

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

124th Legislative Day

May 3, 1994

Speaker Currie: "The House will come to Session and the Members will be in their seats. Our Chaplain for today is the Reverend Eugene Greene of the Trinity CME Church in Decatur, Illinois. Reverend Greene is the guest of Representative Dunn. The guests in the gallery are welcome to join us in the invocation. Reverend Greene."

Reverend Greene: "Let us pray. Eternal God our Heavenly Father, we invoke Your spirit to be with us this day. To be in this House, to move among us as we go through the various labors of getting things in order. We ask You to bless this House and all their Members. Bless the heads of this organization. Bless those that stand in the spot of the Speaker. And Father just guide us gracefully through this Session this day. In Christ name we pray. Amen."

Speaker Currie: "We will be led in the pledge by Representative Brady."

Brady - 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 Currie: "Roll Call for Attendance. Representative Kubik. Representative Kubic, are there any excused absences?"

Kubik: "Thank you, Madam Speaker. Let the record reflect that all the Republican Members are present."

Speaker Currie: "Representative Laurino, how about Democratic absences? Representative Laurino."

Laurino: "Thank you, Madam Chairman. Let the House be advised that Representative Erwin has been excused."

Speaker Currie: "Thank you. The Clerk will take the record. On the Order of Human Services, Third Reading, appears House Bill 2628, Representative Phelps. On...I'm sorry, on that roll call, 116 answering the quorum call, a quorum is here

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

124th Legislative Day

May 3, 1994

and we will begin our business. Representative Phelps asks leave to return House Bill 2628 to the Order of Second Reading. Representative Madigan, on a Motion."

Madigan: "Madam Speaker and Ladies and Gentlemen, this is the Bill that we were considering Friday when we ended Session. Relative to this Bill, I would like to read from the transcript of the debate which is compiled by the Clerk's Office and the transcript reads as follows: Clerk Rossi: 'The Amendment has been printed and distributed.' and then Speaker Currie: 'Representative Phelps moves adoption of Amendment #2 to House Bill 2628; and on that all in favor say 'aye'; opposed say 'no'. The 'ayes' have it. The Amendment adopted. Are there any further Amendments?' and the Clerk responded., 'No further Amendments.' The Bill was put on the Order of Third Reading. The Bill is now on the Order of Second Reading and in light of the reaction of certain Members of this Body, to a very legitimate effort to provide that all the citizens of Illinois will have universal access to health care, Madam Speaker, I now move to table that Amendment."

Speaker Currie: "Representative Madigan moves to table Amendment #2 to House Bill 2628. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is tabled. Speaker Madigan."

Madigan: "Madam Speaker I took this action because this is just part of the stall which is being perpetrated by the Republican Members of the House of Representatives. It started a few days ago. but then when it reached the question of a very legitimate effort to provide for universal access to health care in Illinois, it moved to monumental proportions. There is so much to be done in this Session. We have to consider the Governor's proposal

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

124th Legislative Day

May 3, 1994

to take a holiday from paying debt. We have to consider proposals to provide cost controls on Medicaid. We have to adopt a state budget for the next year. But I think we have to move ahead. We have to take this out of the record. We have to take it off the table, and we have to provide that it will be dealt with differently in the future of Illinois. For all of those reasons, Madam Speaker, I have moved to table that Amendment, and I am suggesting that we take this Bill out of the record."

Speaker Currie: "Representative Phelps."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I concur with the Speaker's Motion and feel that to lend with the best atmosphere of the remaining days of the Session. We have got some big things to tackle and we need the right frame of mind. I...by taking this Bill out of the record, by tabling this Amendment, however, does not in any way in my regard means that we take it out of the hearts and minds. That is a health care debate out of for Illinoisans as well as the citizens of this nation. This particular item was put forth with sincere intent and I'm sorry it was misconstrued but we need health care reform badly. I believe there are those among us that are sincere on both sides of the aisle, and I hope that this debate, if nothing else focuses on the seriousness of the matter and does away with the game playing. Thank you."

Speaker Currie: "Speaker Madigan."

Madigan: "Madam Speaker, I ask House Democrats caucus immediately in room 114 "

Speaker Currie: "The Democrats will reconvene in caucus immediately in Room 114. Representative Leitch do you wish to do you wish ask for a comparable activity on the part of House Republicans?"

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

124th Legislative Day

May 3, 1994

Leitch: "No."

Speaker Currie: "Democrats immediately in Room 114. For...the House will be at ease until the hour of 1:30, a 45 minute caucus for the House Democrats."

Speaker McPike: "The House will come to order. Representative McPike, in the Chair. Agreed Resolutions."

Clerk Rossi: "House Resolution 2482, offered by Representative Ryder; House Resolution 2483, offered by Representative Ryder; House Resolution 2485, offered by Representative Daniels; House Resolution 2486, offered by Representative Hanrahan; House Resolution 2487, offered by Representative Hughes; House Resolution 2488, offered by Representative Novak; House Resolution 2489, offered by Representative Novak; House Resolution 2490, offered by Representative Novak; House Resolution 2491, offered by Representative Novak; House Resolution 2492, offered by Representative Novak; House Resolution 2493, offered by Representative Novak; House Resolution 2494, offered by Representative Novak; House Resolution 2495, offered by Representative Novak; House Resolution 2496, offered by Representative Novak; House Resolution 2497, offered by Representative Novak; House Resolution 2498, offered by Representative Black; House Resolution Joint 148, offered by Representative Weaver."

Speaker McPike: "The question is, 'Shall the Agreed Resolutions be adopted?' Is there any discussion on this? The question is, 'Shall the Agreed Resolution be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Death Resolutions."

Clerk Rossi: "House Resolution 2481, offered by Representative Stroger, with respect to the memory of Carrie Whiten."

Speaker McPike: "Representative Granberg moves for the adoption

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

124th Legislative Day

May 3, 1994

of the Death Resolutions. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Death Resolutions are adopted. Representative Granberg had also moved for the adoption of the Agreed Resolutions, which were adopted previously. General Resolutions."

Clerk Rossi: "House Resolution 2484, offered by Representative Zickus."

Speaker McPike: "Committee on Assignment. It's the Chair's intent to go to Third Reading, Government Administration. Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. Just to clarify some previous comments made regarding Floor Amendment #2 offered by Representative Phelps on House Bill 2628. And I read from the transcript after the Amendment had been adopted in a very suspicious fashion. Representative Phelps: Thank you, Madam Speaker. It is not my intent to proceed without anyone looking at this Amendment, and I have been informed that it's distributed and I got one my hand if you want to look at it. However; it was my intent to have a roll call after explaining the Amendment, and that's what I want to happen, although we are faced with deadlines. I refuse to take it out of the record. I will not do that, but I do want a fair hearing. This is what Friday was all about. Very simply stated and best put by Representative Phelps, we have no objections to your going back and if it's your choice to take it out of the record and table the Amendment, do what you want. All we asked was the opportunity to debate it and along with the Sponsor's comments himself to have this matter heard. Now it's quite interesting that since this action was taken today, similar to what we had requested on Friday, that the net result of this has been a press release that was just

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

124th Legislative Day

May 3, 1994

issued by Dawn Clark Netsch, and I read: 'After a GOP rebellion on the House Floor last Friday, and subsequent moves to clog the agenda of the House, House Speaker Mike Madigan today pulled back the Health Care Reform Act sponsored by Representative Phelps. The Republicans have made it clear...' and it goes on in the usual political talk that we are subjected to here. It's quite interesting the coordination of activity here. This House goes up for grabs because one of the operatives of the Speaker puts this Amendment through on a voice vote, nobody allowed to debate it, and then of course they refuse to consider it. Over the weekend, fortunately, the common minds prevail. They table the Amendment and then the candidate for Governor pulls out a release here trying to make the best that she can make of a situation that was poorly mishandled. Might I remind you all that her Amendment called for a federal health care policy, and for this state to adopt a health care reform plan consistent with federal health care policy. I think the reason the Amendment was tabled was no Member of this House, a State Legislature would want to tie their fate to federal health care policy, and it's obvious that they needed to withdraw this. Now let me just say in closing that I'm glad that they have taken the action they have. We, of course, are aware that you have a posting of Rules Committee coming up. We are anxiously awaiting how the Majority Party intends to run this Assembly so that all the people of Illinois can be heard, and so that everybody in the process can also be part of this. I close in saying when the Speaker adjourned Session last Friday he said: 'Based upon the mood of the other side of the aisle and the mood of this side of the aisle, I suggest we adjourn for the weekend.' Now Mr.

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

124th Legislative Day

May 3, 1994

Speaker, yes it's true, he did read that, this House was quite upset, as the action was taken by one of the Speaker's operatives. We hope that the people of Illinois never see this occur again, never witness the action that was treated. Thank you."

Speaker McPike: "House Bills, Third Reading, Special Order Government Administration. House Bill 2627, Representative Currie. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2627, a Bill for an Act concerning county taxes. Third Reading of this House Bill."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. It was the general understanding of this General Assembly and of most local governments in the State of Illinois, that there was an opportunity for those local governments to lobby separately for the Tort Immunity Fund, from the general purposes budget. A court ruling in DuPage County overturned that settled understanding. House Bill 2627 is an effort to deal with that problem, by re-establishing the point in state law with respect to the general purpose governments, county and municipal, that the opportunity for separate levying for the Tort Immunity Fund is again restored just as we thought it always had been. I know of no opposition to the Bill. I would be happy to answer your questions and would appreciate your support for House Bill 2627."

Speaker McPike: "On the 'do pass' Motion, Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative, included in your Bill, is there an action that validates those townships that have I believe they're

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

124th Legislative Day

May 3, 1994

called coordinated assessing units where the population isn't sufficient so you may have a multi-township assessor, is this the part of that legislation that...I know they have a an emergency situation. It does not address that particular..."

Currie: "No, that is not part of this Bill. That is a separate measure I believe, Representative Black. There is a separate Bill that is on the floor that would do just that, but that's not this."

Black: "I share your concern about that Bill, but to the Bill before us here... Is it your understanding that what this does is to allow a local unit of government and, excuse me, I'm having trouble following today, but to allow them to use money from their Tort Liability Fund for General Revenue Fund expenditures?"

Currie: "No, the point is to say they have a separate levy opportunity for the Tort Immunity Fund and as I say, it was settled understanding, in the Legislature in the executive and among local units of government that that opportunity was available. A court decision overturned the settled expectation this measure is intended to restore life to the way we thought it was, the way we used to know it."

Black: "Okay, thank you very much."

Speaker McPike: "Representative Murphy."

Murphy, M.: "Thank you, Mr. Speaker. Will the Sponsor yield for a few questions?"

Speaker McPike: "Yes, she will."

Murphy, M.: "Particularly, Representative, when we say county tax and Tort Immunity as you know there was some opposition from various agencies and the Taxpayers Federation."

Currie: "No, the Taxpayers Federation is neutral on the Bill. We amended it so as to meet their technical concerns."



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

124th Legislative Day

May 3, 1994

Murphy, M.: "Going back, eyebrows were raised as they are. We question and I think we owe it to the rest of our colleagues who worry about creating a new tax, if you could speak a little bit about the raising of limitations and how costly this may or may not be to the residents of Cook County."

Currie: "I wouldn't imagine that it has any cost to residents of Cook County. The point Representative, is not to change the purposes for which Tort Immunity Fund dollars can be used. There is no substantive change in the way Tort Immunity Fund operates in Cook or in any other county. The issue is a technical procedural one, is that levy as we all thought it was a separate levy, or is it part of the general fund levy and this measure if we decide to adopt it, will restore the expectations, the settled understanding of the separation between those two levies. That's all the Bill does. It does not expand the Tort Immunity Fund purposes. It should make no difference to the ordinary operations of governments across Illinois."

Murphy, M.: "So we're almost helping them be more suealde. And I understand it is a great concern for the county, but with regard to the..."

Currie: "It was downstate municipalities, counties that came to us in the Revenue Committee, as you remember. I have not heard from anybody in Cook County that they are particularly anxious or concerned about this. I have heard from DuPage County and I have heard from downstate areas that this matter is of grave concern to them. As a Legislator for all the people, I was happy to put in this Bill at their behest."

Murphy, M.: "Barbara, again it says Cook County Task Force Immunity, originally when we were hearing about it. More

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

124th Legislative Day

May 3, 1994

to the point with regard to the tax CAP legislation, because we kept hearing that the Speaker would not allow any tempering or tampering with the tax cap, at this point. If a tax cap were placed on Cook County, just a hypothetical situation, would this be under the tax cap?"

Currie: "Yes, as it would be...as it is in the tax cap counties. This legislation does not change the tax cap in those areas where a tax cap now exists."

Murphy, M.: "okay, one final note, Representative. Speaking of legislative intent, would the trickle of legislation that is getting out of the Revenue Committee as we well know, we both worked very hard on that committee, is it your intent that this legislation shall not be a vehicle for anything else and it will only address the specific nature that we have outlined?"

Currie: "Representative, this Bill is on Third Reading. If this Bill passes, there is not an opportunity for me to do anything further with it."

Murphy, M.: "I will need to go over to the Senate, though, Representative."

Currie: "And I would imagine that the Senate in its usual wisdom will do whatever it is they do to our legislation once it gets over there."

Murphy, M.: "And so when it comes back or concurrence you will not take concurrence if they have done wild and crazy things over there?"

Currie: "I would never, never, never concur with wild and crazy....."

Murphy, M.: "Well, you know, the Senate; you never know what they are going to do to our legislation."

Speaker McPike: "To the Bill Representative Murphy."

Murphy, M.: "Thank you."

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

124th Legislative Day

May 3, 1994

Speaker McPike: "Representative Andrea Moore."

Moore, A.: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker McPike: "Yes, she will."

Moore, A.: "To clarify, is this the language that will clarify the issue because of a bad court decision from DuPage County?"

Currie: "That's exactly right."

Moore, A.: "So it really does not change the law it just clarifies."

Currie: "It does not change our notion of what settled law was, right."

Moore, A.: "Thank you very much."

Speaker McPike: "Representative Lawfer."

Lawfer: "Thank you, Mr. Chairman. Will the Speaker yield?"

Speaker McPike: "Yes."

Lawfer: "My question follows the question that Representative Moore just had. In other words the DuPage County court case is referred to the entire state and this is to correct it for the entire state? Is that corrected?"

Currie: "This is directed at the entire state because of the possibility that other circuits might have followed the precedence set by DuPage."

Lawfer: "Thank you."

Speaker McPike: "Representative Skinner."

Skinner: "The analysis says on your our side of the aisle, that this vvalidates past tax levies that may have exceeded the rate limitation, is that correct? Does it still?"

Currie: "That is correct. That is the only way to ensure that we return to what we thought was settled law."

Skinner: "So this is an anti-taxpayer Bill? Now that's not a question, let me make a it statement. This is an

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

124th Legislative Day

May 3, 1994

anti-taxpayer Bill. If you have people in your district who have paid their taxes under protest the very issue that Representative Rotello was talking about last week, they will not be able to win a tax protest based on a rate protest in the case of tort immunity liability. That...If ii validates...if the Representative is shaking her head, no. Maybe she would maybe she would ask her a question. I'll give her a shot. Are you willing, Mr. Speaker?"

Speaker McPike: "You have the floor, Sir."

Skinner: "Well she seems to want....:"

Speaker McPike: "Ask whatever you wish, she yields to your questions...proceed proceed."

Skinner: "I was waiting for you permission."

Currie: "Representative this deals only with the distinction between Tort Immunity and the General Fund Levy. The kind of protest you're talking about has more to do with rates and other issues than they do with this particular Bill. I think you're barking up the wrong tree."

Skinner: "Well, with all due respect, Representative, I was a county treasurer for four years handling tax protests, and any time legislation came through that validates a tax levy it meant the tax protesters lost. It's okay with me if other downstaters want to vote in favor of this, but I don't want to risk my pro- taxpayer record."

Speaker McPike: "Representative Wennlund."

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

Speaker McPike: "Certainly."

Wennlund: "I thought I heard earlier in the debate that there is no economic impact or no increase in revenue. There is a note in my analysis that says the Illinois Economic and Fiscal Commission has stated that it could raise local property taxes levied by a county board by an undetermined

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

124th Legislative Day

May 3, 1994

amount without a referendum."

Currie: "I don't understand that analysis, Representative. All we are doing is to restore what we all thought was settled law. That's all this Bill does. This Bill is not opposed by the Taxpayers Federation of Illinois. It's a procedural technical Bill intended to clarify the law to read exactly the way everybody thought it already read. So either you want to interfere with the ability of DuPage County to treat these funds differently as they traditionally, historically have and every other county in the state or you don't. This is a procedural technical issue and I don't understand the analysis you're reading."

Skinner: "Thank you. To the Bill, Ladies and Gentlemen of the House. The Illinois Economic and Fiscal Commission, which is a bipartisan commission, has made the statement that this Bill could raise local property taxes levied by a county board by an undetermined amount. Well, if you remove the rate limitation on any county board to levy taxes then taxes can increase without a referendum and it could be a local property tax increase, because that's what county boards do; they levy local property taxes in addition to other taxes, and they should vote accordingly."

Speaker McPike: "Representative Homer."

Homer: "Thank you, Mr. Speaker. I think more is being made out of this Bill than its worth. This Bill is not a tax increase Bill. This Bill simply codifies what has been the practice for many years. There is a corporate tax fund levy that each county has that it has to use for its general operating expenses. For as long as I know they also were allowed to levy an additional amount to fund their Tort Immunity Program whether they be self-insured or whether they buy liability insurance. All of a sudden, a

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

124th Legislative Day

May 3, 1994

year ago, an appellate court case or a DuPage ...I'm not to sure of the level, a court decision involving DuPage County cast some doubt upon whether that levy was to be incorporated within or without the corporate fund limit. Clearly it had been the practice, it had been the intent of this Legislature for years, to have it outside the cap. All this Bill does is codify what had been our intent and to revalidate prior tort levies. Now if you vote against this Bill, you may think you're voting for taxpayers, but do you know what you're doing? You're voting for those of you who like to talk about lawyers your voting to give a lot of lawyers a lot of business going back years challenging these levies that had been imposed and you're going to have the counties expending a lot of money defending these cases, simply because of your refusal to vote to validate what had been the understanding to be the law for many years. This Bill is not opposed by any taxpayer group. We ought to quit demagoging and vote 'yes'."

