications that physicians represent. The concept is interesting because it is, I understand from previous explanations, and this has been before the House; before and was defeated by the House before, it's on that...for that reason, it's on Postponed Consideration. But one of the concerns that I have is that under this, the Nurse Practice Act is not modified or changed so that nurse practitioners are not able to prescribe medicine. They are not able to prescribe drugs. In the event in their opinion, that such a prescription would be required, then the patient would find it necessary to go from a nurse practitioner to a physician in order to receive the prescription; so any opportunities for savings would, therefore, be lost. You would pay the nurse practitioner 90% of what a physician would receive and the physician would receive an additional 100%, so you've paid 190% of what the physician would have received in the first place. It is not a savings. It is not economical, and it is not equivalent. For those reasons, I believe it is sufficient to state that we should be in opposition to this

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

50th Legislative Day

April 27, 1993

Bill, and I would so urge the Members of this General Assembly."

Speaker Steczo: "The Chair recognizes the Lady from Sangamon, Representative Moseley."

Moseley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. I want to just bring a little moment of expertise into this area, because, as many of you know, I have five children. I have been in more OB-GYN waiting rooms than probably the rest of the Body combined. Let me explain to you exactly what a nurse practitioner does at an OB visit. She does the same thing a doctor does; because, quite frankly, for nine-tenths of your visits to the OB, you are being asked 'How are you feeling'; you're being measured; you're being told 'This is what you can expect in the next few weeks', and then you go. You don't have a prescription, you don't have a shot, you don't have any medication of any kind. Now, we have a situation in this state where more and more OB-GYN's are refusing to see Medicaid patients, and that means that more and more women are going without prenatal care, which we know is the number one factor in low-birth rates and in early-term babies. So, we're faced with a high infant mortality in this state. We're faced with fewer and fewer OB doctors. We're faced with pregnant women on Medicaid that cannot find doctors, and we have a solution. That solution is to allow nurse practitioners to work in the Healthy Moms/Healthy Kids program. Now, I understand that there is some concern, but let me relieve your mind. If there is a situation where there is a high-risk pregnancy or complications, a doctor will be involved. But as many of you that have had children know, that is a very, very rare instance in a normal pregnancy. I urge you to think about

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

50th Legislative Day

April 27, 1993

this vote. I know there are many people out there that have convinced you that this would be very detrimental. I know that the doctors are very concerned about it, but you can't have it both ways. You can't deny patients medical access and yet also deny them the ability to obtain medical services somewhere else. So, please consider your votes very carefully. There are a good many mothers and babies out there that are depending on you. Thank you."

Speaker Steczo: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The reason this Bill's on Postponed Consideration is because it failed the first time. The reason it failed the first time is a very simple one. What we're talking about here is the safety of the lives of the citizens of Illinois. Recognizing the difference between nurses and doctors. Physicians who have completely different training, go to school four years of college, four years of medical school, and four years of residency, and we're saying the certified nurse practitioner is going to do the same things as the doctor does and get paid 90% of what he does. What we're talking about is the health and safety of the citizens of Illinois who deserve competent medical doctors to treat them. The other thing that's really curious is that this Bill purports to do, through the Public Aid Code, what the current licensure Act clearly prohibits nurses from doing, and that is what a doctor does. That's why this Bill is a bad Bill. That's why it was defeated the first time. You can't put certified nurse practitioners on the same par with a trained, qualified medical doctor. For the safety of the citizens of Illinois and their health, the Bill should be defeated the same way it was the first time."

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

50th Legislative Day

April 27, 1993

Speaker Steczo: "In the interest of time, we're going to ask Representative Ronen to close. Anybody else who is seeking recognition can explain their votes. Representative Ronen, to close."

Ronen: "Thank you, Speaker, Members of the House. Let me remind this General Assembly that what we are suggesting here is not a radical approach. Forty-three other states are already doing this; the six others that aren't are in the process. This is a federal mandate. Nurse practitioners are highly trained, qualified. The Nurse Practice Act does not preclude these kinds of activity. They are currently performing these activities. They are certified by national certifying organizations. All we are saying in a very narrow context, in the Healthy Moms/Healthy Kids program is to let the Department of Public Aid also utilize nurse practitioners as primary care providers, because the choice for too many poor women and children in Illinois now is no care or quality care with a nurse practitioner. That's the fact of life. Sixty of 80 rural counties are medically underserved, according to the Illinois Department of Public Health. There are 14 contiguous counties so designated. Within the City of Chicago, ten community areas are medically underserved. We have a chance now to take one small step to address the health care crisis. I urge you to vote 'yes'."

Speaker Steczo: "The Lady has moved for the passage of House Bill 2048. The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. Voting is open. The Gentleman from Saline, Representative Phelps to explain his vote."