Speaker McPike: "Representative Currie, to close."

Currie: "Thanks Speaker and Members of the House. think the issue is clear, we are trying to restore the law as understood it, even though the court in DuPage County did not. I ask for your support for this measure."

Speaker McPike: "The question is, 'Shall House Bill 2627 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. Have all voted? Have all voted who wish? Saviano wants to vote 'no'. Have all voted who wish? The Clerk will take the record. On this Motion, there are 83 'ayes' and 23 'noes'. House Bill 2627, having received the Constitutional Majority, is here by declared passed. House Bill 2686, Representative McAfee. Read the Bill, Mr.

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

124th Legislative Day

May 3, 1994

Clerk."

Clerk Rossi: "House Bill 2686, a Bill for an Act amending the Illinois Public Aid Code. Third Reading of this House Bill."

Speaker McPike: "Representative McAfee."

McAfee: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill amends the Public Aid Act, and what we are trying to do in relationship to the Supplemental Security Income Advocacy Program is an attempt to try and provide assistance to the applicants on representation on an earlier level. Let me just tell you that the SSI program is federally administered to provide income assistance to the aged, blind and disabled. The Department of Public Aid provides interim assistance to applicants. It is a loan program, and it will receive and does receive federal reimbursement for the cost if the application is approved. I must say this program has been very effective in Chicago. It has returned an estimated \$1.13 million for the State of Illinois in fiscal year 1992. This Bill, as amended, provides for additional programs to be developed in hopefully for more dollars to be returned to Illinois. I ask for your assistance."

Speaker McPike: "On a 'do pass' Motion, Representative Black."

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

Speaker McPike: "Yes."

Black: "We have filed Amendments 2, 3, 4, to the Bill as Floor Amendments. I don't even remember any those called, but I guess the inquiry of the Chair is, were any of them adopted?"

Speaker McPike: "Mr. Clerk."

Clerk Rossi: "Amendment #2 was withdrawn; Floor Amendment #3 was

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

124th Legislative Day

May 3, 1994

ruled out of order, and Amendment #4 is pending."

Black: "What was Amendment #4, Mr. Clerk?"

Speaker McPike: "Amendment #4 was filed after the Bill was on Third Reading."

Black: "It was filed too late then to be heard on Second."

Speaker McPike: "Yes."

Black: "All right, thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker McPike: "Yes, he will."

Black: "Representative, your Committee Amendment, as I understand it, removed the objection of the Department of Public Aid. Is that your understanding?"

McAfee: "Bill, not only did it remove the objection, they drafted the Amendment and I support it. It's an attempt, as you know, to try and recover dollars from the Federal Government on this loan program, and they are supportive of it now, and it is a geographic attempt to do that."

Black: "It would seem to me, correct me if I'm wrong, is it your understanding that if those SSI benefits are paid then we could then subsequently reduce our state general revenue funds for those public aid recipients?"

McAfee: "Absolutely, it's a refund of the dollars we have already advanced."

Black: "All right, thank you very much."

Speaker McPike: "Representative Krause."

Krause: "Thank you, Mr. Speaker. If I can immediately just proceed to the Bill."

Speaker McPike: "Proceed."

Krause: "As it has been now amended, the Department of Public Aid no longer does oppose the Bill. It is an effort I believe for people to try to receive federal assistance and given the Amendment and the fact that Public Aid no longer



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

124th Legislative Day

May 3, 1994

opposes it, we also... I also now support the Bill, as amended."

Speaker McPike: "The question is, 'Shall House Bill 2686 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 110 'ayes' and no 'nays'. House Bill 2686, having received the Constitutional Majority, is hereby declared passed. House Bill 2802, Representative Curran. Read the Bill, Mr. Clerk. Representative Parke, for what reason do rise?"

Parke: "Thank you, Mr. Speaker. I am ready to debate the Bill. So as soon as Mr. Curran presents the his Bill, I would like an opportunity to debate it."

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

Clerk Rossi: "House Bill 2802, a Bill for an Act in relation to labor. Third Reading of this House Bill."

Speaker McPike: "Representative Curran."

Curran: "Thank you, Mr. Speaker. House Bill 2802 creates the Illinois Labor Equity Act. We know it as the strike breaker Bill. Very simply what this Bill says that there is no difference from being fired or being permanently replaced. What right now exists is a loophole in the law that allows somebody not to be fired, but to be permanently replaced and somehow that is legal. What this Bill would do as at the state level in Illinois it would say that we are not going to allow or we strongly oppose the hiring of strike breakers to permanently replace legitimate striking workers. It prohibits the state units of local government and school districts from entering into contracts with, making loans to or surveying lands on behalf of or for purchasing the securities of any employer who is offered or granted the status of a permanent

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

124th Legislative Day

May 3, 1994

replacement employee to and individual performing bargaining unit work for employer during a labor dispute. It provides that no public or educational employer may hire permanent replacement for employees lawfully striking under the Public Labor Relations Act, and it provides that a court may grant injunctive relief to enforce these provisions. The key thing here is that this Bill says the State of Illinois is not going to help underwrite the activities of companies who permanently replace, that is to say fire, legitimate striking workers. But it is only for those companies who permanently replace. This does not get in the business of temporary replacement. I ask for a favorable roll call, and I will be glad to answer any questions."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think you need to make sure you understand what Representative Curran is proposing this morning or this afternoon. This legislation would abandon over 50 years of Illinois neutrality with regards to labor disputes. Currently the playing field is balanced. Unions may strike to close down their employees' business, and employers may lock the workers out and hire replacement workers. This Bill also has significant limitations on employers when they permanently replace strikers. Only when workers are striking over economic terms and conditions may they permanently replace, as opposed to strikes over unfair labor practices in which they may not be permanently replaced. Even if permanent replaced workers' rights are protected, for example, preferential reinstatement as vacancies arise. I want to point out to the Body the similar laws that ban the replacement of the striker workers have been struck

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

124th Legislative Day

May 3, 1994

down most recently in Minnesota since the Federal Relation Relations Act preempted that law. House Bill 2802 would prohibit units of local government and educational employers from hiring permanent replacement workers. It is improbable that this will become law. This provision would also be preempted. I want to point out to you that we have serious concerns about this Bill with constitutionality. Not only did Minnesota strike it down but I believe Wisconsin and Massachusetts struck it down. I want to remind the Body no other state in the union has this law on the books. No other state in the union has this law on the books. I want to point out also to the Body that last year Illinois had a \$600 million growth, a \$600 million growth, growth in the economy. We were one or five states that increased manufacturing jobs. I will tell you if we pass this legislation today, and ultimately if it ever became law, Illinois would become competitively disadvantaged and we would lose the advantage of manufacturing jobs in this state. In addition, local government and school districts could not do business with blacklisted companies even if they were low bidders. This would cost the Illinois taxpayers more money. In closing, Ladies and Gentlemen, let's let President Clinton and the Democratic Congress pass this as a price for labor support for his support of NAFTA, and not make Illinois competitively disadvantaged and losing jobs to the rest of the nation. I stand strongly in opposition to this bad idea."

Speaker McPike: "Representative Lindner."

Lindner: "Yes, will the Sponsor yield?"

Speaker McPike: "Yes."

Lindner: "Thank you, Mr. Chairman. Collective bargaining has

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

124th Legislative Day

May 3, 1994

long been in process in the labor process and it looks like your Bill would interfere with that process. Can you tell me how your Bill would fit into the collective bargaining process?"

Curran: "What this Bill does, is it says that state and local government shall not help to underwrite the activity of a company which would permanently replace legitimate striking workers. Right now units of local government or the State Government can by the purchase of the securities of these companies or surveying land purchasing things on behalf of the companies can basically help to underwrite a legitimate strike. This Bill would say that that is not lawful in Illinois. Now it is only in the case of the permanent replacement of the legitimate striking worker, a legitimate striking worker is not be allowed to be fired, he should not allowed to be permanently replaced. That is what this Bill says and nothing more."

Lindner: "Thank you."

Speaker McPike: "Representative Tom Johnson."

Johnson, Tom: "Yes, I also want to rise in strong opposition to this Bill. This Bill would reverse the policies between labor and management that have been in force here and other states for years and years and in fact turn collective bargaining upside down. Right now, an employer's right to permanently replace strikers is limited to only economic strikes and not available if unfair labor practices prompted or extended the strike action such as the employers did not bargain in good faith or in lock outs. This is a critical element in terms of the relationship between labor and unions and management, and if we go in this direction Illinois will pay the ultimate price of losing jobs once again not to Mexico but to every other

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

124th Legislative Day

May 3, 1994

state in this union. And I urge very strongly that we enter a big 'no' vote on this and keep jobs in Illinois. Thank you."

Speaker McPike: "The Rules Committee will meet immediately in the conference room at the front of the chamber. Representative Balanoff."

Balanoff: "Mr. Speaker, Ladies and Gentlemen of the House. I rise in strong support of the House Bill 2802. The only tool that workers have is the withholding of labor in their fight with companies for better wages and benefits. Personally, I don't think it is far enough; it should prohibit even temporary placement of workers during a strike situation. All of us must understand that it is unions that are responsible for the wages, the benefits, and the safety conditions that many workers today enjoy. This is a step in the right direction to level the playing field and protect workers, and I urge everyone to vote 'yes' on 2802."

Speaker McPike: "Mr. Black."

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

Speaker McPike: "Yes."

Black: "Representative Curran, I believe that this Bill has been misrepresented to some extent, not by you, but by those who are interested in the Bill. Let me see if I understand this correctly. This Bill does not prohibit any employer in the State of Illinois from deciding to hire permanent replacement workers if that business indeed wants to take that short term of view. It does not prohibit that, correct?"

Curran: "That is the case, you're right."

Black: "Okay, what it does do, if...again if I have read the Bill

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

124th Legislative Day

May 3, 1994

correctly, what this Bill does do to say that if a company wants to abrogate 50 years of good labor relations and productive workers by hiring permanent replacement workers then that company would be barred from doing business with any Illinois government entity, correct?"

Curran: "That is correct."

Black: "It would not bar that company from doing business with Indiana, Pennsylvania, Florida, Mexico. That company could still do business wherever that company could do business except with government entities in the State of Illinois, correct?"

Curran: "Yes, and I need to say also that it would only do that for a period of time, five years under this Bill. It would only do that if the hiring of the replacement worker were permanent rather than temporary."

Black: "All right. Thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House. To the Bill I think it's very important that we clarify what this Bill actually does. I think there is a great deal of misunderstanding on the part of working men and women in Illinois who believe that the passage of this Bill will absolutely prohibit a company from permanently replacing them of a result as a labor dispute. Now it does not do that. That is a federal law that is currently being debated in fact as we stand here in Washington. So, let's make sure we know what the Bill does not do. However look at the other side of the coin. If this Bill passes and is signed into law, and let's say that a major manufacturer of earth moving equipment would fall afoul of this law. What we are saying is that no unit of local no unit of government in Illinois could buy a product from that company that is in fact headquartered in Illinois. Now

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

124th Legislative Day

May 3, 1994

that company could sell its equipment to Indiana, to every other state in the union and to every other country in the world, but we in Illinois would perhaps be forced to buy earth moving equipment from a Japanese manufacturer. Now I don't think that's in the long-term best public policy interest in the State of Illinois, and my quarrel, my primary concern and worry about the Bill is that it does not truly offer the worker any basic protection. It simply tries to penalize the employer by not letting that employer do business with local governments or State Governments in the State of Illinois. It does not truly give, in my opinion, any absolute protection to the worker and I think it has already been said that may be the thrust of the Bill, but that is not what it does."

Speaker McPike: "Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. This Bill, this striker replacement Bill, severely tilts the balance of the collecting bargaining process in the labor union's favor. It punishes an Illinois employer's right to continue operations during an economic strike. A right that has been consistently upheld for over 50 years under federal law. NLRA was designed to promote peace by encouraging the making of voluntary agreements governing relations between unions and employers. An integral part of this process is the use of economic pressure by both sides to achieve bargaining goals. An employer's right to permanently replace strikers is limited to economic strikes. Its not available if there are unfair labor practices prompted or extended the strike action such as the employer did not bargain in good faith. When an employee does strike there are numerous safeguards to protect striking employees from unfair or coercive

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

124th Legislative Day

May 3, 1994

conduct by employers and to ensure strikers have enforceable claim to their old jobs when they become available. For nonunion employers this legislation could adversely affect their ability to discipline employees. A labor dispute occurs whenever two or more workers walk off a job to protect terms or conditions of employment. Replacement action, is not taken lightly by employers and exposes employers to potential liabilities. And they only use this in 16% of actually hired replacement. To sum up, NLRA was enacted by the desire to avoid strikes and the economic and social disruption caused by such industrial strikes. House Bill 2802 will impact...will be to increase strikes by elevating a union's right to strike as the goal of the collective bargaining process, and I urge a 'no' vote."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. If this Bill passes and I understand what it's talking about purchasing new equipment from any unit of government, but if this Bill passes I hope that none you have snowplows that are operated by Caterpillar engines or diesel engines manufactured by Caterpillar in any of your vehicles in your townships and counties or in the state vehicles, because what you're missing here is that is it can't have any maintenance or replacement parts, so if a clutch goes out in your snowplow next winter in your counties or in all your snowplows you can't get them serviced or maintained and that's what everybody is overlooking in this Bill. Any existing unit of government that has any equipment, for instance manufactured by Caterpillar, that may replace strikers. You cannot deal with Caterpillar or even buy a new engine or replace a clutch or a wheel, and that's danger in this



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

124th Legislative Day

May 3, 1994

Bill and that's why it ought to be voted 'no'."

Speaker McPike: "Representative Biggins."

Biggins: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I urge a 'no' vote on this Bill. We just noted in the past year and found Chrysler decided to roll off a car off in Belvedere that they would not have done here if this Bill had been passed. They decided to stay in Illinois. They could have gone to St. Louis with their very successful manufacturing facility. We also just had Motorola announce their intention to build in Illinois, Three miles from the Wisconsin border, combined with the Illinois favorable state income tax rate current rate; they decided to stay here. This Bill would not have encouraged them to do so. I urge a 'no' vote."

Speaker McPike: "Representative Curran, to close."

Curran: "Thank you, Mr. Speaker. Two important things need to be cleared up. First, Representative Black mentioned that this Bill does not absolutely in all conditions forbid the permanent replacement of legitimate striking workers. It does that in the case of public employees, but he is correct it does not do that in the case of private employees because federal law supersedes our ability to do that. That is why this Bill does not take that extra step. Were it not for the federal law we would take that extra step. What this Bill does is strongly discourage this anti-social behavior of permanently replacing legitimate striking workers. Also Representative Parke mentioned that he thought this Bill might be declared unconstitutional and then referred to a Minnesota Bill, actually the Minnesota Bill was substantially different. The Minnesota Bill took that extra step, violating the relationship between State and Federal Government, and that's what this Bill does not

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

124th Legislative Day

May 3, 1994

do and that's why this Bill will not be declared unconstitutional. I ask for an 'aye' vote."

Speaker McPike: "The question is, 'Shall House Bill 2802 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Wennlund for what reason do you rise?"

Wennlund: "Thank you, Mr. Speaker. In the event this Bill gets the number of requisite number of votes, I request a verification?"

Speaker McPike: "All right. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 62 'ayes' and 53 'noes'. Representative Wennlund, has asked for verification. Mr. Clerk, poll those not voting."

Clerk Rossi: "Poll of those not voting: Representative Turner."

Speaker McPike: "Yes, proceed with a Poll of the Affirmative."

Clerk Rossi: "A Poll of those voting in the affirmative: Representative Balanoff. Blagojevich. Brunsvold. Bugielski. Burke. Capparelli. Curran. Currie. Dart. Davis. Deering. DeJaegher. Dunn. Edley. Flinn. Flowers. Frias. Gash..."

Speaker McPike: "Excuse me. Mr. Wennlund, could Terry Deering be verified? He is in the rear of the chamber? Mr. Deering ...is verified. Proceed, Mr. Clerk."

Clerk Rossi: "Giglio. Giles. Giolitto. Granberg. Hannig. Hartke. Hawkins. Hoffman. Homer. Lou Jones. Shirley Jones. Kaszak. Kotlarz. Lang. Laurino. Levin. Lopez. Martinez. Mautino. McAfee. McGuire. McPike. Eugene Moore. Morrow. Moseley. Harold Murphy. Novak. Ostenburg. Phelan. Phelps. Prussing. Pugh. Raschke-Lind. Ronen. Rotello. Saltsman. Santiago. Schakowsky. Sheehy. Steczo. von Bergen-Wessels. Woolard. Younge and Mr. Speaker."

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

124th Legislative Day

May 3, 1994

Speaker McPike: "Mr. Wennlund, questions of the affirmative?"

Wennlund: "Thank you, Mr. Speaker. Representative Morrow?"  
is Mr. Morrow here?"

Speaker McPike: "Mr. Morrow. The Gentleman is not here. Remove  
him from the roll call."

Wennlund: "Representative Capparelli?"

Speaker McPike: "Mr. Capparelli is here."

Wennlund: "Representative Burke?" Speaker  
McPike: "Representative Terry Steczo would like to be  
verified. He is right here. All right, Representative  
Capparelli was here. Representative Burke is here."

Wennlund: "Representative Erwin?"

Speaker McPike: "Representative Erwin. Well, she is not  
voting."

Wennlund: "Representative Lang?"

Speaker McPike: "Mr. Lang. Is Mr. Lang here? Yes, he is right  
here."

Wennlund: "Representative Hartke?"

Speaker McPike: "Mr. Hartke. Representative Hartke. Okay he is  
right here."

Wennlund: "Representative Turner. Art Turner?"

Speaker McPike: "He is not voting."

Wennlund: "Representative Brunsvold?"

Speaker McPike: "Mr. Brunsvold. All right, Mr. Brunsvold is  
here. Anything else?"

Wennlund: "Representative Flinn?"

Speaker McPike: "Representative Monroe Flinn. All right, Mr.  
Flinn. Oh, all right, he is here. Flinn is here."

Wennlund: "Representative Martinez?"

Speaker McPike: "Representative Martinez. Is the Gentleman here?  
Mr. Martinez is not here. Remove him from the roll call."

Wennlund: "Representative Dunn?"

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

124th Legislative Day

May 3, 1994

Speaker McPike: "Representative John Dunn. Mr. Dunn. Mr. Dunn is here."

Wennlund: "Representative Hannig?"

Speaker McPike: "Mr. Hannig is here."

Wennlund: "Representative Wyvetter Younger?"

Speaker McPike: "She's here."

Wennlund: "Representative Pugh?"

Speaker McPike: "Representative Pugh is here."

Wennlund: "Nothing further, Mr. Speaker."

Speaker McPike: "On this Motion, there are 60 'ayes' and 53 'noes'. House Bill 2802, having received the Constitutional Majority, is hereby declared passed. House Bill 2866, Representative Lang. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2866, a Bill for an Act amending the Liquor Control Act. Third Reading of this House Bill."

Speaker McPike: "Representative Deering, for what reason do you rise?"

Deering: "Thank you, Mr. Speaker. I just wonder if it would be following along the rules of the House if we recognize community bankers that are in the gallery today?"

Speaker McPike: "Yes, it would be. All right, Mr. Lang is in Rules Committee and we will get back to this Bill. Representative Younger has the next Bill. House Bill 3380. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3380, a Bill for an Act amending the Illinois Guaranteed Job Opportunity Act. Third Reading of this House Bill."

Speaker McPike: "Representative Younger."

Younger: "Thank you, Mr. Speaker and Members of the House. House Bill 3380 would amend the Illinois Guaranteed Job Opportunity Act that was passed last year. After this Act got out of the House the Senate added an Amendment

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

124th Legislative Day

May 3, 1994

requiring that only federal funds could be used to implement this Act. The Amendment to this Bill today would say that both state and federal funds could be used to implement this Act. The subject matter of this Bill is work projects for youths in various places all over Illinois where there have been plant closings, where there is high unemployment or high public aid. There is a fiscal note that had been filed that suggests that the amount of the fiscal impact would be a million and a half dollars. Of course, that is a separate matter to be decided at a different time. But what I have found to be true is that although the Governor formed a working group to look for federal funds there was no one on a state level to write proposals to apply for those funds. So once again, we are in the same situation where there...although there has been a tremendous success and opportunity at a federal level, due to the Americorp, due the youth Bill, do to youth fair chances, and all kinds of federal programs. There is no one to ask for the money at a state level. So I would anticipate an agreement with the Governors Office, and with DCCA, and with the Department of Labor for a small amount for a spare. But we are not making that decision now, we are only making the common sense decision that some state resources have to be used in order to get the federal money. I ask for your support in this matter."

Speaker McPike: "Representative Black. Mr. Black, your microphone is on."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in reluctant opposition to the Bill. I don't think any Sponsor is more dedicated to what she is trying to do than Representative Younge. But if you would give me a little bit of your attention, let's review the

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

124th Legislative Day

May 3, 1994

history of this Bill. This Bill was originally passed as House Bill 641 which guaranteed or set up the Illinois Guaranteed Job Opportunity Act and that was passed by the General Assembly because of the original language that clearly stated only federal funds could be used to implement this program. Furthermore, Governor Edgar in his amendatory veto message, expanded the options for funding sources by authorizing that Illinois could use any federal funds from any state source, any federal funds regardless of which state agency initially would receive those funds. I stand before you today to tell you that the Department of Labor has made every effort possible to see if they could find the federal funding for this Bill as it was originally passed, and they cannot. Now we are coming back and completely changing the thrust of the Bill and asking that it be funded by state GRF dollars. No matter how noble the objective of the Sponsor, we don't have GRF dollars to even pay our Bills. We don't have a budget even before us today. So, it is for that reason and the fact that this Bill was clearly passed the first time based on federal funding, I rise in opposition to House Bill 3380 and ask for a 'no' vote."

Speaker McPike: "Representative Younge, to close."

Younge: "Yes, Representative Black, I think just repeated what I had just said. Although the Senate put an Amendment on the Bill requiring that only federal funds be used, the problem is that there is no one to access those federal funds by having staff available to write the proposals. It is as simple as that. Illinois is fifth from the top in the money that we send to Washington and we are fifth from the bottom in the money we get back. Why is that true? This is an example of it. There is nobody in this state writing

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

124th Legislative Day

May 3, 1994

for these moneys. I am not, I am not trying to say the Department of Labor is in any way not doing its job. I'm saying that it does not have the staff to do the job with and at least we ought to give a capability to write for the federal funds that these youths are entitled to. How are we going to stop crime? We need jobs for young people; it is as simple as that. They need someplace to go. They need to finish high school. That's what this Bill requires and so I'm asking you to permit the use of state funds in addition to federal funds. We are not asking for any amount of money. That has to be worked out with the Governor's office. So I ask for this matter to be passed."

Speaker McPike: "The question is, 'Shall House Bill 3380 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative von Bergen-Wessels Wessels to explain her vote. One minute."

von Bergen-Wessels: "Thank you, Speaker. I know that the Sponsor is an honorable woman and if she says she will work with the people involved to get some little money to help apply for this federal funds, I believe her and for that reason I will vote 'yes'."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this Motion there are 57 'ayes' and 51 'noes'; and this Bill, having failed to receive the Constitutional Majority... The Lady asks for Postponed Consideration and it will so be placed. Representative Lang, House Bill 2866. The Bill has been read a third time. Representative Lang."

Lang: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2866 is a Bill that makes a couple of technical changes regarding the Liquor Commission, and

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

124th Legislative Day

May 3, 1994

regarding voting precincts dry in the City of Chicago. This embodies the agreement of about 15 people sitting around a table and after negotiation there was no one that was sitting around who table that was opposed to this legislation, and I would move for passage."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. Is this Bill on short debate?"

Speaker McPike: "I don't know. You're the only one seeking recognition. If you want to knock it off short debate..."

Black: "Yes, I do. Pursuant to Rule 10 (e) I am joined by seven of my colleagues, we will remove the Bill from short debate."

Speaker McPike: "Yes, proceed. All right, Representative Lang, to close."

Lang: "No further comment, Mr. Speaker. I would just ask for support."

Speaker McPike: "The question is, 'Shall House Bill 2866 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Black."

Black: "Thank you very much, Mr. Speaker, I must have been a little late on my speak button. But in our haste to move this Bill, I have no idea what Amendment becomes a Bill or what it does. And I dare say there are 63 people voting 'yes' that don't know what the Bill does either. So I will vote 'no'."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 64 'ayes' and 43 'noes'. House Bill 2866, having received the Constitutional Majority, is hereby declared passed. House Bill 3439 Representative Hannig. Mr. Clerk, read the



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

124th Legislative Day

May 3, 1994

Bill."

Clerk Rossi: "House Bill 3439, a Bill for an Act that amends the State Finance Act. Third Reading of this House Bill."

Speaker McPike: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This is the annual appropriations authorization that we have for the Auditor General, so that he can moneys available in the dedicate accounts that he is to audit this year. This is a bipartisan effort. We do this every year, and I move for the adoption of this Bill."

Speaker McPike: "And on that Representative Andrea Moore."

Moore, A: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker McPike: "Yes, he will."

Moore, A: "One issue that was not clarified related to the appropriation for the auditing of the employees deferred compensation plan fund. Currently CMS is charged with that responsibility, and have there been the necessary changes to allow this to be done by the Auditor General?"

Hannig: "There was some question I think last year as to what the nature of this plan was, but it was my understanding that the department after some questions from the IRS determined that this is a plan that can be audited."

Moore, A: "And so how will that affect the CMS budget then?"

Hannig: "Well, Representative, the whole purpose of this Bill is when we go into a dedicated fund is not to ask the General Revenue Fund to subsidize the cost of that audit so we ask that fund to put the money in this audit expense fund to pay for it. It's something we have done now for a number of years and the Auditor General audits accounts of all state agencies at least every year two years, some more often that that and so if CMS comes up and this is to be

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

124th Legislative Day

May 3, 1994

audited then we'll tried to work with them on that, so that we can resolve the problem."

Moore, A: "Thank you very much."

Speaker McPike: "Mr. Skinner."

Skinner: "Mr. Speaker, I wonder if the Members of this General Assembly understand that we are going to have two audits. The Department of CMS is going to do an audit first with your money, if you're in deferred compensation, then the Auditor General is going to do a second audit. Now if you want to throw away your money that way that fine, I'm not going to throw away any more of my money. I want my deferred compensation for after I leave the General Assembly, not before I leave."

Speaker McPike: "The question is, 'Shall House Bill 3439 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 107 'ayes' and 5 'noes'. House Bill 3439, having received the Constitutional Majority, is hereby declared passed. House Bill 3457, Representative Sheehy. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3457, a Bill for an Act that amends the School Code. Third Reading of this House Bill."

Speaker McPike: "Representative Sheehy."

Sheehy: "House Bill 3457, what it does is it amends the School Code and provides that no teacher may be required to spend more than eight hours per semester working on a district school improvement plan. I will be more than happy to answer questions for you, Mr. Speaker and Members."

Speaker McPike: "Representative Black, on a 'do pass' Motion."

Black: "Thank you very much, Mr. Speaker. First of all, an inquiry of the Chair. Were Floor Amendments #1 and 2

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

124th Legislative Day

May 3, 1994

withdrawn? I show no roll call on them."

Speaker McPike: "Mr. Clerk."

Clerk Rossi: "Floor Amendments #1 and 2 are still on record, still on file."

Speaker McPike: "Still on file. So they were filed after the Bill moved to Third."

Black: "All right, thank you. Will the Sponsor of the Bill yield?"

Speaker McPike: "Yes, he will."

Black: "Representative, what is your intent with this measure?"

Sheehy: "The intent is to get teachers back to work, teaching our kids instead of spending so many hours on the home improvement...the school improvement plan."

Black: "And a very noble intent that is."

Sheehy: "Thank you."

Black: "However, if we are to address the problems of under-funding education and to try to answer some of the myriad details that people want to know about public education today, how are we going to do this if we don't have a school improvement plan that gives us some of the answers about what is being accomplished with the money going into education? How do you intend to answer some of those questions?"

Sheehy: "The teachers are still required to work on the school improvement plan. We are just trying to set some kind of guidelines here. For four years we asked the State Board of Education to set those guidelines to no avail, so that's the genesis of this piece of legislation. Representative."

Black: "How many hours would a teacher be working per semester today, do you know?"

Sheehy: "My guess was anywhere between 15 to 30 hours a month."

Black: "Fifteen and 30 hours a month? And you're going to cut

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

124th Legislative Day

May 3, 1994

that down to 8 hours a semester?"

Sheehy: "Yes."

Black: "That does not sound like a very reasonable compromise to me. What was the genesis of this Bill? Did this come from the constituents in your school districts?"

Sheehy: "It came both from teachers and administrators and also from the IEA."

Black: "Teachers, administrators, and the IEA. That might be a redundant term, don't you think? Did it come from any parent groups?"

Sheehy: "Not that I'm aware of."

Black: "Parent, teachers or...what about groups such as business groups that are indeed interested in improving education but would like to know what is actually being done and what improvements are being done for the additional funding that many of us would like to see put into schools. How do we answer their legitimate questions about what improvements are, in fact, being made?"

Sheehy: "I really can't answer that Representative. All I'm trying to do here with this Bill is to remedy some of the problems we are having with the unnecessary paperwork. We have teachers that are there working on this plan, but the hours that are spent there should be back teaching in the classroom."

Black: "I understand that. How many years did you spend in the classroom?"

Sheehy: "Did I?"

Black: "Yes."

Sheehy: "As a teacher or as a student?"

Black: "As a teacher, how many years did you spend as a classroom teacher?"

Sheehy: "Zero."

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

124th Legislative Day

May 3, 1994

Black: "I have spent ten; my wife has spent about 15. Representative, I'm curious, I thought some groups were trying to work on this, to come up with some kind of agreement that we might be able to vote on later today. Is...that, have I been misinformed?"

Sheehy: "Sounds correct, Representative."

Black: "So in other words, I guess I don't want to mischaracter, I don't want to characterize your Bill incorrectly, Representative. But it appears to me that what we are doing, is to just simply more or less gut the school accountability plan, put in some kind of artificial hours that that teacher or administrator can work on the school accountability plan, and that's supposed to be really...that's your idea correct?"

Sheehy: "Was that a question? I could not hear you, Representative, if it's a question or..."

Black: "Well the question is, it appears to me that this Bill came from a rather narrow constituency, and that its intent is to simply gut the current school accountability plan, or the school improvement plan, and we don't know whether your Bill will enhance or detract from the the school improvement plan. So it's just your idea to say 8 hours is enough and the heck with it, right?"

Sheehy: "Representative, if I just take a moment here. In committee, Education Committee I went to all the Members and asked about this piece of legislation. Members on your side as well as on this side voted for this 21 out of 22 Members voted 'yes' to this piece of legislation and those are teachers who are in the system now."

Black: "I'm sorry there were teachers on the Education Committee who voted 'yes'?"

Sheehy: "Yes."

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

124th Legislative Day

May 3, 1994

Black: "I would have thought they voted 'present', because they might be in conflict of interest."

Sheehy: "No."

Black: "You mean they are teaching currently, and they voted on this legislation?"

Sheehy: "Just Republican teachers."

Black: "Well, I don't care whether it's Republican or Democrat teachers; I'm dead serious with you. If there is somebody on a teaching payroll who voted for this Bill in committee, I want you to say their names on this House floor. I think that's wrong."

Sheehy: "I cannot do that Representative."

Black: "I did not think so. Now Representative, it is not to your advantage to misspeak when you present a Bill. I don't believe that there are any active teachers on that Education Committee who are holding down a full-time teaching job, while serving in the General Assembly. Furthermore, I would expect them to vote 'present' if they were holding down a full-time teaching job while serving in the General Assembly because where I come from that's called 'double-dipping'. We don't like it. To the Bill, Mr. Speaker and Ladies and Gentlemen of the House. This 8 hours was pulled out of the air somewhere. The Sponsor, I don't believe, has any idea what the school improvement is all about or what it's intended to do, and he just made a terrible mistake on the House floor, when he said that active teachers voted on this Bill in committee. I resent that. Now I don't know what's magical about 8 hours or 15 hours or 20 hours; I don't see anything in here that tells me what teachers are working on and what they aren't working on. I don't want teachers spending a bunch of useless time out of the classroom to do a school

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

124th Legislative Day

May 3, 1994

improvement plan if it isn't working, but I would think that we could do a better job of working with the State Board of Education, our teacher groups and our parent groups to see to it that the money that many of us and I have stood on this floor, not like the Representative, I put my vote where my mouth is on a Constitutional Amendment to fund schools, but I want to know what that money is going to do. If we can't have some reasonable expectations of improvement tied to money, then I think we are going up the wrong road."

Speaker McPike: "The Chair has a number of lights blinking. I would like to recognize someone to speak against this. Is there anyone else besides Mr. Black that would like to speak against this? Representative Brady."

Brady: "Thank you, Mr. Speaker. I could not agree more with the previous speaker. Will the Sponsor yield?"

Speaker McPike: "Yes, he will."

Brady: "Could you define for me what you might consider to be a state mandate on local school districts? Let me rephrase that. Would you consider this to be a state mandate forcing local school districts that are operated by individually elected board Members to spend their resources not at their direction, but at the wisdom and direction of the State of Illinois and this legislative Body? Mr. Sheehy."

Sheehy: "My understanding right now Representative, is that they are mandated right now."

Brady: "They are mandated right now to perform the review. But know we are going to tell them how to do it, it's not bad enough that we tell them how to spend their money, where to spend their money what to do, but now we are going to limit what hands, what freedom they have to provide what they can

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

124th Legislative Day

May 3, 1994

base it on what the elected people did in that school district to elect board members to hire a superintendent, to run that district as efficiently and effectively as they can from the local level. This piece of legislation, does it not tie their hands? Is it not a mandate?"

Sheehy: "Representative, this piece of legislation brought to us because teachers are tired of working on a program..."

Brady: "Is this a mandate, Representative?"

Sheehy: "Pardon me?"

Brady: "Is this or is this not a mandate from Springfield to elected board members of school districts?"

Sheehy: "I relieves them of the mandate."

Brady: "Representative, I find that hard to understand. What exactly are you relieving them from? They still have to perform the same requirements."

Sheehy: "The excessive amount of time right now spent on this program is overwhelming. They are asking for some kind of relief. The State Board of Education will not set the guidelines. We are going to set the guidelines and that what we are doing that today."

Brady: "We are going to send the guidelines...the ultimate wisdom of the Illinois Legislature overruling individual school board members elected by private citizens in that district. Well here we go once again. Let's nail them. Let's see what else we can take away from them. More and more mandates, anyone who votes for this piece of legislation is voting for a mandate. They are taking power away from local school board members elected by the citizenry, and you ought to think twice about this."

Speaker McPike: "Representative Ostenburg."