Phelps: "Thank you, Mr. Speaker. I'm really shocked that the Members on the other side of the aisle that spoke have been

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

50th Legislative Day

April 27, 1993

with their heads in the sand the last few years, I guess, when we've been talking and trying to reach an agenda about where preventative measures should be focused. And I guess the paranoia that exists in trying to approach the throne of our manical society's agenda has...caused me to overreact to just modest changes...modest reforms that Representative Ronen has offered in this Bill. We're talking about preventive health screening assessment, taking temperature, just basic things through a protocol that we set up to this Bill, not to tread too far, heaven forbid, the Medical Society, on their turf. So, it's a very modest proposal, but yet it goes a long way in working toward preventative health care. About eight years ago, I introduced this same provision and have every year since...something similar, and we would have been out front leading the nation in these kind of preventive measures. Now, 43 other states have already adopted a measure. How does that make us look, folks? We're way behind our thinking because of interest pressures that I don't think we should be succumbed to. So, I appreciate you joining Representative Ronen and all of us that care in medically underserved areas with 'aye' votes."

Speaker Steczko: "Gentleman from Cook, Representative Ostenburg, one minute to explain your vote."

Ostenburg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. In explaining my vote, I want to express my outrage at the thought that's being expressed on the other side of the aisle that the nurse practitioners are not entitled to 90% of the pay that doctors receive for performing exactly the same duties. The whole concept of equal pay for equal work is being abused in this presentation from the other side of the aisle; and if, in

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

50th Legislative Day

April 27, 1993

fact, the other side of the aisle is so preoccupied with paying people based upon the amount of education and preparedness that they have, I hope they remember that when we start arguing for better pay for college professors, because they're probably the best educated of all the groups in society, and we still don't seek better wages for them. This is a clear measure of where we can extend health benefits to more people by voting for this measure...and it's ludicrous to say that the people who are doing exactly the same amount of work don't deserve equal pay."

Speaker Steczo: "The Gentleman from Vermilion, Representative Black to explain your vote."

Black: "Yes. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. The last speaker always looks at me when he talks about people on the other side of the aisle. And I'm getting a complex about that, because I look at the board, this issue cuts across both sides of the aisle. There are red votes up there on his side of the aisle; there are red votes on my side of the aisle; and there are some in the middle aisle voting 'present'. So, please, Representative, don't always look at me and shake your finger at me when you're talking about other sides of the aisle. I have a fragile psyche. I'm just trying to do my job here. I do the best job I can. Quit picking on me."

Speaker Steczo: "The Gentleman from Macon, Representative Dunn, one minute to explain your vote."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this legislation, and I wish the Members would focus on the fact that there are not doctors flocking in droves to treat Public Aid patients.

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

50th Legislative Day

April 27, 1993

There are a lot of doctors out there who will but there are some who won't, and there are not enough doctors to deal with those patients. This is good legislation, to enable people who are unfortunate enough to be Public Aid recipients to receive better quality care and the people delivering that care will be perfectly suited to deliver the kind of care that is top quality. So, this is good legislation all the way around, and let's put this Bill up over the top with six more green votes."

Speaker Steczko: "The Chair recognizes the Lady from Cook, Representative Mulligan, to explain her vote, one minute."

Mulligan: "Thank you, Mr. Speaker. I voted for this for one simple reason. We talk about whether we want healthy babies born, and yet we don't do anything about it. The doctors do not care to serve this area, and they will supervise the nurses that are there. And I think it's very, very important if we want to have healthy babies, that we support this."

Speaker Steczko: "The Chair recognizes the Gentleman from Jersey, Representative Ryder, to explain your vote."

Ryder: "In the event that this Bill receives the requisite votes, I request a verification."

Speaker Steczko: "The Chair will make note, Representative Ryder."

Ryder: "Thank you."

Speaker Steczko: "The Gentleman from Logan, Representative Olson to explain your vote."

Olson: "Thank you, Mr. Speaker. I was probably going to be a 'yes' on this until one of the speakers on the other side of the aisle compared a nurse practitioner midwife to a doctor. Yes, in a best case scenario they would be equal, but when a problem arises, I have to believe that the doctor is better trained than a nurse, and, I am the father

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

50th Legislative Day

April 27, 1993

of two nurses."

Speaker Steczo: "The Chair recognizes Representative Schakowsky, one minute to explain your vote."

Schakowsky: "Thank you, Speaker and Ladies and Gentlemen of the House. I'd like to explain my 'yes vote. We had a lot of talk earlier today about access to health care, and the problems that are faced in rural areas and other medically underserved areas. That's what this Bill is about. We want to increase access to quality health care. We're not sending people out here who are unqualified to do the job. They're educated and skilled in this, and they are...they have all the requirements and we can provide much needed health care to people and anyone who has that concern and is sincere about it, sincere about increasing access to health care, should be a green vote up there."

Speaker Steczo: "The Lady from Whiteside, Representative von Bergen-Wessels, one minute to explain her vote."

von Bergen-Wessels: "Thank you, Speaker. Medicaid costs are driving this state to ruin and each and every one of knows that that's the case, that that's at the bottom of our fiscal problems in this state. Here's a chance to cut them by 90% in the Healthy Moms/Healthy Kids program. We should have more green lights up there. One of the Representatives was concerned about comparing a nurse to a doctor. In Vietnam, it was the nurses and the corpsmen who ran the triage. They decided who needed care and how fast they needed care, but we're not willing to entrust that responsibility to those same people once they come stateside? That's preposterous; and finally there was a reference made to a doctor charging a full office visit for signing a script. We can't get the docs to take the Medicaid patients as they are, and now you tell me they

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

50th Legislative Day

April 27, 1993

want a full office visit to sign a prescription pad? That's ludicrous. This increases access. It cuts costs. That's what we're supposed to be about in this Legislature right now is..."

Speaker Steczo: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 58 voting 'yes', 46 voting 'no', 12 voting 'present'; and House Bill 2048, having received the...having failed to receive the required Constitutional Majority, is hereby declared lost. On the Order of...we have to go back to the Order of Environment and Energy, House Bill 2065, Representative Morrow. Mr. Morrow. Mr. Clerk, please read the Bill."

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

Speaker Steczo: "Mr. Morrow, on House Bill 2065."

Morrow: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. It's on Third Reading, so I guess I don't have to ask leave for immediate consideration. We just went over House Bill 2065 on Second Reading. I deserved green votes on House Bill 2065 so we can send this Bill to the Senate and we can keep the talks ongoing. Thank you."

Speaker Steczo: "The Gentleman asks leave to suspend the appropriate rule for immediate consideration. Is there leave? There being no objection, leave is granted by the Attendance Roll Call. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 98 voting 'yes', 7 voting 'no', 9 voting 'present'."

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

50th Legislative Day

April 27, 1993

House Bill 2065, having received the required Constitutional Majority, is hereby declared passed. On the Order of Health Care and Human Services, Third Reading, appears House Bill 2063, Representative Currie. Out of the record. On the Order of Housing and Economic Development, Second Reading, appears House Bill 529, Representative Turner. Mr. Turner? Out of the record. House Bill 1060, Representative Turner. Out of the record. House Bill 1238, Representative Morrow. Mr. Morrow? Out of the record. House Bill 2283, Representative Granberg. Out of the record. On the Order of Housing and Economic Development, Third Reading, appears House Bill 527, Representative Turner. Mr. Turner? Out of the record. On the Order of Insurance, Third Reading, appears House Bill 1067, Representative Hicks. Mr. Hicks. Out of the record. House Bill 1829, Representative Hicks. Out of the record. On the Order of Labor, Second Reading, appears House Bill 737, Representative LeFlore. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 737, a Bill for an Act amending certain Acts in relation to the purchase of certain goods by the State of Illinois. Second Reading of the Bill."

Speaker Steczo: "The Chair recognizes Representative Balanoff. Mr. Clerk, are there any...are there any Amendments to this Bill?"

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

Speaker Steczo: "The Chair recognizes Representative Black on Amendment #2. Mr. Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment, I presented a week or so ago, and it's been widely misrepresented in the press. This

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

50th Legislative Day

April 27, 1993

Amendment says you can't...does not say you can't park a foreign car on state property. Let's make it very clear. This Amendment prohibits an elected official on Illinois from owning an imported car or truck if it does not consist of at least 55% American content. That's simple. You can't own one. Now, because the law...the Amendment is not retrospective, if you already own an imported car or truck, it simply says you can't park it on any parking lot that uses state tax money to create the parking lot. Now, you know, I've been vilified by certain members of the press. Now, I get a little tired of this, and I'm as much a buy American as anybody in this House. I buy...I drive nothing but General Motors cars. The suit I wear is made in the United States of America, but a lot of the people in this chamber, who year after year vote for this Bill come in here wearin' Italian suits, Mexican shoes, and drive imported cars. Now, I'm going to tell ya', I want a Roll Call Vote, Mr. Speaker. I want a Roll Call Vote on this. By God, if you're gonna buy American, get rid of them imported cars. No imported cars. Vote 'aye'. Roll Call, Amendment #2."

Speaker Steczo: "The Gentleman from Cook, Representative Balanoff, on Amendment #2. Mr. Balanoff on Amendment #2."