Ostenburg: "Thank you, Mr. Chairman, Ladies and Gentlemen of the House. I rise in support of this Bill, and I do so as



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

124th Legislative Day

May 3, 1994

someone who was a former classroom teacher, at every grade level from 5th grade to graduate student. I can tell you that the primary purpose of teachers is to be in the classroom teaching students. Now we are talking about mandates, it's true, a mandate was imposed upon local school districts. It has forced board members, superintendents, principals, and teachers to spend an excessive amount of time without clear guidelines as to what they should be doing. What this Bill does is relieves that mandate and, in fact, allows teachers to set a limit on how much time they're going to spend in activities outside of the classroom. In activities that takes them away from their primary purpose which is to teach students. Now, there are very few measures where you find school board members, local superintendents, local principals, and teachers agreeing on the issue. But in my district, all four of those groups agree that we need to set some limits on the amount of time that we drag teachers out of the classroom and put them in these useless administrative tasks. This is a good Bill, that acts to set things straight for once and I urge you to support it."

Speaker McPike: "Representative Flinn moves moves the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The previous question is put. And Representative Sheehy, to close."

Sheehy: "I think enough has been said. I ask for a favorable vote."

Speaker McPike: "The question is, 'Shall House Bill 3457 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Cowlshaw, one minute to explain your vote."

Cowlshaw: "I would like to explain my vote in the words of a man

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

124th Legislative Day

May 3, 1994

who wrote a small book called 'Jacob the Baker'. Imagine a boy sitting on a hill looking out through his innocence on the beauty of the world, slowly the child begins to learn he does this by collecting small stones of knowledge placing one on top of the other. Over time his learning becomes a wall. A wall he has built in front of himself, now when he looks out he can see his learning but he has lost his view. Thank you, Mr. Speaker."

Speaker McPike: "You are welcome, Representative. Representative Weaver."

Weaver: "Thank you, Mr. Speaker. My light was on earlier. I just had a question. Maybe the electrician needs to check the board. I see a green vote up there I can't understand."

Speaker McPike: "Are you voting 'yes' or 'no'? Mr. Weaver, did you wish to change your vote? The voting is still open."

Weaver: "Well I'm just curious. One of the previous speakers who railed and ranted about this Bill, is now up there with a green vote. I can't understand it."

Speaker McPike: "I think it was, Representative Black. I think your name was used in debate."

Black: "Yes, thank you very much, Mr. Speaker. I rise to defend my honor and integrity, not only from an attack from the other side..."

Speaker McPike: "That's going to be tough."

Black: "...but an attack from the rear. Let me just say that in my years of service down here, I find it very enlightening and important to listen to what Members on both sides of the aisle..."

Speaker McPike: "Turn him back on."

Black: "Yes, I think its very important that we listen. I felt very strongly about this Bill until Representative

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

124th Legislative Day

May 3, 1994

Ostenburg got up and explained the situation. The man made imminent good sense and I have decided to follow his lead."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted? Have all voted who wish? The Clerk, will take the record. On this Motion, there are 91 'ayes' and 24 'noes'. House Bill 3457, having received the Constitutional Majority is hereby declared passed. Representative Hoffman, 3498. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3498, a Bill for an Act amending the Limited Health Service Organization Act. Third Reading of this House Bill."

Speaker McPike: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3498 would allow self-insured employers to directly contract out their health laboratory services offered to company employees. Currently under Illinois law this is allowed to be done for dental, pharmacy, vision, podiatric, and certain other services. We believe that clinical laboratory services should be included."

Speaker McPike: "The question is, 'Shall House Bill 3498 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative Wennlund, to explain his vote."

Wennlund: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Gentleman's Bill. We have considered on this side and we believe it good legislation. We urge its adoption."

Speaker McPike: "Have all voted? Have voted who wish? Have all voted who wish? The Clerk, will take the record. On this Motion, there are 111 'ayes' and no 'nays'. House Bill 3498, having received the Constitutional Majority, is hereby declared passed. House Bill 3704, Representative Hannig. Mr. Clerk, read the Bill."

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

124th Legislative Day

May 3, 1994

Clerk Rossi: "House Bill 3704, a Bill for an Act to create the Illinois Procurement Code. Third Reading of this House Bill."

Speaker McPike: "Representative Sheehy, for what reason do you rise?"

Sheehy: "Mr. Speaker, I want to have a 'yes' vote for on 3498."

Speaker McPike: "All right, the Gentleman had intended to vote 'aye' on 3498, and the record will so reflect. House Bill 3704 has been read a third time. Representative Weller, for what reason do you rise?"

Weller: "Mr. Speaker, I was waiting to speak on Representative...."

Speaker McPike: "Okay, let me recognize the Gentlemen first. Representative Hannig on the Bill."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. In 1991 in a Session ending deal we passed a innocuous looking part of the Purchasing Act that instead turned out to be a virtual repeal of the Act. There was a fire storm of public opinion that followed and numerous proposals including several administrative rules were imposed by the Governor to try to deal with the problem. In the end, a Resolution was passed creating a Blue Ribbon Commission to study the problem and make recommendation to the Legislature. Each caucus Leader appointed four Members, not necessarily Legislators. The Auditor General chaired the panel. The committee had 12 meetings all of which were open to the public and heard testimony from more than 40 witnessess. We tried to make a genuine effort to solve this problem, and we have come up with what we have before you today. House Bill 3704 which rewrites the Purchasing Act. In general it establishes the procurement policy board appointed by the Governor that would set the policy

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

124th Legislative Day

May 3, 1994

for purchasing in the State of Illinois. It grants to 16 state...it creates a procurement authority for the 16 state purchasing offices appointed by the respective state agencies and the legislative and executive and judicial branches. It sets a policy and makes competitive sealed bidding the preferred method of source selections with some exceptions for small purchases, emergency purchases, sole source purchases. It does grant procurement authority for professional or artistic services to individual state entities that requires the publication of an Illinois procurement bulletin. It does a number of things which I think need to be done in order re-establish a Purchasing Act here in the State of Illinois. It is a bipartisan effort. All Members in this chamber that were on that Body are listed as Co-Sponsors in this Bill. And I would be happy to answer any questions and move for the adoption of this proposal."

Speaker McPike: "All right, Representative Weller on the Motion."

Weller: "Thank you, Mr. Speaker. I rise in support of this legislation. As a member of the auditor general's Blue Ribbon Commission on procurement reform, I am very pleased and very proud of the legislation that resulted from our bipartisan discussions; discussions that included a number of hearings, discussions that included input from everyone both the administration, Legislators, and the private sector. This Bill is a product of over 12 months of study, hearings, and work by the Blue Ribbon Auditor Generals Commission on state procurement, and covers over 82 key areas of reform. The bipartisan committee produced the bipartisan Bill. This legislation is real procurement reform, and I urge the Members on both sides of the aisle to join us in supporting passage of this important reform

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

124th Legislative Day

May 3, 1994

legislation."

Speaker McPike: "Representative Andrea Moore. Andrea Moore, your microphone is on. Representative Moore, your microphone is on."

Moore, A: "Thank you, Mr. Speaker. Just a couple of questions. Was there a similar Bill filed in the Senate, do you know?"

Speaker McPike: "Representative Hannig."

Hannig: "In brief Representative, there was a different Bill that was filed in the Senate. There was also a similar Bill that was filed in the Senate, quite frankly. What we have here is the most pure form of the Blue Ribbon Procurement Commission's proposal."

Moore, A: "There is an establishment of a policy board that is appointed by the Governor."

Hannig: "Five members that are appointed by the Governor. No more than three of which can be of his political Party, for the purpose of establishing policy on purchasing in the State of Illinois. These individuals would have no direct purchasing authority."

Moore, A: "And then who actually would be charged with that direct purchasing authority?"

Hannig: "There are 16 purchasing offices. For example, the constitutional officers each have their own. The legislative Leader each have their own. The Senate President, House Speaker, the Supreme Court represents the judiciary. Higher education is represented and the executive branch is represented through CMS."

Moore, A: "Thank you, and then just one last question. Could you explain how the procurement authority might be delegated under certain circumstances?"

Hannig: "I'm sorry I did not hear your question."

Moore, A: "My analysis explains that under certain circumstances

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

124th Legislative Day

May 3, 1994

this procurement authority can be delegated. Could you explain exactly what that means?"

Hannig: "For those agencies that are not specifically listed, an executive agencies, they would fall under Central Management Services. Is that your question?"

Moore, A: "Yes. Thank you very much."

Speaker McPike: "Representative Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "Representative Hannig, I have a fiscal note for this Bill in my files from the Department of Central Management Services which indicates that they are going to have to hire 20 new employees and that this Bill is going to cost annually \$1,940,000."

Hannig: "Let me address that in several ways, Representative. First of all, we did look at the fiscal note and over half of that amount is due to a bulletin that we will have to put out, so that perspective contractors can understand which contracts are to be let. We anticipate that they will charge for that bulletin and in effect we will recoup that \$600,000. So I would think that the fiscal note would be much reduced. I would also argue that simply by having a good purchasing policy on the books will more than save that amount of money in the long run."

Wennlund: "I missed one part of what you said. That...is that just the first year cost are going to be that of that million two, half of that is due to the bulletin you have to send out, and it won't reoccur next year and the year after?"

Hannig: "Well, yes, we looked at the details. CMS was very helpful and forthcoming and they provided us with the details of their fiscal note. About half of that about I

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

124th Legislative Day

May 3, 1994

think over \$600,000, is for the printing and distributing of a procurement bulletin to be sent out to contractors that these bids are to be let, that these bids are available to bid on. We anticipate that there would be a procedure whereby which would charge for this. Now that is not specifically spelled out in the Bill but during the discussions with the Blue Ribbon panel it was always felt that that would be the case, and so I would feel very strongly that that would be something that we would collect the \$600,000 on."

Wennlund: "Do they have the authority under the legislation to impose that fee on contractors who want to get on a bidding list?"

Hannig: "We think that in general based on the language that we have that they do Representative, but if there is some question on that maybe it's something we could address in the Senate."

Wennlund: "And so that directive is to send this notice out annually so that its a reoccurring charge?"

Hannig: "The way we would hope that it would work, Representative is a little bit like IDOT when they send out their bulletin saying that certain contracts are to be bid, and you pay for that bulletin. We are suggesting that this kind of idea be applied to everything that the State Government does so that vendors in your districts will have an idea that the State of Illinois looking for some desks or that they're looking for some tables or whatever and they can submit a bid. But we are also suggesting that this be made available at some small charge to our vendors. Although we do anticipate that it could be available for the small vendors in libraries and things like that."

Wennlund: "Will contractors be required to prequalify like



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

124th Legislative Day

May 3, 1994

contractors that bid on road projects now?"

Hannig: "Yes, there are pre-qualification requirements in many of these. We have tried to set up Central Management Services, for CDB, for the Department of Transportation, for the construction industry for example, so that they can have pre-qualifications and in general we tried to extend that idea to as many professions as we felt was applicable."

Wennlund: "Thank you very much, I appreciate that. To the Bill Ladies and Gentlemen of the House, we think this is a good idea. Its time has come. The State of Illinois...if it possible to save money and Representative Hannig is correct...if they could charge for some of these services to the contractors who want to get on the bidding list, we think it's a good idea. It's time has come and it;s a good vote."

Speaker McPike: "Representative Novak."

Novak: "Yes, Mr. Speaker Ladies and Gentlemen. I rise in support of this legislation, also. I think this is a tremendous effort made by both Republicans and Democrats in putting this legislation together. In my estimation I think this Bill is the beginning of the end. What I mean by the end is the end of contract leasing, pinstripe patronage and all these abuses that have been pointed out consistently by the media in Chicago in and downstate Illinois dealing with government administration. We should all vote for this Bill to put all these sweet-heart deals and all these other things that have been documented, well documented in the press, put them to rest, put everything...put everybody on level playing field, and allow small vendors as well as big vendors to compete on an equal basis for state services and state contracts in Illinois. And I urge your 'aye'

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

124th Legislative Day

May 3, 1994

support."

Speaker McPike: "Representative Cross."

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

Speaker McPike: "Yes."

Cross: "Is there some glue for this microphone? Representative, I'm looking at the portion of the Bill that deals with competitive bidding. Can you explain that portion for us a little bit more, please?"

Hannig: "Yes, in general what we have is a policy, a desire that for all contracts over \$10,000 except for construction contracts where we set the limit at \$25,000 that a competitive sealed bid be the preferred procedure. We also recognize in some cases, for example, a good example would be entertainment at the state fair that there are exceptions to that that we have to recognize and so we have set up a system whereby you can have something other than a sealed bid. Where we can have what they call professional artistic services which will be granted by a competitive process."

Cross: "Is there...with respect to the competitive process are we establishing or trying to establish some guidelines to make sure we have...are we establishing guidelines or do we have guidelines in this Bill?"

Hannig: "Yes, we have tried to define some broad guidelines in the Bill. And part of the purpose of the policy board is to try to set the policy and establish and flush out some of those things we did not want to micro-management this thing to the tenth degree."

Cross: "I understand that. Can you explain a little bit who makes up the policy board and who determines who's on the policy board?"

Hannig: "The policy board will be five members appointed by the

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

124th Legislative Day

May 3, 1994

Governor, no more than three of which would be of his party, and we ask specifically that these be people that have background in the purchasing field, that they be knowledgeable and that we would hope that they would serve in general as a board that sets the principles and helps flush out the ideas that we want. Now, ultimately all rules and regulations we also recognize that would be reviewed by JCAR, and we as Legislators have that last ability to review whatever might be done by any agency."

Cross: "Does JCAR then approve this, the appointment as well?"

Hannig: "I simply tried to point out the entire process. The joint committee on Administrative Rules reviews all proposed rules and has the power to stop temporarily at least any rule any agency might adopt and that would certainly apply even here."

Cross: "Are we being a bit duplicative by...if we have JCAR why do we need the procurement board?"

Hannig: "Well, the problem that we have is and I think this is before your time, in 1991 in a Session ending deal, we virtually repealed the Purchasing Act that was in law. The Governor has reinstated a portion of that through administrative rule, but I think it very important that we have a Purchasing Act on the books so that some future governor can't simply lift an administrative rule and create total havoc in our purchasing procedures."

Cross: "I'm not suggesting that what you're attempting is bad. One of the questions in the area of competitive bidding in the area of professional services wherever that may be, does the competing bidding still apply?"

Hannig: "We have a competitive selection procedure whereby we hope...or the way it would function is that for example, let's take the state fair. They are going to have

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

124th Legislative Day

May 3, 1994

entertainment. We want them to have bands that are going to draw some people. But they would put out a notice in this bulletin that anyone who would like to submit an application that will play on a certain date spelled out for a certain amount could do so. So it does open up the process to anyone to come forward and make an offer to the agency. And they would review those offers and in those cases of professional and artistic they would take what they think is the best buy."

Cross: "Will they go about the process if even of recruiting the best talent for the fair, for example?"

Hannig: "Yes, so they would...it would be ultimately up to that purchasing agent, agency through Central Management Services for the executive branch to make that final determination."

Cross: "What about in the area...once again let stay with the fair a minute, if we need legal work at the state fair, or forcefully to work are we going to bid that?"

Hannig: "I'm sorry I can't hear the question."

Cross: "If we need to hire some attorneys to do legal work with respect to the fair, the state fair, is that going to be a bid process under this Bill?"

Hannig: "It would be a similar process. Artistic and professional refers to those professional agencies like lawyers, like artists, like architects, those kinds of people who have a certain expertise and we recognize the fact that maybe the lowest bid is not always the best bid in those specific cases."

Cross: "Very good, I appreciate your explanation, Representative. Thank you very much."

Speaker McPike: "Representative Black. Mr. Black are you.."

Black: "Yes, I'm sorry Mr. Speaker."

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

124th Legislative Day

May 3, 1994

Speaker McPike: "Yes."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill I'm heartened somewhat by Representative Novak's comments a few minutes ago but in fact Republicans and Democrats have worked together on this Procurement Code. And I think if we could focus on that for the next few moments, because I think it has some bearing on what I would like to see the rest of the day become. We have cooperated with your side of the aisle on several issues. In fact, we filed this Amendment which was originally Senate Bill 226, I believe, on several Bills that were on the House Calendar that we can't get called. So I don't necessarily certainly rise to speak in opposition to Representative Hannig's Bill. What I would like to rise is to say, 'Why can't we work together on items of this importance and others?' That's all we are asking for. That's all we asked for last Friday; it's all basically what we are asking for today. We would like to work with you and advance the cause of good legislation but at the same time, Mr. Speaker and Members of the House, we have to stand here and ask that our Member Bills be given at least some fairness and equity and consideration on the Calendar and if we could do what Representative Novak mentioned earlier and try to work together I think the day would go much more smoothly and I am ready to do that. I think most of the Members on my side of the aisle are ready to do that. If you would simply grant our Bills a degree of fairness in being called. We have been here almost two hours and not one Republican Bill has been called. I again stand and urge and am willing to work with Members on your side of the aisle to advance the process and I think it's only fair and only right that we ask for some bit of

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

124th Legislative Day

May 3, 1994

fairness and equity in return."

Speaker McPike: "Representative Flinn moves the previous question. All in favor... The question is, 'Shall the previous question be put?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The previous question is put. Representative Hannig, to close."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. I would just say to the Gentlemen and Members of that side of the aisle for those Amendments they have filed we can pass this Bill shortly and you can withdraw those Amendments at that time. This is an effort to move the Bills through the committee. This Bill has gone through the committee process: It was heard in front of the General Services Committee. It received bipartisan support. It was a blue ribbon panel that was appointed by all four members of all four caucuses. It has had bipartisan support. I hope that it receives bipartisan support on this floor. It is a much needed step forward in State Government. It is a rewrite of the Procurement Act that we repeal inadvertently, I think, some years ago and I simply ask for your 'yes' vote."