Balanoff: "As one who owns two Ford Tauruses made in my district, I certainly can understand the concern with buying American-made cars, but I would suggest (and I'm not an attorney), this is certainly an unconstitutional Amendment. And the Sponsor of the Bill, Representative LeFlore, has asked me to run the Bill, as it was introduced, and to ask that we vote 'no' on all Amendments."

Speaker Steczo: "The Chair recognizes the Gentleman from Cook, Representative Balthis. Mr. Stephens, we'll recognize you

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

50th Legislative Day

April 27, 1993

at the appropriate time. Mr. Balthis."

Balthis: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Amendment. This is not a buy America Bill. This is a buy-Canada Bill. The State of Illinois could buy 100% of the product it purchases from Canada, and I don't know of anybody in here that believes that's going to create a job in the State of Illinois or the United States of America. This is a bad Bill."

Speaker Steczko: "The Gentleman from Madison, Representative Stephens."

Stephens: "Request a Roll Call Vote."

Speaker Steczko: "Mr. Santiago, were you requesting recognition? Representative Black has moved for the adoption of Amendment #2. All those in favor will signify by voting 'aye'; those opposed by voting 'no'. Mr. Black, for what purpose do you seek recognition?"

Black: "I just appreciate the green votes, Mr. Speaker. And if I would've been able to get to this Amendment quicker, I'd said, 'By God, the State Police wouldn't buy Kawasaki motorcycles, they'd buy Harley Davidsons'."

Speaker Steczko: "Representative Skinner, one minute to explain your vote."

Skinner: "To explain, I don't have a conflict of interest. My wife's Honda was made in Ohio."

Speaker Steczko: "Representative Davis, to explain your vote, one minute."

Davis: "Yeah. I...this is the Amendment...excuse me, we are voting, Mr. Speaker, on Amendment #2 that has been presented by Representative Black that states that if you have a foreign car that was sold by a manufacturer in the State of Illinois or by a person who...a showroom...I think a lot of you suburbanites have these foreign car dealers in

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

50th Legislative Day

April 27, 1993

your community, and they're paying a lot of state taxes, they're paying a lot of salaries, and there's a large profit made on selling those foreign cars or to buy leased foreign cars. They also have a big business on leasing. I think that you want to be a 'no' vote on accepting this awful Amendment, and I think you want to be a 'yes' vote on the Bill. If you're a 'yes' vote on this Amendment, what you're saying is, you want the foreign car market in the State of Illinois to go away. You're saying that you do not..."

Speaker Steczo: "Representative Davis, please bring your remarks to a close. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this Motion, there are 99 voting 'yes', 10 voting 'no', and 5 voting 'present', and Amendment #2 is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Steczo: "Representative Black, on Amendment #3."

Black: "Yes. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #3 simply prohibits the sale in Illinois of any alcoholic beverage unless it contains at least 65% American content."

Speaker Steczo: "Mr. Black has moved for the adoption of Amendment #3. Is there any discussion? There being none, all those in favor of the adoption of Amendment #3 will signify by saying 'aye'; those opposed by saying 'no'. The 'noes' have it. The Amendment's defeated. Any further Amendments, Mr. Clerk?"

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

Speaker Steczo: "The Gentleman from Vermilion, Representative

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

50th Legislative Day

April 27, 1993

Black on Amendment #4."

Black: "Thank you very much, Mr. Speaker. I thought the Chair might have been in doubt on that last one, but okay. Amendment #4 simply says this. It adds a provision to Illinois law that says you cannot import any agricultural commodity into the State of Illinois without a written waiver from the Department of Agriculture and Central Management Services and the Illinois Farm Bureau."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #4. Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All those in favor will signify by saying 'aye'; those opposed by saying 'no'. In the opinion of the Chair, the 'noes' have it. The Amendment's defeated. Any further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of Labor, Third Reading, appears House Bill 798, Representative Woolard. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 798..."

Speaker Steczo: "Oh. I apologize, Mr. Woolard. House Bill 925, Representative Davis. House Bill 925? Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 925, a Bill for an Act amending the Metropolitan Pier and Exposition Authority Act. Third Reading of the Bill."

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

Davis: "Take this out of the record, please. Thank you."

Speaker Steczo: "Out of the record. House Bill 1747, Representative Blagojevich. Out of the record. On the Order of Law, Second Reading, appears House Bill 769,

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

50th Legislative Day

April 27, 1993

Representative Dunn. Representative John Dunn. Out of the record. House Bill 1475, Representative Currie. Out of the record. On the Order of Law, Third Reading, appears House Bill 276, Representative Blagojevich. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 276, a Bill for an Act amending the Criminal Code of 1961. Third Reading of the Bill."

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

Blagojevich: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 276 does the following: It would...the Bill is an Amendment, it becomes the Bill creating the Public Officials Attorney's Fee Act. The Act would provide that if a public official of the State of Illinois or any of its political subdivisions is the subject of a criminal investigation or charged with a criminal offense, the state or the political subdivision of which that person is an official is expressly prohibited from paying the person's attorney's fees incurred in relation to the investigation or any criminal proceedings. The Act preempts home rule powers. The intent of the Act is strictly for criminal cases, and it's also intended to treat those of us in public office the same as the average citizen."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 276. On that question, is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Steczo: "He indicates that he will."

Black: "Representative, is this the Amendment...is aimed at a recent event in Chicago, is that..."

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

50th Legislative Day

April 27, 1993

Blagojevich: "It's a...it's a response to that event..."

Black: "Okay."

Blagojevich: "...it's not directly aimed at it."

Black: "Okay. I have no problem with that whatsoever. The question that I think we need to focus on, if a public official is carrying out his or her duties in accordance with the law and is sued for whatever, but again, acting within accordance of his or her elected office or appointed duties, my fear is that this language is so broad that we may be disallowing an elected state official to have his or her attorney's fees paid if being sued, even though the act that they were doing was part of their elected duties. In other words, if they were acting in good faith. Is...that's our only fear. We're not arguing the Amendment. We just think, that maybe staff could be of some assistance to you or both of us, we just...we want to make sure that the language does not prohibit a lawfully elected official from having that governmental entity pay his or her legal fees if a lawsuit arises out of that person doing his or her legal duties."

Blagojevich: "Let me respond to that, Representative. First of all, this Act only contemplates criminal investigations, not civil suits. I'd be more than happy to work with your staff if you want to narrow it if it gets to the Senate."

Black: "That's a good point, and our staff will be working with your staff, and hopefully we can make sure that is addressed in the Senate. Thank you very much for your patience."

Blagojevich: "Thank you."

Speaker Steczo: "Is there any further discussion? There being none, the question is, 'Shall House Bill 276 pass?' All those in favor will signify by voting 'aye'; those opposed

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

50th Legislative Day

April 27, 1993

by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please record the Gentleman from Cook, Representative Turner, as 'aye'. Mr. Clerk, please take the record. On this question, there are 112 'aye', 0 voting 'no', 3 voting 'present', and House Bill 276, having received the required Constitutional Majority, is hereby declared passed. On the Order of Law, Third Reading, appears House Bill 2357, Representative Laurino. Out of the record. On the Order of Local Government, Second Reading, appears House Bill 168, Representative Lang. Out of the record. House Bill 175, Representative Capparelli. Out of the record. House Bill 550, Representative Lang. Out of the record. House Bill 1236, Representative Steczo. Out of the record. Local Government, Third Reading. House Bill 1279, Representative Santiago. Out of the record. House Bill 1280, Representative Santiago. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1280, a Bill for an Act amending the Township Law of 1874. Third Reading of the Bill."

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

Santiago: "Thank you, Mr. Speaker and Members of the General Assembly. I would like to yield to Representative Leitch who will present the Bill."

Speaker Steczo: "The Chair recognizes the Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you, Mr. Speaker. This is a Bill which comes at the request of a number of the very rural and small townships in my new district. It's a Bill which would permit them next year to levy for up to \$6,000 to pay for a CPA audit that we mandate; and, in subsequent years, permit

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

50th Legislative Day

April 27, 1993

them to tax for up to \$1,500 a year so that they can accumulate funds necessary to comply with the mandate that we have imposed upon them. Again, this helps very small districts because they have a real strain of meeting this mandate without this Bill, and it's enthusiastically endorsed and promoted by the township officials throughout Illinois, and I'd ask for your favorable support."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 1280; and, on that question, is there any discussion? The Chair recognizes the Gentleman from Washington, Representative Deering."

Deering: "Thank you, Mr. Speaker. I'd just like to say that this Bill now allows some of the smaller townships to fulfill some of the mandates that this Body has passed onto them over the years. It's a good Bill. I urge your 'aye' vote."

Speaker Steczo: "Is there any further discussion? There being none, the question is, 'Shall House Bill 1280 pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take... Have all voted who wish? Mr. Clerk, please take the record. Mr. Clerk, please record Representative Steczo as 'no'. Representative Leitch."

Leitch: "At the appropriate time, Mr. Speaker, I'd like to ask for Postponed Consideration."