Speaker McPike: "Question is, 'Shall House Bill 3704 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Edley, to explain his vote."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. This should be getting bipartisan support, after all the Governor on January 12 in the State of the State address said and I quote, 'I will again have had introduced my call for serious reform in our procurement laws.' Unfortunately, Senate Bill 830, which encompasses his legislation is stuck in the Senate Rules Committee. So, I commend the Sponsor and those on the

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

124th Legislative Day

May 3, 1994

other side of the aisle who have come together and on a bipartisan basis have pulled the Governor's chestnuts out of the fire."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? Mr. Edley. Have all voted who wish? Mr. Clerk, will take the record. On this Motion, there is 116 'ayes', no 'nays'. House Bill 3704, having received the Constitutional Majority, is hereby declared pass, passed. House Bill 3770, let's take this out of the record momentarily. Representative Erwin, House Bill 3841. She's not here. Representative Edley, on House Bill 39... Representative Currie."

Currie: "We thought we would go ahead and call the Bill because she isn't here."

Speaker McPike: "All right. House Bill 3779, Representative Currie. Read the Bill. (House Bill) 3779. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3779, a Bill for an Act to amend the Election Code. Third Reading of this House Bill."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is just a Bill to clarify that the requirement that applies to somebody signing a non-voting petition. That is that you actually live and are registered to vote at the address that appears next to the signature, applies as well to the circulator of the petitions. I think all of us all thought that it did, but a recent court ruling throws doubt on that assumption and this Bill merely clarifies that the requirement that you live and are registered to vote at the address that you signed next to your own name applies to the circulator as well as it does to the petition signer. I would be happy to answer your questions and would

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

124th Legislative Day

May 3, 1994

appreciate your support."

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

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Because, Representative, could you give me the genesis of this Bill?"

Currie: "Yes, as I said we all thought that the requirement applied to the circulator as it applies to the petition signer. A court case said it doesn't. That is to say they said that our law was not as clearly drafted as you thought it was, Representative. And so the court held that we had not made clear our intent that the circulator, too, must be a registered voter at the address that appears next to the circulator's name at the bottom of the petition."

Black: "You're losing me on that one. I...it was my understanding the circulator would always have to live at the address."

Currie: "That is what we thought, that is exactly what I thought, what you thought and a court said, 'We didn't say so as clearly as we ought to have, had we meant to do so.' So this measure is only intended to clean up the language, so the court will understand it just the way you do."

Black: "Representative, is this the Bill in Election and State Government Committee, that you pledged that would not be used to amend the Election Code?"

Currie: "Representative, the Speaker's legal counsel made that statement and in fact, in fact, we put this Bill on the Consent Calendar. It was never clear to me why you knocked it off."

Black: "Oh, would you like me to perhaps enlighten you as why we might have knocked it off?"

Speaker McPike: "No. No. To the Bill, Mr. Black."

Black: "Well, all right. I just thought somebody might like to



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

124th Legislative Day

May 3, 1994

know."

Speaker McPike: "No we're not interested."

Black: "Then the only...what becomes the Bill, if I'm reading this correctly, is Committee Amendment #1. Correct?"

Currie: "That's right."

Black: "And Committee Amendment #1 said that the Election Code is amended to clarify a person's eligibility to circulate petitions. So far correct, right? So that person is eligible, if the person is registered to vote at the address indicated in the affidavit at the bottom of the petition and was registered to vote at all times during the circulation. What I am trying to get at is if I'm circulating a petition in my house district, and obviously I'm a registered voter in that district, can I then circulate a petition in someone else's house district even though next to my name it would show my address and where I live, but it would not be that I am a resident of that house or legislative district."

Currie: "Right."

Black: "So I could still circulate the petition?"

Currie: "That has nothing to do with this Bill, Representative. That would be true. With or without this Bill you may not circulate in a district in which you do not reside. All this Bill says, is that you have to be a registered voter at the address affixed next to your name when you sign as a circulator. Just the way you have to be a registered voter at the address listed next to that of a petition signer. You thought that requirement applied to the circulator, so did I. A court has decided that our language was not clear on that point, that's the purpose of this Bill."

Black: "Do you have a case? What was that, you know. Casper versus Currie or..."

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

124th Legislative Day

May 3, 1994

Currie: "I was not involved in the case. No."

Black: "Was it in Illinois Circuit Court?"

Currie: "I don't have the number but it was a recent ruling in..."

Black: "Well, I must tell you Representative..."

Currie: "In the Illinois Appellate Court in DuPage County."

Black: "In DuPage County?"

Currie: "Yes."

Black: "I...the only thing that concerns me about this, that I remain unclear, is whether or not we are actually changing something that...I always thought that you had to circulate a petition in the precinct in which you lived, if you were running for that, in the district in which you lived. Does this do anything to expand..."

Currie: "No."

Black: "...who can circulate a petition?"

Currie: "No. No, no, no, no. In fact, what this has issued, not only all the things you have just said but that you have to be a registered voter at the address that is listed next to your name when you sign the petition as a circulator."

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

Speaker McPike: "Representative Moore."

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

Speaker McPike: "Yes."

Moore, A.: "Could you clarify for me, Representative, the exact listing, exactly, has to be the same as the address given."

Currie: "Speaker, could we have a little order. She is raising a question that I just answered four times. For the previous questioner, I think we can move things along better if we were to have it quiet enough..."

Speaker McPike: "I don't think... "

Currie: "...that people could hear the answer."

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

124th Legislative Day

May 3, 1994

Speaker McPike: "No, Representative Currie, I don't care how quiet it is, it's going to go very, very, slowly. That is the purpose of all these questions, to go very, very, slowly. So, would you answer the question, Representative Currie, for the fifth time."

Currie: "Happy to."

Speaker McPike: "Thank you."

Currie: "All the Bill says is, as the circulator you have to live and be registered at the address that is listed next to your name on a nominating petition that you file."

Moore, A.: "I understand that, but having been one who's had a petition challenged, a petition to run for election, they get to be pretty specific when you go through that process. And they want to know if you have the exact numbers, the exact way it is written and it gets rather technical. Is that what you're saying is the purpose of the system? I have not had the benefit of reading the court case and what this Bill is responding to."

Currie: "I will say again, you thought, I thought, Representative Black thought, that you had to be registered at the address next to your name when you signed as circulator of a nominating petition, just as the petition signers have to be registered to vote at the address listed next to their name. A court said, for circulators, the law is not clear. The effort here is to clarify that you do have to be registered at the address that is listed next to your name when you sign a nominating petition as a circulator."

Moore, A.: "Thank you. And could you also answer, for my benefit, we asked this...I asked this in committee and you answered it then. But, I have been asked to ask to ask it again, so I will. Do you have intent beyond what the purpose of this Bill, as it is listed now when it moves to

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

124th Legislative Day

May 3, 1994

the Senate?"

Currie: "I have no intent. Otherwise, I wouldn't be calling the Bill on Third Reading. If you're asking, can I control what wacky behavior may happen on this Bill in the Senate? The answer is I can't. You could probably do that better than I."

Moore, A.: "Thank you."

Speaker McPike: "Representative Brady."

Brady: "Thank you, Mr. Speaker. I appreciate the opportunity you're giving us to debate the Bills. That is very kind of you. Would the Sponsor yield?"

Speaker McPike: "No, she won't yield anymore."

Brady: "She is shaking her head up and down, Mr. Speaker."

Speaker McPike: "Yes, she will yield for..."

Brady: "In all seriousness, Representative Currie. I'm very concerned about what part of this Bill would not allow someone to register voters in an inappropriate district after reapportionment. If they were to continue to reside in the home as this... Could you explain this to me please?"

Currie: "Representative, you must be looking at a different Bill. This Bill has nothing to do with registering voters."

Brady: "No, no. I'm talking about passing petitions. Excuse me, I did misspeak and I apologize for doing that. But would this allow a petition carrier to pass petitions in a previous district that they still live in after reapportionment. Could you show me the language on this Bill that would prevent from that grave injustice?"

Currie: "This Bill makes no change in respect to your question."

Brady: "So, it clearly in no way would allow a court to rule that someone could continue to pass petitions in their old district?"

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

124th Legislative Day

May 3, 1994

Currie: "The Bill makes no change in respect to that law."

Brady: "But would that be your interpretation? If we're going to make things much better, as you are trying to do through this language, and ward off any further court decrees, would this Bill...also, is it perfect to that nature as well?"

Currie: "This Bill...right, we're not planning to use it for anything except what it says."

Brady: "Thank you."

Speaker McPike: "Representative Pankau."

Pankau: "Mr. Speaker and Members of the Assembly. Will the Sponsor yield for a question?"

Speaker McPike: "Representative Currie, will you yield for a... No, she will not. To the Bill. She will not yield anymore. To the Bill, speak to the Bill."

Pankau: "Well, if I'm understanding the debate so far, does this go back to the Beverly Faywell, Mike Fermento, Tim Wayland primary election in DuPage County?"

Speaker McPike: "Representative, Representative Pankau she is not going to yield to anymore questions. So, speak to the Bill, proceed."

Pankau: "Okay. If that is the case, it would seem...just from what I'm getting from the discussion here on the floor, would seem to indicate that a person who remained on the ballot would not have remained on the ballot had this law been in effect. And, therefore, I always think it is best to have as many people on the ballot as possible. So, I would have to vote against this."

Speaker McPike: "Question is, 'Shall House Bill 3779 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are

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

124th Legislative Day

May 3, 1994

113 'ayes' and 1 'no'. House Bill 3779... Saltsman votes 'aye'. Mr. Novak."

Novak: "Speaker, just a matter of inquiry. How long did it take to pass that Bill?"

Speaker McPike: "Well, about 15 minutes. Have all voted? Have all voted who wish? Clerk will take the record. Record has already been taken. On this Motion, there are 115 'ayes' and 1 'no'. House Bill 3779, having received the Constitutional Majority, is hereby declared passed. House Bill 3770. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 3770, a Bill for an Act that amends the Business Corporation Act of 1983. Third Reading of this House Bill."

Speaker McPike: "Representative Kaszak."

Kaszak: "Mr. Speaker, I would request that this be moved back to Second Reading, for purposes of Amendment."

Speaker McPike: "All right, the Lady is...has made a Motion to move the Bill from Third Reading to Second Reading. There is objection. The question is, 'Do you agree with the Lady's Motion vote 'aye'; opposed vote 'no'. Representative Black. Have all voted? Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Motion, there are 63 'ayes', 52 'noes'. The Motion carries. The Bill is on Second Reading. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Representative McGuire."

McGuire: "I would like to offer this Amendment #1 to House Bill 3770."

Speaker McPike: "Just a minute, Mr. McGuire. Who wants to be recognized? There are 15 lights flashing. Representative

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

124th Legislative Day

May 3, 1994

Black."

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

Speaker McPike: "Yes."

Black: "Has this Amendment been printed and distributed?"

Speaker McPike: "Mr. Clerk."

Black: "Again we do not have a copy."

Clerk McLennand: "This Amendment has been printed and distributed."

Speaker McPike: "Yes, it has been. All right. Proceed. Proceed. Representative McGuire, proceed."

McGuire: "Mr. Speaker. The Amendment I would like to offer deals with the Workplace Safety Act. Now we discussed this Workplace Safety Act before in committee and I would like to present this as an Amendment to this Bill. And I would like to present a little more information, if I may. I'm reading from an article out of the Wall Street Journal which has a date of March of 1994 and it said that one of the regulations of small business is beginning to learn the laws of a Workplace Safety Bill, Workplace Safety Act. It seems to be moving its way across the country. There is also legislation pending in Congress in Washington that would apply this requirement nationwide. I think the important thing to keep in mind at this juncture that if there is a mandate from Washington that you know we would rather have our own Bill, our own law in effect in operation before that would come up. This article goes on to say that usually small businesses squawk at the prospect of more rules to follow and paperwork to complete. But this time the reception is generally more favorable and the reason, safety teams. The reason we lower workman's compensation cost, sometimes very sharply in some areas.

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

124th Legislative Day

May 3, 1994

The effect is particularly dramatic at small companies because most large companies may already have a safety program in existence."

Speaker McPike: "On the adoption of the Amendment."

McGuire: "I move for the adoption of the Amendment."

Speaker McPike: "Yes, and on the adoption of the Amendment, Representative Biggert."

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

Speaker McPike: "Yes."

Biggert: "Representative, how does this fit in with OSHA?"

McGuire: "How does it what Madam?"

Biggert: "How would this safety committee fit in with OSHA? Don't we already have somebody that's looking at the safety in these companies?"

McGuire: "It would be in no conflict with OSHA. This would be a State Workplace Safety Act. And as you know OSHA of course is federal, but there would be no conflict with the OSHA. OSHA seems to me to be a little different than this particular Bill that we are speaking of."

Biggert: "Could you explain how it is different?"

McGuire: "I'm sorry, could you repeat the question, please?"

Biggert: "Could you explain how it is different?"

McGuire: "Well, OSHA is a long drawn out process but I would just say that what we are talking about here, is more of a management labor cooperation in the workplace. How to differentiate from OSHA, I'm not that familiar with OSHA because OSHA is not a very simple procedure."

Biggert: "Wouldn't this be duplication of work though, that the committee is setting the same standards as OSHA."

McGuire: "I'm sorry, I couldn't hear you."

Biggert: "Wouldn't the committee be looking at the same standards that are set by OSHA?"



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

124th Legislative Day

May 3, 1994

McGuire: "No, I don't think so. I think OSHA usually comes into the picture after there is a happening. What we are trying to do with workplace safety is eliminate the happening, the happening being a hazard or an injury."

Biggert: "Since they would be setting their own standards of safety, has business been consulted to see if they were in favor of these committees?"

McGuire: "Sure. They certainly have."

Biggert: "And are they in favor of it?"

McGuire: "I don't believe they are entirely in favor of it. I've tried to work with the Management Association. I don't think that we can definitely say that businesses is for or against, but I would suspect that they probably wouldn't be crazy about it. But I think it is something that we should look at. Worker's safety is not a one sided issue. That's why I was trying to read a few of these excerpts out of the Wall Street Journal that shows how this idea has been welcomed in other states and has been welcomed by business, and as I pointed out particularly small business."

Biggert: "Have other states adopted this legislation?"

McGuire: "Oh, yes, many."

Biggert: "How many?"

McGuire: "Well, I've got a list here of probably a half a dozen at least, Oregon being the primary state. The Oregon plan seems to be the favorite. Nebraska has one that will take effect the first of January."

Biggert: "Thank you."

McGuire: "You're welcome."

Speaker McPike: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I'm sorry, Mr. Speaker. I wish to yield my time to Minority Leader Daniels."

Speaker McPike: "Representative Daniels. Turn on Mr. Daniels,

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

124th Legislative Day

May 3, 1994

please."

Daniels: "All the speaker lights went out, okay here we go we're back. Mr. Speaker, this Amendment which we're discussing right now was just filed today, May 3. It is now the second Amendment that you have done this with. During the whole course of the Session we have received Amendments, they have been sent down to your staff in the bottom basement area down there, your technical review staff that looks after these things. And now we have an Amendment that has been filed that we first questioned the germaneness of and we want your Parliamentarian to use his expertise. But, secondly we noticed that this Amendment being filed today, now is brought to us today. Thirdly, we do not have copies of this Amendment, save two on this side of the aisle. So, we question the distribution of the Amendment. Again this is another example of what you're leading up to, Mr. Speaker, and you have been pretty fair. You have been one of the better operatives of the real Speaker. We want to make sure that you maintain that reputation as you move forward in your illustrious career. So, we would ask those three questions at this time."

Speaker McPike: "Well, what was the...first one was germaneness, the second one was...I'm informed it was distributed sometime around 10:00 this morning. So, I can't account for whatever pages handed out but it was distributed sometime this morning. What was the third question?"

Daniels: "Just let me have a hand show of those Members on this side of the aisle that have the Amendment. I have one here. Now something is wrong here, Mr. Speaker, and all we're trying to do is determine this, I got to admit, this is not hot from your presses in my hand here."

Speaker McPike: "Well, let's...Mr. Daniels. Just a minute,

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

124th Legislative Day

May 3, 1994

please. This Amendment has been out for about five hours, but if you need time to review it, we will take the Bill out of the record. We have no objection at all to that. Do you want to take the Bill out of the record for awhile?"

Daniels: "I'm just asking a question: (a) As to germaneness, we need a ruling from your Parliamentarian."

Speaker McPike: "We will check on that."

Daniels: "(B) If the Bill was filed today, is the Amendment filed today?"

Speaker McPike: "Amendment was filed sometime 10:00 this morning. And what was the third question?"

Daniels: "And the third question, was the distribution."

Speaker McPike: "It was distributed sometime around 10:00 this morning."

Daniels: "I don't know what happened to this side of the aisle."

Speaker McPike: "I don't either. I...some of them have it, obviously."

Daniels: "We got three copies on this side of the aisle."

Speaker McPike: "I doubt if there are three over here. Most people throw them away."

Daniels: "Now you're holding back from your own Members."

Speaker McPike: "Yes. All right, let's... Mr. McGuire. Mr. Daniels, the Amendment is not germane. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading."

Clerk McLennand: "A fiscal note has been requested on the Bill."

Speaker McPike: "All right, the fiscal note request has been withdrawn. The Bill is on Third Reading. Representative Mulligan, for what reason are you seeking recognition?"

Mulligan: "Thank you, Mr. Speaker. Would the Sponsor yield for a moment for a question, the Sponsor of the Amendment?"

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

124th Legislative Day

May 3, 1994

Speaker McPike: "The Amendment is not germane and why don't you just go talk to him? It would be easier if you would just go talk to him. All right. Representative...Representative Parke, for what reason do you rise?"

Parke: "Yes, Representative McPike, who is in the Chair as the Speaker currently? I have a Bill on the call and I noticed on the Calendar for today there are 413 Bills total, only 55 of those are Republican and all of those are in one area of call. And in this line of call that you have right now there is not a single Republican Bill. And, quite frankly, I don't think that's fair. And I would like to have my Bill put on a call that will be heard today. Because, if it is your intent of only calling Democratic Bills, I think that is blantly unfair."