Speaker Steczo: "On this question... Representative Prussing seeks to be... Representative Prussing seeks to be recorded as 'present'. On this question, there are 51 voting 'yes', 48 voting 'no', 16 voting 'present'. The Gentleman has asked for Postponed Consideration. Is there leave? There being no objection, leave is granted. On the Order of

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

50th Legislative Day

April 27, 1993

Local Government, Third Reading, appears House Bill 1282, Representative Santiago. Out of the record. House Bill 1508, Representative Saltsman. Mr. Saltsman, House Bill 1508. Out of the record. House Bill 1635, Representative Schoenberg. Out of the record. House Bill 1884, Representative Homer. House Bill 1884. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1884, a Bill for an Act amending the Counties Code. Third Reading of the Bill. The Bill's on Consideration Postponed."

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

Homer: "Thank you, Mr. Speaker. As amended, House Bill 1884 provides that in counties where the county board chairman is elected by voters at large and where the chairman is not required to be a member of the board, that the chairman shall, at the first meeting in December, select one of the board members as vice-chairman for a term of two years, who shall succeed the chairman if a vacancy occurs in that office. We discussed this Bill at some length previously. I would point out that the Bill applies to only a very handful of counties, the only ones that I'm aware of that it applies to would be Tazewell, Rock Island, Winnebago. It does not apply to counties with county executive form of government such as Will; it does not apply to Cook County where the board member...where the chairman...the president of the county board has to be a member of the county board. It applies to just a few of those counties who...who have requested that the chairman be allowed to designate his own vice-chairman who shall succeed him in the event of a vacancy. I would try to answer any questions. I would hope the Bill would be non controversial and that we could

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

50th Legislative Day

April 27, 1993

support this issue."

Speaker Steczo: "Gentleman has moved for the passage of House Bill 1884. On that question, is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Steczo: "He indicates that he will."

Black: "Representative, under this legislation, assuming that the chairman steps down or is incapacitated or whatever, the vice chairman becomes chairman what, until the next election?"

Homer: "Well, if it's a four year term, it would be until the next general election so that there could be a, a special two-year election. So, it would just be through the conclusion of the term, or if there was more than two years left on the term, then just through the...the...until the next general election."

Black: "All right. Without your legislation, what happens now?"

Homer: "Okay. Now, the board itself, the county board elects the vice chairman, and I understand that if there's a vacancy for chairman, that the county board would...would elect a new chairman until the next general election."

Black: "Is...is election law silent on this matter of succession, or..."

Homer: "I believe that it is. I believe... I don't think it's silent on the... I think that the statute provides that the county board shall fill the vacancy if the vacancy is created. I think it is silent on the issue of who selects the vice-chairman, and it's my understanding that as a matter of practice that the...that the county board elects the vice-chairman, and the problem with that,

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

50th Legislative Day

April 27, 1993

Representative Black, can be that there should be a harmonious relationship between the chair and the vice chair. This is a very modest Bill. All that it will seek to do is let the chair select his own vice-chair, much as we have a president and vice-president or a Governor and a Lieutenant Governor, and that's the whole thrust of the Bill."

Black: "And this only affects counties where, if I understand this correctly, it only affects counties where the county board chairman would run at-large, correct?"

Homer: "Yes, and not even all those counties. Only counties where they run at-large for a four-year term and where it's not necessary that they be a member of the county board to be the chairman. So, that...there's very few."

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

Speaker Steczo: "The Gentleman from Logan, Representative Olson."

Olson: "Thank you, Mr. Speaker. I couldn't hear all the discussion then. This Bill is a Postponed Consideration Bill. We had it the other day. Representative Homer, Representative Ackerman and myself all have the county that asked for this consideration in our district; we share that county. As I understood the remarks, there is a procedure already in law to take care of this situation. I believe I would have to say, with all due respect to Representative Homer, that there's possibly political motivation back in the county which brings this issue on the floor here this evening. There is not agreement in the county. There's a small number of counties... I don't think one county should influence legislation here to take care of the issue when we have procedure on the books that will resolve the situation quite easily as time passes. I would urge everybody to let the status quo remain, keep politics out

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

50th Legislative Day

April 27, 1993

of this chamber, relative to what's going on back in a county in the state. Thank you very much."

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

Hughes: "Thank you, Mr. Speaker. We have discussed this previously, and I think the precedent here is one that we need to be concerned about, where a single individual appoints a successor without either going to the voters or to the county board for consent of that appointment. Thank you."

Speaker Steczo: "The Gentleman from Tazewell, Representative Ackerman."

Ackerman: "Thank you, Mr. Speaker. I, too, rise in opposition to this Bill, and echo the thoughts of the previous two speakers. I think since there's already laws in place to provide for vice-chairman and there's political disagreement in these counties, we should leave well enough alone. I ask for a 'no' vote on this issue. Thank you."

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

Homer: "Well, let me just say that I think this Bill makes a lot of sense because all that it does is let the chairman designate his or her vice-chairman. That's all that it does; and yes, it is true that in the county Representative Olson described, Tazewell County, there is a county board chairman, who's a minority chairman of the minority party, and in that case, he is confronted with the situation where the board can elect his vice-chairman who may be of the other party. and we would have a situation like happened here before the change of the Constitution when we used to have a Republican Governor and a Democrat Lieutenant Governor or vice versa. It was not harmonious. The framers of the Constitution of 1970 saw that to be the

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

50th Legislative Day

April 27, 1993

case, and in their wisdom decided that they should be linked when they run for office and that the Governor and the Lieutenant Governor should be of the same Party; so should the chairman of the county board and the vice-chairman in order for there to be harmonious conduct of the county board. The county board should not be able to dictate to the chair who his vice-chair will be. This just makes good sense. It only applies to very few...I think only three counties where the county board chairman is elected at-large, where he need not be a member of the county board in order to run for that office. So, we're talking about very few counties, and probably only one (Tazewell), where it really makes a difference but is needed in order to make for harmonious dealings of the county boards. I urge that we join in support of this Bill."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 1884. The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. For what purpose does the Gentleman from Vermilion seek recognition? Mr. Black."

Black: "Mr. Speaker, should this get the requisite number as the hour grows late, if everybody just votes their own switch, I wouldn't have to ask this, but I'm afraid everyone is not voting their own switch, and I'll seek a verification."

Speaker Steczo: "On this question, there are 65...On this question, there are 65 voting 'aye', 50 voting 'no'. The Gentleman has asked for a verification. Mr. Clerk, please poll those who are not voting."

Clerk Rossi: "Poll of those not voting. Representative Younge."

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

50th Legislative Day

April 27, 1993

Speaker Steczo: "Mr. Black, unless we can just use the last verification, would you agree to that? Mr. Clerk, please poll the affirmative."

Clerk Rossi: "Poll of those voting in the affirmative. Representatives Balanoff. Blagojevich. Brunsvold. Bugielski. Burke. Capparelli. Curran. Currie. Dart. Davis. Deering. DeJaegher. Dunn. Edley. Erwin. Flinn. Flowers. Frias. Gash. Giglio. Giolitto. Giorgi. Granberg. Hannig. Hartke. Hawkins. Hicks."

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

Black: "Thank you very much, Mr. Speaker. I appreciate the courtesy of the Chair to recognize me. I've looked over there. There are the votes there. I don't wish to be dilatory at this hour; withdraw the request."

Speaker Steczo: "On this question, there are 65 voting 'yes', 50 voting 'no', 0 voting 'present'. House Bill 1884, having received the required Constitutional Majority, is hereby declared passed. On the Order of Local Government, Third Reading, appears House Bill 2003, Representative Dart. Mr. Dart? Out of the record. House Bill 2240, Representative Erwin. Out of the record. Senate Bills, First Reading."

Clerk Rossi: "Senate Bill 17, a Bill for an Act amending the Interest Act. First Reading of this Senate Bill."

Speaker Steczo: "Representative Currie now moves the House stand adjourned until the hour of 10:00 a.m. tomorrow morning. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The House now stands adjourned. 10:00, 10:00, tomorrow morning. Bright and early, right here."