Speaker McPike: "Well, we were calling..."

Parke: "And I would like you to address that issue, Mr. Speaker."

Speaker McPike: "Well, the Chair was calling Republican Bills until we went into this huge slowdown."

Parke: "Name one Bill that you have called."

Speaker McPike: "They called the Structural Work Act for you...specifically."

Parke: "That was yesterday, Sir. I'm talking about today, Sir."

Speaker McPike: "No it wasn't yesterday, it was Thursday."

Parke: "Why can't you call a Republican Bill today, Sir?"

Speaker McPike: "Well, because we're not on that order."

Parke: "Is there any reason why Republicans and all the people we represent have to be denied today?"

Speaker McPike: "No."

Parke: "Is there a logical reason? Because my people deserve to have my legislation heard. And I'm sick and tired of you doing that. And the Speaker over there ought to do that."

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

124th Legislative Day

May 3, 1994

Speaker McPike: "Baloney."

Parke: "Is there any reason why I should be any less responsible than the Members on your side of the aisle?"

Speaker McPike: "Thank you, for the lovely speech. Turn him off. All right. Representative Kaszak's Bill is on Third Reading. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 3770, a Bill for an Act to amend the Business Corporation Act of 1983. That is the Third Reading of this House Bill."

Speaker McPike: "Representative Kaszak, on the Bill."

Kaszak: "Thank you, Mr. Speaker. House Bill 3770 deals with the problem that...oh, it is estimated by the Industrial Commission that only about 86% of Illinois businesses carry worker's compensation insurance. And we believe that this is unfair to the people that do carry the insurance. That so many of the businesses do not carry the appropriate worker's compensation insurance. What this Bill would attempt to do is to solve that problem early on and require that after a business incorporates that within 60 days after that time, they file proof of obtaining worker's compensation insurance. It is a simple Bill and it is a mechanism that would be...would not cost the state anything and would be a way of encouraging owners to get this insurance...business owners to get this insurance. I ask for a favorable roll call. Thank you."

Speaker McPike: "All right. The question is, 'Shall House Bill 3770 pass?' And on that. I don't know who was hollering but we'll get to you. And on that, Representative Rutherford."

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

Speaker McPike: "Yes, he will."

Rutherford: "Yes, she will."

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

124th Legislative Day

May 3, 1994

Speaker McPike: "She will. Yes, she will."

Rutherford: "Thank you. Representative, do you know how many, how many, corporations may not be complying today?"

Kaszak: "I just said that."

Rutherford: "Repeat, please."

Kaszak: "Fourteen per cent."

Rutherford: "How many is that?"

Kaszak: "I don't know."

Rutherford: "Do you have any thought as to how much...you said this would cost the state anything. The compliance would be the responsibility of the Secretary of State's Office. Am I correct?"

Kaszak: "They would collect the data."

Rutherford: "And how many additional staff people will they take for this Secretary of State's Office?"

Kaszak: "None."

Rutherford: "It will not require any additional staff people at all?"

Kaszak: "Right."

Rutherford: "Well that is interesting. Now what? I would challenge that point...to the Bill. Mr. Speaker, I would challenge the point that it would not require additional staff people in the Secretary of State's office to try to gather the information on 14% of the corporations here in the State of Illinois. So to that extent, I would say that number one, it does cost the state more money; and number two, I would appreciate if I would have known the exact number of companies we are talking about rather than a percentage. I would encourage a 'no' vote on this. Thank you."

Speaker McPike: "Representative Biggert."

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

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

124th Legislative Day

May 3, 1994

Speaker McPike: "Yes, he will."

Biggert: "Representative, in the Bill under Section 5 and then it has Section 2 (a)-65 which is...it is my understanding that Section 2 (a)-65 refers to closed corporations. Would this Bill apply to all corporations or just to closed corporations?"

Kaszak: "I don't know the answer to your question nor can I find the spot in the Bill, but it is my belief that the intent is to cover all corporations."

Biggert: "It is on the first page on line 9 and 10 and 11 and 12."

Kaszak: "All corporations, that is my understanding."

Biggert: "All right. Well, that section applies only to closed corporations so I have some concern that this is not covering all corporations. Secondly, is this to apply to all domestic corporations or to all corporations including foreign corporations?"

Kaszak: "Any corporation that files Articles of incorporation with the Secretary of State that is a new section."

Biggert: "Well, on 1440 it doesn't...Section 1440 it doesn't refer just to domestic corporations and I think there is some concern that this would apply to any corporation, that has to file an annual report, or a report of the Worker's Compensation. Next question, on Section 1440, could you explain what a certified group is?"

Kaszak: "Verification from the insurance company."

Biggert: "Is that a term of art that is already been established or is this a.."

Kaszak: "I believe it is. Yes."

Biggert: "And how about certified certificate of compliance?"

Kaszak: "I believe this is a term of art, also."

Biggert: "One other question, this report would have to be filed

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

124th Legislative Day

May 3, 1994

by...to the Secretary of State's Office?"

Kaszak: "Correct."

Biggert: "But they would be...corporations would still have to file with the industrial commission?"

Kaszak: "There is no requirement, that they file with the industrial commission."

Biggert: "Well, one of the mandates of the industrial commission states that. This does not alleviate that requirement?"

Kaszak: "No, it does not."

Biggert: "All right. Thank you. Okay. Okay. To the Bill, Mr. Speaker. I would oppose this Bill, as I did in committee. I think that this requirement is something that is already mandated by the industrial commission to perform and that it exempts, I think, foreign corporations so that again...so here again we are asking our...the corporations that do business in Illinois to do something that other corporations from other states don't have to do. And for that reason I would oppose this Bill."

Speaker McPike: "Representative Lawfer."

Lawfer: "Thank you, Mr. Chairman. Will the Sponsor yield for a question?"

Speaker McPike: "Yes she will."

Lawfer: "Madam Representative, does this cover type (s) corporations, subtitle (s)?"

Kaszak: "I couldn't hear a thing he said."

Speaker McPike: "Subchapter (s) corporations?"

Kaszak: "Yes."

Lawfer: "Okay. Then in other words a lot of farms that are formed under a subtitle (s) then would have to file reports, is that correct?"

Kaszak: "It is my understanding all corporations have to file. I think I answered that question before."



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

124th Legislative Day

May 3, 1994

Lawfer: "Okay. But I asked specifically on the subtitle. To the Bill, Mr. Speaker. This could create a undue hardship on a lot of farms and since you have one farm in your district it may affect that and I would urge a 'no' vote."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. I rise in support of House Bill 3770. Frankly, I can't imagine anybody being opposed to this Bill. The Sponsor told us that only 86% of the corporations in the State of Illinois properly insure their workers. Workers are entitled to know that the proper insurance is there and they are entitled to know that they are protected with that insurance. And for those who are remember the Scaffolding Act discussion the other day its clear that I stand for workers and I stand for their protection. If we're going to stand for their protection we have to make sure they're properly insured through the worker's compensation system. And if they are going to be that, then we should encourage employers to get the proper insurance and of course this measure will probably get the other 14% of the corporations in the State of Illinois to do their duty, which is to properly insure their workers. If we're going to properly care for workers and protect them at jobs and protect them in their work, then this is important legislation. I would encourage passage."

Speaker McPike: "Representative Hughes."

Hughes: "Thank you, Mr. Speaker. I think it is too bad that we don't have more people here in the Legislature who are operating small businesses, so that there would be a greater understanding of what this kind of legislation is doing. Once again we are creating a duplication of requirements. We are adding to paperwork for those small businesses that are trying to create jobs and add to the

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

124th Legislative Day

May 3, 1994

economy of Illinois. On the one hand, we talk about job creation and a healthy economy and on the other, over and over again we are imposing legislation universally on every company when there is 86% compliance and plenty of incentives out there to have worker's compensation coverage. I think this is poor legislation for a growing economy and small business development."

Speaker McPike: "Representative Lindner."

Lindner: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative, you talked about that 14% that were not complying, could you tell me what kinds of companies those are? Are those certain kinds of corporations or certain sizes?"

Kaszak: "This is an estimate produced by the Illinois Industrial Commission. I don't have that information."

Lindner: "You don't have that information? And also, would it apply to professional corporations, many law firms are professional corporations, would it apply to law firms?"

Kaszak: "All corporations."

Lindner: "Thank you."

Speaker McPike: "Representative Flinn moves the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The previous question is put. Representative Kaszak, to close."

Kaszak: "I would appreciate your support. I think this is an important Bill for workers and for small business."

Speaker McPike: "Question is, 'Shall House Bill 3770 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative Pedersen, to explain his vote."

Pedersen: "Am I on here? Okay. Mr. Speaker, Ladies and Gentlemen of the House. It has always been my

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

124th Legislative Day

May 3, 1994

understanding that the definition of who has to carry worker's compensation is pretty broad. But, it can be interpreted so that there are some businesses that have hardly, probably no exposure at all, that don't have to carry it. And so in the practical sense any business that really has an exposure has to carry it already. And if an employer doesn't carry it and there is a claim then the employer is obligated to pay the bills, pay what the law provides. And most of them carry it, and there are certainly some people out there, some businesses, who figure they can afford to pay the thing out of their pocket. So, I think what we're really talking about here is something..."

Speaker McPike: "Representative Skinner to explain his vote."

Skinner: "Mr. Speaker, this is a good Bill for targets not to being voting 'yes' on. I see a couple of them are, and it will make a real interesting mailing trying to tell them people who have corporations that don't have any employees that they have to file a form every year. Not one form, but two forms every year. Five hundred thousand pieces of mail that somebody has to process, which of course is not taken no more employees in the Secretary of State's office. Now, I'm a little shell corporation, why on earth should I have to file a form? There are no employees in my corporation, why should I have file a form? A stupid form saying I have complied with the worker's compensation laws? Tell me that, Representative Sponsor."

Speaker McPike: "Representative Edley, to explain his vote."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. What about almost 90% of the businesses who are paying what are substantial premiums for many small businesses. They are out competing with renegade kind of

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

124th Legislative Day

May 3, 1994

companies that are hiring workers and not meeting the same kind of business cost that they are faced with. This is just a piece of legislation that would level the playing field for those law abiding businesses that are meeting their responsibilities and ensuring that their employees when they are hurt and have claims, don't have to go to the state and the taxpayers in order to get treatment and compensation."

Speaker McPike: "Representative Saltsman."

Saltsman: "Yes, thank you, Mr. Speaker. To promote health and safety in the workplace and the cooperation between business and labor, that's all that this consists of. And by doing that you're going to lower the worker's compensation rates for the good employers. A lot of these people who are not paying up or paying their share can out bid the person who runs a clean workshop. A lot of this places are sweat shops that are just opening up. A lot of them in Central Illinois. There are a lot of these sweat shops that are opening up and are being ignored. And if they do have a serious injury they just shut the place down and go open up another barn somewhere and throw four or five machines in it and they hide from it. All you are doing here is you're protecting the good employer and the person, maybe you're fortunate enough, maybe your sisters and brothers and kids that come from my district, have to work in this place because there isn't anywhere. And they work there and they don't have the same benefits in case of injury and most of these places are unsafe. This is a good piece of legislation and I expect everyone here they should vote..."

Speaker McPike: "Representative Hannig, to explain his vote."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. Just

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

124th Legislative Day

May 3, 1994

very briefly, think through what happens when we have an injury and there is no workman's compensation coverage. The company folds up and they go away, yes, but what that employee. In some cases that employee is going to find themselves on public aid. They're going to be there looking for someone to help them and because of a severe injury or injury on the job. I think that this is a very reasonable approach. It is the very least we can do for those legitimate businesses and employees in the State of Illinois. And I'd urge more 'yes' votes."

Speaker McPike: "Representative Wennlund. One minute."

Wennlund: "Thank you, Mr. Speaker. I rise for two purposes, number one to request verification; and secondly, Mr. Speaker, a point of inquiry of the Chair." Speaker McPike: "Yes."

Wennlund: "Who is the Representative that moved the previous question?"

Speaker McPike: "Representative Flinn. Monroe Flinn."

Wennlund: "Monroe Flinn did? Why I know he has for many years in the past."

Speaker McPike: "Well, there he is, right there."

Wennlund: "My ears must be failing on me because I sure didn't see Monroe Flinn rise and make that Motion and I didn't hear it either."

Speaker McPike: "You can see better from this angle up here."

Wennlund: "Oh, I see it's the angle that I'm sitting. Okay, all right. Thank you, but that is my inquiry but I do request a verification."

Speaker McPike: "Have all voted? Have all voted who wish? Representative Flinn. Representative Flinn."

Flinn: "I will repeat it, I move the previous question."

Speaker McPike: "Have all voted who wish? Clerk will take the

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

124th Legislative Day

May 3, 1994

record. On this Motion, there are 62 'ayes' and 50 'noes', and Mr. Wennlund has asked for a verification. Mr. Clerk, poll those not voting."

Clerk McLennand: "There are no Members not voting."

Speaker McPike: "Mr. Wennlund, would you verify Representative Terry Steczo right here, right here. Yes. Poll those not voting."

Clerk McLennand: "There are no Members not voting."

Speaker McPike: "All right, poll the affirmative."

Clerk McLennand: "Those voting in the affirmative, Representatives Balanoff. Blagojevich. Brunsvold. Bugielski. Burke. Capparelli. Curran. Currie. Dart. Davis. Deering. DeJaegher. Edley. Flinn. Flowers. Gash. Giglio. Giles. Giolitto. Granberg."

Speaker McPike: "Mr. Homer. Mr. Homer would like leave to be verified. Mr. Wennlund, yes go ahead. Proceed."

Clerk McLennand: "Hannig. Hartke. Hawkins. Hicks. Hoffman. Homer. Lou Jones. Shirley Jones. Kaszak. Kotlarz. Lang. Laurino. Levin. Martinez. Mautino. McAfee. McGuire. McPike. Eugene Moore. Morrow. Moseley. Harold Murphy. Novak. Phelan. Phelps. Prussing. Pugh. Raschke-Lind. Ronen. Rotello. Saltsman. Schakowsky. Schoenberg. Sheehy. Steczo. Turner von Bergen-Wessels. Woolard. Younge and Mr. Speaker."

Speaker McPike: "Representative Wennlund, questions of the affirmative."

Wennlund: "Thank you, Mr. Speaker. Representative Morrow, Charles Morrow."

Speaker McPike: "Charles Morrow. Mr. Morrow is not here. Take him off the roll. Representative Schoenberg would like to have leave. He is right up here in the well. Yes, go ahead. Representative DeJaegher, do you want leave also?"

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

124th Legislative Day

May 3, 1994

Representative DeJaegher, Bob DeJaegher? That's four people so far. Proceed."

Wennlund: "Representative Shirley Jones."

Speaker McPike: "Representative Shirley Jones. Shirley. Shirley Jones. The Lady is not here, remove her from the roll."

Wennlund: "Representative Levin. Ellis Levin?"

Speaker McPike: "Mr. Levin, Ellis Levin? Ellis Levin, is not here. Mr. Levin is not here. Remove him from the roll call."

Wennlund: "Representative John Dunn."

Speaker McPike: "I'm sorry I couldn't hear you."

Wennlund: "Representative John Dunn."

Speaker McPike: "Representative John Dunn. All right, Mr. Levin has returned, return him to the roll call. Representative John Dunn. Mr. Dunn is not here. Remove him from the roll call."

Wennlund: "Representative Edley."

Speaker McPike: "Mr. Edley is here."

Wennlund: "No further questions."

Speaker McPike: "All right. Representative John Dunn has returned. Return him to the roll call. On this Motion, there are 60 'ayes' and 50 'noes'. House Bill 3770, having received the Constitutional Majority, is hereby declared passed. House Bill 3841, Representative Erwin. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3841, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of this House Bill."

Speaker McPike: "Representative Currie, to co-sponsor."

Currie: "Thank you, Mr. Speaker and Members of the House. Representative Erwin is home with the fever and the flu. This is a Bill that really just calls upon the Department

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

124th Legislative Day

May 3, 1994

of Public Health to try to find ways to expand peoples' understanding of the value of breast self-examinations. Especially important for women under the age of 50, for whom preventative mammography is not as tried and true a prevention device as it is for women over that age. I know of no opposition to the Bill. I would be happy to answer your questions and appreciate your support."

Speaker McPike: "Representative Krause on a 'do pass' Motion."

Krause: "Yes, thank you, Mr. Speaker. And just briefly to the Bill."

Speaker McPike: "Yes."

Krause: "The Bill did come out of health care unanimously with support. The Department of Public Health does believe it will be able to get a grant to develop a state breast and cervical cancer control plan. In support of this Bill and they feel that the fiscal impact is minimal and they do support the goals of this House Bill."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you. Inquiry of the Clerk. Was Amendment #1 adopted?"

Speaker McPike: "Mr. Clerk."

Clerk McLennand: "Floor Amendment #1 was ruled not germane."

Speaker McPike: "Mr. Wennlund."

Wennlund: "Thank you very much."

Speaker McPike: "Mr. Cross."

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

Speaker McPike: "Yes."

Cross: "Representative, there is some mention in the Bill with respect to the department adopting rules requiring the display of instructions on self-examination in appropriate facilities, which include hotels or motels. Can you describe the displays that we are talking about or that are



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

124th Legislative Day

May 3, 1994

being referred to?"

Currie: "In fact the idea of the Bill came to Representative Erwin when she was in a health club, where in the shower stall there way a little display, a diagram about how one might perform a breast self examination."

Cross: "All right. If I am reading the Bill correctly, it also talks about or mentions the display in hotels, motels, recreational facilities, dormitories and other living facilities, at public and private universities. Where would the displays be in those locations?"