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

APRIL 27, 1993

HB-0004	SECOND READING	PAGE	8
H2-0004	THIRD READING	PAGE	8
HB-0005	SECOND READING	PAGE	9
HB-0005	THIRD READING	PAGE	9
Hb-0006	SECOND READING	PAGE	10
HB-0006	THIRD READING	PAGE	10
HJ-0008	SECOND READING	PAGE	10
HB-0008	THIRD READING	PAGE	11
HB-0009	SECOND READING	PAGE	11
Hb-0009	THIRD READING	PAGE	11
HB-0012	SECOND READING	PAGE	12
HB-0012	THIRD READING	PAGE	12
HB-0013	SECOND READING	PAGE	13
HB-0013	THIRD READING	PAGE	13
HB-0025	SECOND READING	PAGE	13
H3-0025	THIRD READING	PAGE	13
HB-0026	SECOND READING	PAGE	14
HB-0026	THIRD READING	PAGE	14
HB-0092	THIRD READING	PAGE	62
HB-0125	THIRD READING	PAGE	134
Hb-0203	SECOND READING	PAGE	165
HB-0203	THIRD READING	PAGE	166
HB-0276	THIRD READING	PAGE	236
HB-0408	THIRD READING	PAGE	63
HB-0471	THIRD READING	PAGE	121
HB-0737	SECOND READING	PAGE	231
H2-0781	SECOND READING	PAGE	106
HB-0781	THIRD READING	PAGE	107
HB-0798	THIRD READING	PAGE	5
H3-0815	THIRD READING	PAGE	205
HB-0820	THIRD READING	PAGE	188
HB-0866	THIRD READING	PAGE	15
HE-0867	SECOND READING	PAGE	15
HB-0867	THIRD READING	PAGE	15
H3-0868	SECOND READING	PAGE	15
HB-0868	THIRD READING	PAGE	16
HB-0869	SECOND READING	PAGE	16
Hb-0869	THIRD READING	PAGE	16
HB-0870	SECOND READING	PAGE	16
HB-0870	OUT OF RECORD	PAGE	17
H3-0890	SECOND READING	PAGE	26
HB-0890	THIRD READING	PAGE	26
HB-0903	SECOND READING	PAGE	109
Hb-0903	THIRD READING	PAGE	112
HB-1187	THIRD READING	PAGE	77
H3-1202	THIRD READING	PAGE	191
HB-1280	THIRD READING	PAGE	238
HB-1280	POSTPONED CONSIDERATION	PAGE	239
H3-1369	THIRD READING	PAGE	78
HB-1504	THIRD READING	PAGE	167
HB-1715	THIRD READING	PAGE	114
H5-1732	SECOND READING	PAGE	60
HB-1732	THIRD READING	PAGE	60
HB-1857	SECOND READING	PAGE	18
H3-1857	THIRD READING	PAGE	18
HB-1859	SECOND READING	PAGE	18
Hb-1859	THIRD READING	PAGE	18
HB-1860	SECOND READING	PAGE	19
HB-1860	THIRD READING	PAGE	19
Hb-1861	SECOND READING	PAGE	19
HB-1861	THIRD READING	PAGE	19
HB-1862	SECOND READING	PAGE	20
H3-1862	THIRD READING	PAGE	20
HB-1865	SECOND READING	PAGE	20

STATE OF ILLINOIS
83TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

APRIL 27, 1993

HB-1865	THIRD READING	PAGE	20
HB-1866	SECOND READING	PAGE	21
HB-1866	THIRD READING	PAGE	21
HB-1867	SECOND READING	PAGE	21
HB-1867	THIRD READING	PAGE	21
HB-1868	SECOND READING	PAGE	22
HB-1868	THIRD READING	PAGE	22
HB-1869	SECOND READING	PAGE	22
HB-1869	THIRD READING	PAGE	22
HB-1870	SECOND READING	PAGE	23
HB-1870	THIRD READING	PAGE	23
HB-1873	SECOND READING	PAGE	23
HB-1873	THIRD READING	PAGE	23
HB-1874	SECOND READING	PAGE	24
HB-1874	THIRD READING	PAGE	24
HB-1875	SECOND READING	PAGE	24
HB-1875	THIRD READING	PAGE	24
HB-1876	SECOND READING	PAGE	24
HB-1876	THIRD READING	PAGE	25
HB-1877	SECOND READING	PAGE	25
HB-1877	THIRD READING	PAGE	25
HB-1878	SECOND READING	PAGE	25
HB-1878	THIRD READING	PAGE	25
HB-1884	THIRD READING	PAGE	240
HB-1905	THIRD READING	PAGE	81
HB-1919	THIRD READING	PAGE	145
HB-1929	THIRD READING	PAGE	83
HB-1930	THIRD READING	PAGE	93
HB-1930	THIRD READING	PAGE	201
HB-1930	POSTPONED CONSIDERATION	PAGE	99
HB-1932	THIRD READING	PAGE	117
HB-1932	TABLED	PAGE	117
HB-2005	THIRD READING	PAGE	181
HB-2048	THIRD READING	PAGE	220
HB-2065	RECALLED	PAGE	215
HB-2065	THIRD READING	PAGE	230
HB-2107	SECOND READING	PAGE	184
HB-2111	THIRD READING	PAGE	99
HB-2156	THIRD READING	PAGE	102
HB-2193	THIRD READING	PAGE	117
HB-2207	RECALLED	PAGE	155
HB-2268	THIRD READING	PAGE	75
HB-2332	SECOND READING	PAGE	216
HB-2386	THIRD READING	PAGE	103
HB-2416	THIRD READING	PAGE	194
SB-0017	FIRST READING	PAGE	245
HR-0453	ADOPTED	PAGE	74
HR-0453	RESOLUTION OFFERED	PAGE	73

SUBJECT MATTER

HOUSE TO ORDER - SPEAKER MCPIKE	PAGE	1
PRAYER - REVEREND LLOYD JONES	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
ROLL CALL ATTENDANCE	PAGE	1
AGREED RESOLUTIONS	PAGE	2
DEATH RESOLUTIONS	PAGE	2
REPRESENTATIVE DUNN IN CHAIR	PAGE	64
REPRESENTATIVE STECZO IN CHAIR	PAGE	165
ADJOURNMENT	PAGE	245