Currie: "Well, obviously it would depend on where the sponsoring institution was interested in having them, but as I say the whole idea came from a display in the shower, which is not a bad place for these exams to happen."

Cross: "I'm not necessarily disagreeing with you. I'm trying to find out where ..."

Currie: "That would be one place, but it wouldn't have to be under this Bill if an institution was interested in promoting this educational activity they could provide the information along with the Gideon Bible in the desk drawer or in the bathroom next to the shaving window...shaving mirror or wherever would be most appropriate. The specific idea stemmed from such a diagram and such a schematic in a shower stall in a health club."

Cross: "The type of diagram and the location will that be up to the department or will that be up to the institution?"

Currie: "I should think both. There is nothing in this Bill that would require any institution to permit the public health department to come in with its diagrams and recommendations. So, I think it would be a mutual decision. I would hope that under this Bill the department would provide the schematic provide the model and if as

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

124th Legislative Day

May 3, 1994

Representative Krause pointed out we are able to get some funding, some grant money it might even be able to create some prototypes and work with these different kinds of institutions in figuring out how to best spread the word."

Cross: "One final question. Is this any cost in respect to the displays?"

Currie: "There need not be, the Department of Public Health supports the Bill. Their belief is that the cost would be minimal, the Bill does not require them to provide these schematics, the department is hopeful that we would be able to find private grant moneys in order to meet what would be in any case be extremely minimal costs."

Cross: "So it will be up to the private facility to incur whatever cost they make?"

Currie: "Or if the Department of Public Health is able to get independent grant moneys, that might be a way to go as well."

Cross: "Thank you, Representative. Sounds like a good idea, we're just trying to clear up some things. Thank you."

Speaker McPike: "Question is, 'Shall House Bill 3841 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Schoenberg, 'aye'. Have all voted who wish? Clerk will take the record. On this Motion, there are 115 'ayes', no 'nays'. House Bill 3841, having received the Constitutional Majority, is hereby declared passed. House Bill 3975, Representative Currie. Read the Bill, Mr. Clerk.

Clerk Rossi: "House 3975, a Bill for an Act in relation to freestanding hospice residence. Third Reading of this House Bill."

Speaker McPike: "Representative Currie."

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

124th Legislative Day

May 3, 1994

Currie: "Thank you, Speaker and Members of the House. In this form, this is a vehicle Bill. People who are operating hospices in the State of Illinois are anxious to be able to continue serving their residents if those individuals are unable because of their terminal illness to stay in their own home. Single individuals, for example, those for whom there are no family members to help the hospice helpers keep that person going. Representative Kubik and I, and Dunn, Levin and Ronen have been working with the Hospices Association, the nursing home industry and others with an interest in this Bill to try to draft language that would establish some kind of licensing program within the Department of Public Health. We have not reached agreement, not reached closure on what the shape of that licensing program would be in precise detail, but all those groups are interested in continuing the discussions, all are comfortable with moving this Bill as a vehicle to the Senate so that we would be able to continue those discussions."

Speaker McPike: "Representative Krause."

Krause: "Thank you, Mr. Speaker, and if the Sponsor would yield for clarification?"

Speaker McPike: "Yes."

Krause: "Because in committee, Representative, I believe, did you not take out all of the language by that Amendment #1?"

Currie: "And that Amendment is on the Bill, Representative. This is, as I said, a vehicle Bill. It's a shell Bill; there is no substance in the Bill at this point. But there was agreement among all comers that the idea has merit, we should continue our work and our best way to do that is to move this Bill as a shell to the Senate."

Krause: "Okay. You have answered, so at this point it is a

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

124th Legislative Day

May 3, 1994

vehicle?"

Currie: "That's right."

Krause: "All right, you have answered."

Speaker McPike: "Mr. Wennlund. No questions. Representative Daniels."

Daniels: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Daniels: "Representative Currie, I'm very interested in the issue of hospice care and, as you know, hospice care is designed to be and to the extent possible should be a home care program; however, hospice care should not be denied to dying patients simply because they cannot remain in their own homes to receive it. Now, by agreement of the interested parties, House Bill 3975 should be amended to add a definition to the Hospice Licensing Act and passed out of the House to allow discussion to continue. What I'm asking you is this, since it's the position of this side of the aisle that we would prefer that none of these Bills pass that are what you classify as vehicle Bills because they don't have any meaning other than amending the title of an Act, because we are interested in hospice care because we think it is a major health care issue in this state and because it is not defined in this Bill, what I want to ask you if it's your intention to only amend or allow to be amended onto this Bill subject matter dealing with health hospice residential care?"

Currie: "Yes."

Daniels: "And if there is any other Amendments placed in the Senate that would jeopardize that that you will refuse to call this Bill."

Currie: "Yes."

Daniels: "So, based upon that, Mr. Speaker and Ladies and

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

124th Legislative Day

May 3, 1994

Gentlemen of the House, upon her representations that this would only deal with hospice care and the agreement that we will continue to work on the language, then we would support the passage of this Bill."

Speaker McPike: "The question is, 'Shall House Bill 3975 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative Skinner, to explain his vote."

Skinner: "Mr. Speaker, I had a question, but I'll make a comment instead since you have refused to recognize me for the last three Bills. My comment is this: Every licensing Bill we get is one that is to restrict competition. Now, is that the purpose of this Bill? We don't know because we don't have any contents to this Bill, but I presume on some conference committee report or some Senate Amendment we'll get our first look at what this legislation will be."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 112 'ayes' and no 'nays'. House Bill 3975, having received the Constitutional Majority, is hereby declared passed. House Bill 3912, Representative Edley. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3912, a Bill for an Act amending the Board of Higher Education Act. Third Reading of this House Bill."

Speaker McPike: "Representative Edley."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. House Bill 3912 would...bring structure and direction to our public colleges and universities. Currently we budget in the appropriation process in lump-sum-line-items. One of them for the University of Illinois is over \$400 million. With no more direction than that I think it is not surprising that over the last decade

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

124th Legislative Day

May 3, 1994

much of the increased funding that we provided our public colleges and universities were directed out of the classroom and into the back board rooms of the administration. We pass a similar Bill like this out last year with a bipartisan support, I think almost 85 Members supported it. I would urge a...the General Assembly to do the same this year."

Speaker McPike: "On a 'do pass' Motion, Representative Skinner."

Skinner: "Thank you, Mr. Speaker. This Bill is seductively similar to House Bill 2934 chief sponsored by Representative Weaver. I think it is a good idea. This is the Legislative Branch issue against the Executive Branch in the form of the universities. And we ought to be able to know where they are spending their money, what the line items are. I think we ought to be pass the 'trust me', phase of dishing out hundreds of millions of dollars to state universities."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This legislation is very, very similar to the legislation that was passed last year by the Lieutenant Governor, Bob Kustra. You know, I guess it's... I don't know what else to say about it, but it seems that a lot of legislation that we sponsor, I know I sponsored an identical Bill last year, Senator DeAngelis' Bill 987. The only thing that wasn't in the Bill was the creation of the appointment council. I will reserve comments later on, but it just seemed like a lot of Bills that come over here seem to have the wrong Sponsor. So I...I don't know...I guess it's probably a pretty good idea."

Speaker McPike: "The question is, 'Shall House Bill 3912 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all

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

124th Legislative Day

May 3, 1994

voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 84 'ayes' and 26 'noes'. House Bill 3912, having received the Constitutional Majority, is hereby declared passed. House Bill 4104, Representative Burke. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 4104, a Bill for an Act amending the Humane Care of Animals Act. Third Reading of this House Bill."

Speaker McPike: "Representative Burke."

Burke: "Thank you, Speaker. This matter had been discussed last week, I believe fully, having to do with the regulation and control of the guard dog and sentry dog businesses in the State of Illinois and I would be happy to answer any questions; otherwise, I ask for a favorable consideration."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. Is there an Amendment on this Bill, Floor Amendment #1 added to the Bill?"

Clerk Rossi: "Floor Amendment #1 is on the Bill."

Black: "And Floor Amendment #2 did not pass, is that correct?"

Clerk Rossi: "Floor Amendment #2 lost."

Black: "All right. Thank you. To the Sponsor, Mr. Speaker. Representative, is there anything in this Bill that is before us at this point, that licenses dog groomers?"

Burke: "No, Representative. You did quick work on that last week."

Black: "Well, I think what we could do is probably amend the Bill its face, rather than license dog groomers and just say you can't put a ribbon on a dog's appendage. That might..."

Burke: "Is that any appendage, Representative?"

Black: "Certainly. I call this the Vincent Van Gosh Bill, or the dog Bill or whatever. I guess what confuses me is this

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

124th Legislative Day

May 3, 1994

Bill then becomes the Guard Dog Licensing Act, is that it?"

Burke: "That is correct, Representative."

Black: "And it requires that guard dogs and sentry dogs be vaccinated. I thought that was already the law."

Burke: "It is."

Black: "Or are we vaccinating the dogs to prevent them from diseases that may be carried by perpetrators, like the hepatitis vaccine or something?"

Burke: "No, I wouldn't necessarily go that far, Representative."

Black: "And it sets out provisions for shelters for guard dogs. And it becomes a class C misdemeanor rather than a petty offense."

Burke: "That is correct."

Black: "And you're asking the Department of Agriculture to administer to these provisions?"

Burke: "That is correct."

Black: "Is the Department of Agriculture in favor of this?"

Burke: "They are neutral. Unless they present themselves."

Black: "No play on words on the other part of the Bill, I assume. I'm sorry, neutered or neutral?"

Burke: "Whatever you would like, Representative."

Black: "Okay. Well, thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House, the underlying Bill, I don't think is drafted very well, supposedly, amends the Humane Care for Animals Act and creates the Guard Dog and Sentry Dog Licensing Act. I see nothing about fees. Perhaps if the fees were in here, you could tell me in closing, you're not going to be able to have the Department of Agriculture administer these provisions unless you're taking money out of GRF unless there is a fee that will be charged for licensing of these guard dogs. I still think, and in all due respect to the



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

124th Legislative Day

May 3, 1994

Sponsor, that the Bill, if you read through the Bill, sometimes it refers to guard dog services and other times it simply refers to guard dogs. I'm not sure, but if you buy a dog to protect your property and you bought that dog from a guard dog service, then you may find yourself having to be licensed under the Act. And it would seem to me that most of these dogs would probably be used in urbanized areas, at least that would be my understanding, by a guard service. And you're asking the Department of Agriculture to enforce the provisions of the Bill. In all due respect, I think the Department of Agriculture, quite frankly, has more to do. We ask it to do more than its resources and personnel, that they have to do the job that we have asked them to do. I really must stand in reluctant opposition. I'm not sure this Bill has been well drafted and I'm not sure the Department of Agriculture is the department that should assume responsibility for such a law.

Speaker McPike: "Representative Wennlund. Mr. Steczko, in the Chair."

Wennlund: "Thank you, Mr. Speaker. Representative Burke, I want you to know that although Representative McPike I'm sure has not changed his mind about licensing dog groomers, I want you to know that Representative Black really has changed his mind about licensing dog groomers because I was grooming his dog last week the very day we argued that Bill and defeated that Amendment. If I had taken the tag off his ear and I slipped and cut the ear off of Representative Black's dog. And it convinced me that we should have never defeated that Amendment. Representative Black is even sorry we didn't pass that Amendment licensing dog groomers. So, maybe we ought to vote for this Bill and get it out and have something out there."

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

124th Legislative Day

May 3, 1994

Speaker Steczo: "Is there any further discussion? There being none, the question... Chair recognizes Representative Biggins."

Biggins: "Yes, I must join my colleague, Representative Black, in opposition to this Bill and point out to my colleague who just spoke that passage of this Bill is not going to put that ear back on that dog. Excuse me, I have just been informed it has been removed. The ear has not been removed but the language has been changed. Yes. All right. Thank you."

Speaker Steczo: "The Chair recognizes Representative Lawfer."

Lawfer: "Thank you, Mr. Chairman. Will the Sponsor yield for a question?"

Speaker Steczo: "Proceed, Mr. Lawfer."

Lawfer: "My understanding is that all guard dogs have to be fed commercial dog food, is that correct?"

Burke: "That is correct."

Lawfer: "And that would, in your interpretation refer to all dogs that are kept on farms, that are used for sentry and watch dogs would have to be fed commercial dog food daily or their owner would be in..."

Burke: "No. No. It only applies to sentry or guard dogs that would be used in the protection of commercial property."

Lawfer: "Most farms are rated as commercial."

Burke: "Most what, Representative?"

Lawfer: "Farms, I believe, are commercial entities."

Burke: "Are you talking about farms?"

Lawfer: "Farms."

Burke: "It excludes stock dogs used for handling or controlling livestock or farm animals. That particular category is excluded from the legislation. We're not talking about farm dogs."

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

124th Legislative Day

May 3, 1994

Lawfer: "I leave a dog on my farm to guard that and I am on a commercial rate for electricity, so I would assume that is rated as a commercial farm. Would you agree to that?"

Burke: "I don't know if I quite understand your question, Representative. Are you talking about your own dog that guards your farm?"

Lawfer: "Yes."

Burke: "That is not what we are trying to include in this legislation. We are talking about private dog or guard dog or sentry dog companies. We are not talking about your dog, Representative. We're not talking about your personal dog."

Lawfer: "Okay, thank you very much."

Burke: "These are private companies that use dogs that lease them out to commercial entities to guard their properties. This is not about personal individually owned dogs or pets."

Lawfer: "Thank you very much, for the clarification."

Speaker Steczo: "Is there any further discussion? There being none, Representative Burke, to close."

Burke: "Thank you, Speaker. I think this matter has been discussed at length, and I would ask for favorable consideration."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 4104. 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 Hartke, to explain his vote."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. Occasionally we get a real dumb dog gone Bill here and I think this is stupid. I would oppose this Bill and urge my colleagues to vote 'no' and think about what they

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

124th Legislative Day

May 3, 1994

are doing."

Speaker Steczo: "Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 66 voting 'yes', 49 voting 'no', 1 voting 'present'. Representative Tim Johnson."

Johnson, Tim: "I'd just like the record to reflect that on House Bill 3912, I'm recorded as 'no' and intended to be recorded as 'yes'."

Speaker Steczo: "Okay, Mr. Johnson, the transcript will so reflect. On House Bill 4104 there are 66 voting 'yes', 49 voting 'no', 1 voting 'present'; and this Bill, having received the required Constitutional Majority, is hereby declared passed. On the Order of Government Administration, Third Reading, appears House Bill 4176, Representative Capparelli. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 4176, a Bill for an Act in relation to police officer training boards. Third Reading of this House Bill."

Speaker Steczo: "Representative Capparelli."

Capparelli: "Thank you, Mr. Speaker. All this Bill does, it changes the name of the local government law enforcement officers training board to the Illinois law enforcement training and standards board. It also makes the executive director of the higher education a board member. I would ask for a favorable roll call."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 4176. On that question, is there any discussion? The Chair recognizes Representative Clayton."

Clayton: "Would the Sponsor yield, please?"

Speaker Steczo: "Proceed, Representative Clayton. He indicates he will."

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

124th Legislative Day

May 3, 1994

Clayton: "Thank you. Will the responsibilities of the training board change with, along with the change in the name?"

Capparelli: "No, it won't change at all."

Clayton: "Are they presently..."

Capparelli: "Presently doing exactly what the Bill says, yes."

Clayton: "They are creating standards. Thank you."

Speaker Steczo: "Is there any further 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? Representative Leitch."

Leitch: "Thank you, Mr. Speaker. After this vote, we would respectfully request a Republican conference."

Speaker Steczo: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 116 voting 'yes', none voting 'no', none voting 'present'. House Bill 4176, having received the required Constitutional Majority, is hereby declared passed. Mr. Clerk, any Committee Reports?"

Clerk Rossi: "Representative Giglio, Chairman from the Committee on Rules, to which the following Resolution was referred, action taken on May 3, 1994 reported the same back with the following recommendations: 'do adopt' House Resolution 2514."

Speaker Steczo: "Representative Leitch. You had requested a time for Republican conference?"

Leitch: "Yes."

Speaker Steczo: "Thirty minutes okay?"

Leitch: "Probably about 45 minutes or 50 minutes."

Speaker Steczo: "How about 30?"

Leitch: "Well, we will try 45."

Speaker Steczo: "Representative Black."

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

124th Legislative Day

May 3, 1994

Black: "Thank you very much, Mr. Speaker. In all due respect to you, when you had your conference I don't remember anybody asking whether you were going to be gone for 30 or 45 minutes, you just said you were going to be gone. If you come back in a timely fashion, that's fine, we'll be back in a timely fashion."

Speaker Steczo: "The House will recess for Republican conference. And hope we can be back as expeditiously as possible, hopefully by 5:00 p.m. Representative Biggert."

Biggert: "Thank you, Mr. Speaker. I just have an inquiry, we just finished on the special Order, Government Administration, I don't know the difference between government administration and government programs. I just wondered if we were going to continue with the government and do the government programs next."

Speaker Steczo: "We will be proceeding to some order of government, Representative Biggert. But, at the present time we are in recess, so we'll figure that out by the time we come back."

Speaker McPike: "House will come to order. Representative McPike, in the Chair. Representative Morrow, for what reason do you rise?"

Morrow: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise on a point of personal privilege. I want to greet a long time former colleague of ours and now a Judge, the Honorable Anthony Younge is here with us today. He is now a judge in Circuit Court. And he says he doesn't miss this."

Speaker McPike: "Special Order, State Operations, Third Reading. Continuing on Third Reading, House Bill 2704, Representative Steczo. Let's take this out of the record. Representative Stroger. He is not here. Representative

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

124th Legislative Day

May 3, 1994

Bugielski. Mr. Bugielski. The Democrats, if you're across the street, you should know that the Republicans have returned to the floor. So, please return to the floor. Representative Lang, House Bill 3057. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3057, a Bill for an Act amending the Consumer Fraud and Deceptive Business Practices Act. Third Reading of this House Bill."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. This Bill discusses the use of the word 'wholesale'. It started from the jewelry industry. The Bill that you see before you, with the Amendment, is an agreed Amendment between the retailers, the jewelry industry, and the Attorney General of the State of Illinois. And I would ask for your support."

Speaker McPike: "Question is, 'Shall House Bill 3057 pass?' And on that, Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. I don't reflect that Floor Amendment #2 was added to the Bill. Is that a mistake on my part?"

Speaker McPike: "Mr. Clerk, tell us the status of the Amendments."

Clerk Rossi: "Amendment...Committee Amendment #1 and Floor Amendment #2 have been adopted to the Bill."

Black: "All right, thank you very much."

Speaker McPike: "Representative Skinner."

Skinner: "We have heard what this an agreement...the people are the entities among whom agreement has been reached. What on earth does it do?"

Speaker McPike: "Mr. Lang."

Skinner: "That was too tough a question."

Lang: "Well, when you ask a tough question then I have to look up

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

124th Legislative Day

May 3, 1994

the information, Representative. Are you ready? I only want to do this once, pay attention, pay attention over there, one time and one time only. One time and one time only. This would require a person that represents directly or by implication any advertising offering to sell a particular article of merchandise at a wholesale price, substantiate that there are savings. Additionally, the Amendment makes an unlawful practice to represent directly or by implication any advertising that a person as a wholesaler offers to sell or sell merchandise at wholesale to the public unless they make a substantial and significant number of sales for resale on the ordinary course of business and can substantiate savings as compared to merchandise offered for sale by retailers in the trade area. That is the agreement between the parties. The purpose of the Bill is because over a period of time the use of the word 'wholesale' has been...has led consumers to believe that they are always getting a bargain. And at times the word is used in a way and they are not getting a bargain, they are using it more as advertising than as truth. The Amendment and this Bill will make sure that it is only used where consumers can rely on the fact that they are making a savings."

Skinner: "I suspect you are right, Representative. Would you please tell me how the Bill defines wholesale? How would a retailer advertising that he was selling at wholesale defend himself?"

Lang: "Soon as I find the Amendment, Representative, I will answer your question. The Amendment does not actually define the word 'wholesale'. We're not concerned necessarily with the definition, only with the use of the word. So, we have in the Amendment specified when the word



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

124th Legislative Day

May 3, 1994

can be used. It would require that the person could substantiate that there is a savings for consumers and that they're in the business of being a wholesalers, people that sell at a discount on a consistent basis."

Skinner: "So, if I were a retailer what I would do would be survey other retailers to find out what their retail price was and then offer something less than that and then I can call that wholesale?"

Lang: "Well, possibly you could. I just want to remind you that under the original Bill, the Illinois Retail Merchants Association were opposed. The Amendment was agreed to by them. So they're not concerned that retailers will be hurt by the use of this Amendment under this Bill."

Skinner: "I guess what I'm trying to figure out is, how is I am a consumer as a consumer, is going to be protected?"

Lang: "You are protected because the Amendment attached to the Bill requires that the 'word' wholesale not be used unless there is substantial proof that the consumer is saving money and they are getting it at what we would call a wholesale price."

Skinner: "Okay. Well, what do you think the difference between retail and wholesale is? Is it 15%?"

Lang: "That is not specified in the Bill. The Bill says substantial savings."

Skinner: "Well, substantial to me would be more than 15%. Would it mean more than 15% to you?"

Lang: "I cannot categorize that for you."

Skinner: "Thank you."

Speaker Steczo: "Representative Turner."

Turner: "Yes, thank you, Mr. Speaker. I just had a question in regards to some of my local merchants down on Maxwell Street. How would this affect those guys? Because

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

124th Legislative Day

May 3, 1994

everything they sell down there is wholesale. Would this, in fact, put them out of business?"

Lang: "Well they say everything they sell is wholesale and I suppose part of the point of this legislation is to ensure that if you're going to use the word 'wholesale' on your advertising that you are really selling it at what we would all consider to be wholesale. The purpose is to not allow the use of wholesale to deceive purchasers into thinking they're getting a bargain when they really are not."

Turner: "So now all they can say is you got a deal?"

Lang: "Something like that. Right. Such."

Turner: "Thank you."

Speaker McPike: "Representative Brady."

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

Speaker McPike: "Yes."

Brady: "Representative, does this define the word 'wholesale' for all merchandise throughout the State of Illinois."

Lang: "As I have explained already, Representative, the word 'wholesale' per say is not defined in the legislation."

Brady: "But is it specifically still relating to jewelry or to all merchandise?"

Lang: "This does not relate specially to jewelry, it relates to all merchandise."

Brady: "So any merchandiser would use wholesale would be subject to this Act?"

Lang: "That is correct."

Brady: "What penalty does the violation call for?"

Lang: "The...this is part of the Consumer Fraud and Deceptive Practices Act. So whatever penalties are called for within that Act would apply to this legislation."

Brady: "Do you have any idea what those might be?"

Lang: "I don't as I stand here today. No."

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

124th Legislative Day

May 3, 1994

Brady: "So you would propose this legislation without knowing what someone might be subject to?"

Lang: "Well, I think that particular Act can serve the state well and I believe this is a good place for this legislation. We have passed other legislation this year and other years regarding that Act and we have stood pretty well by it, Representative."

Brady: "To the Bill, Mr. Speaker. I would suggest that the Bill has a great deal of flaw, not necessarily in the fact that we don't know, but everyone ought to take into consideration that we here don't know what the penalty would be. But the flaw deals with how courts are going to interpret substantial. What substantial savings may be to one individual may be entirely different to another. And I don't how we can sit here and judge whether or not this is a good piece of legislation without a clear definition of substantial. And I would suggest that if the Representative truly wanted to look at this, he would try to better define substantial savings. Thank you."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker. Lou, just one question, I have a friend of mine that is a retail jeweler. Would he like this Amendment? Retail jeweler."

Lang: "I think a retail jeweler would like this Amendment because other jewelers cannot then use the word 'wholesale' to try to undercut him or to try to make it appear that they are undercutting the retail jeweler when in fact he isn't."

Parke: "So, you don't see any problem with them..."

Lang: "I really don't."

Parke: "Thank you."

Speaker McPike: "Representative Hanrahan."

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

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

124th Legislative Day

May 3, 1994

Speaker McPike: "Yes."

Hanrahan: "In committee I supported this Bill, Representative.

But it was with the understanding that we would develop guidelines on the use of the term. I guess I'm trying to understand here on the Amendment, where the guidelines exist, is that in Section (a)."

Lang: "Section (a) Subsections 1 and 2 are the definition of the unlawful practice that we are trying to regulate."

Hanrahan: "So relative to what we discussed in committee, these are the guidelines that you are looking..."

Lang: "Well, as you will recall in committee, we sent the proponents and opponents back to the drawing board and this is what they came up with and I think there is a reasonable guidelines, I think it protects the consumers pretty well."

Hanrahan: "So, both sides then have agreed to this section."

Lang: "That is correct. And the Illinois Attorney General has also agreed because he is the one who will have to administer the penalties."

Hanrahan: "Okay. Thank you, Representative."

Speaker McPike: "Representative, Tom Johnson."

Johnson, Tom: "Yes, will the Sponsor yield? Representative, the word 'wholesale', as we commonly know it, is...has a definition, does it not? It's the cost from the manufacturer."

Lang: "The question you asked is kind of interesting. To say the word 'wholesale' as we commonly know it, has a definition. The common definition is not really a definition at all. The assumption is for a consumer when they see the word 'wholesale', the assumption is that they're getting some sort of a huge bargain, and they aren't always."

Johnson: "But within commerce and trade if I am a retailer I buy my goods at wholesale, do I not, hopefully?"

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

124th Legislative Day

May 3, 1994

Lang: "That is correct. That is correct. Unless you buy them off a secondary market."

Johnson, Tom: "So, wholesale does have a commercial definition, does it not?"

Lang: "Within the context of your question, the answer is, 'yes'."

Johnson, Tom: "And retail has a definition?"

Lang: "Within the context of your question."

Johnson, Tom: "Okay. And what you are saying here is that a merchant can be charged under a deceptive practice, if he substantially...what's the wording? Substantially or can not substantiate that he is selling it for less than what normal retail, right?"

Lang: "Well, close, close. Did you read this, Representative?"

Johnson, Tom: "No, that's why I'm asking? Okay, I don't have a copy of it here." Lang: "I would be happy to read it to you again, if you really want me to spend the time to do that."

Johnson, Tom: "No, I'm just concerned about a vague term here. You know it is one thing if I measure substantially less from an internal standpoint, in other words I have a retail price on a good and I substantially reduce it from my internal pricing structure am I guilty?"

Lang: "The Amendment does not require substantial savings, it just requires that the person can substantiate that there are savings."

Johnson, Tom: "But savings against what standards?"

Lang: "Savings against as compared to merchandise the same merchandise offered by other retailers in the area."

Johnson, Tom: "Okay, but as a retailer I might have a wholesale price much higher than another retailer of that same goods, because of the volume I buy. Now I have reduced my price

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

124th Legislative Day

May 3, 1994

down to even my wholesale level but it is still higher, it's not substantial savings, in terms of the total market. Now I could be charged, could I not under this language?"

Lang: "No. Because this just says savings, it doesn't say substantial savings and it doesn't say that every person that uses the word 'wholesale' has to save the consumer the same amount of money. It just simply says that you can't use the word 'wholesale' unless you can substantiate that you are saving consumers money, compared to the general retail price of that same item in a given geographical area."

Speaker McPike: "I think we have had...Mr. Johnson, (Tom) we've had enough dialogue. To the Bill. To the Bill. To the Bill."

Johnson, Tom: "Okay, to the Bill. This Bill, I think, creates a real problem for many, many retailers in this state, that in fact buy goods at wholesale that oftentimes is higher than what the competitor can sell it at. And what I am saying there is this is a potential harassment to the retail industry. If I'm a Wal-Mart I get a certain price at wholesale when I buy these goods. Now when I am just a jeweler sitting on a corner trying to compete with that, my wholesale price is higher than their retail price. What I am saying is, this is going to put people in jeopardy of being harassed when they are advertising that they are, in fact, selling it wholesale. When, in fact, they might be, they might be able to defend themselves but we all know that the cost of defending oneself is a bigger penalty than being found guilty of something. I would urge a 'no' vote on this."

Speaker McPike: "Question is, 'Shall House Bill 3057 pass?' All those in favor vote 'aye'; opposed vote 'no'. Mr. Cross,

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

124th Legislative Day

May 3, 1994

to explain his vote."

Cross: "Thank you, Mr. Speaker. As I look through the Bill, and the Amendment as well, I see nothing anywhere in the Bill or the Amendment that talks about a penalty. If we're going to make it a penalty I think we need to specify in the Bill whether it is a criminal penalty or whether it's a civil penalty. If it is a criminal penalty, we are going to subject our retailers to criminal liability and they need to know what it is. And like Representative Brady mentioned if we don't know what the penalty is, I don't know how we can vote for this Bill. Thank you."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 86 'ayes', 24 'noes'. House Bill 3057, having received the Constitutional Majority, is hereby declared passed. Representative Andrea Moore, for what reason do you rise?"

Moore, A.: "I would like the record to reflect that I would have voted 'aye', please."

Speaker McPike: "All right, let the record reflect that Representative Andrea Moore would have voted 'aye' on 3057. House Bill 2704. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2704, a Bill for an Act amending the Illinois Drainage Code. Third Reading of this House Bill."

Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker and Members of the House. House Bill 2704 is a Bill that amends the Drainage Code and it provides simply that at the hearing on the assessment rule an interested party may orally present objections to supporting evidence, regardless of whether the party filed objections in writing. This is a Bill that went to the Counties and Townships Committee, received an eight to nothing vote. I believe it's not controversial and would

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

124th Legislative Day

May 3, 1994

appreciate an affirmative roll call."

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

Hughes: "Would the Speaker yield?"

Speaker McPike: "Yes, he will."

Hughes: "Just a clarification, is the Amendment 1 on that Bill?"

Steczo: "According to my records, Representative Hughes, no, but we can double check that for you. Representative Hughes, yes, and it has some information about consolidation..."

Hughes: "Yes."

Steczo: "...in some of those districts. Yes, that is currently on the Bill."

Hughes: "So it is on the Bill?"

Steczo: "I apologize for not mentioning that."

Hughes: "Okay, thank you very much. Then this is a Bill that did pass through committee unanimously and as amended it is even better, so I'm pleased to say we should be voting for it and give the public a better opportunity to access the process."

Speaker McPike: "Representative Tim Johnson."

Johnson, Tim: "I would rise in support of the Bill. It is a Democratic, with a small d process, and I would urge support."

Speaker McPike: "Question is, 'Shall House Bill 2704 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 110 'ayes', no 'nays'. House Bill 2704, having received the Constitutional Majority, is hereby declared passed. House Bill 2830. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 2830, a Bill for Act that amends the Environmental Protection Act. Third Reading of the House Bill."



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

124th Legislative Day

May 3, 1994

Speaker McPike: "Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker and Members of the House. House Bill 2830 imposes community service for criminal violations of the Environmental Protection Act. The community service sentencing is discretionary and is opposed only by the judges and not the pollution control board. The range of the service is between 50 and 300 hours and would only be served in jurisdictions where community service is available."

Speaker McPike: "Representative Bugielski moves 'do pass' and on that, Representative Harold Murphy."

Murphy, H.: "I would like to be recorded as an 'aye' vote on the last Bill."

Speaker McPike: "Representative Murphy had intended to vote 'aye' on House Bill 2704. Representative Wennlund, on this Bill."

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

Speaker McPike: "Yes he will."

Wennlund: "Representative, can you tell us what violations you can get this community service for?"

Bugielski: "I'm sorry, I didn't hear you."

Wennlund: "What violations of the Environmental Protection Act or..."

Bugielski: "It would be criminal violations. It is just the criminal violation part."

Wennlund: "Like...like...like polluting the air? I mean what do you get..."

Bugielski: "Essentially fly dumping."

Wennlund: "It is limited to illegal dumping then?"

Bugielski: "It is not limited to, but it would include that."

Wennlund: "So for any violation of the Environmental Protection Act that might be criminal in nature?"

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

124th Legislative Day

May 3, 1994

Bugielski: "Yes."

Wennlund: "Only when the EPA would take somebody to court for a violation that might constitute..."

Bugielski: "Yes."

Wennlund: "A crime? Thank you very much."

Speaker McPike: "Question is, 'Shall House Bill 2830 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 112 'ayes' and 1 'no'. House Bill 2830, having received the Constitutional Majority, is hereby declared passed. House Bill 3090, Representative Giglio. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3090, a Bill for an Act amending the Illinois Underground Utility Facilities Damage Prevention Act. Third Reading of this House Bill."

Speaker McPike: "Representative Giglio."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3090 amends the Underground Utility Facilities Damage Prevention Act. What it does, it notifies that the contractors within 48 hours that everything is clear when they do the excavating. This was cleared with all those utility companies and municipalities with Amendment #1 signed off on it, and I don't know of anybody in opposition at the present time."

Speaker McPike: "On the 'do pass' Motion, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Representative Giglio is absolutely correct, it's in agreement of all the parties. There was a little technicality that we left out of the Giglio Bill that was passed out of here about four years ago, and I urge its adoption. Thank you."

Speaker McPike: "Question is, 'Shall House Bill 3090 pass?' All

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

124th Legislative Day

May 3, 1994

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 109 'ayes', no 'nays'. House Bill 3090, having received the Constitutional Majority, is hereby declared...passed. Representative Mautino votes 'aye'. Representative Walsh votes 'aye'. Representative Giles votes 'aye'. On this... Representative Kubik votes 'aye'. Representative Morrow votes 'aye' and Representative Olson votes 'aye'. On this Motion, there are 115 'ayes', no 'nays'. House Bill 3090, having received the Constitutional Majority, is hereby declared passed. House Bill 3100, Representative Curran. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3100, a Bill for an Act concerning sanitary districts. Third Reading of this House Bill."

Speaker McPike: "Representative Curran."

Curran: "This is a Bill relating to sanitary districts in Representative Virginia Frederick's district. One moment. It amends the North Shore Sanitary District Act, provides in determining the lowest responsible bidder for certain contracts exceeding \$10,000. The district board shall consider the qualities and serviceability of articles supplied by in other specified factors. I would be glad to answer any questions. I ask for a favorable roll call."

Speaker McPike: "Representative Frederick."

Frederick: "Thank you, Mr. Speaker. I simply rise to support this Bill. It just exempts, provides exemption for certain kinds of data processing equipment. It is an exemption that is needed by the North Shore Sanitary District and I hope the Body will view it favorably. Thank you."

Speaker McPike: "Question is, 'Shall House Bill 3100 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all

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

124th Legislative Day

May 3, 1994

voted? Have all voted who wish? Have all voted who wish?  
The Clerk, will take the record. On this Motion, there are  
114 'ayes' and no 'nays'. House Bill 3100, having received  
the Constitutional Majority, is hereby declared passed.  
House Bill 3133, Representative Novak. Read the Bill, Mr.  
Clerk."

Clerk Rossi: "House Bill 3133, a Bill for an Act concerning  
hydroelectric power utilization. Third Reading of this  
House Bill."

Speaker McPike: "Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. House Bill 3133 creates the Hydroelectric Power  
Utilization Act. This Bill promotes the development of  
Illinois hydroelectric resources, provides direct and  
positive benefits to Illinois utilities, municipalities,  
manufacturers, and citizens. The environmental benefits of  
this pollution free renewable resources is quite  
self-evident. Presently Illinois ranks last of all states  
in hydroelectric utilization, has taken a back seat to  
other states which have reaped the economic, recreational,  
environmental benefits in the development of their  
hydroelectric sources. This is a non-controversial Bill,  
I'm sure, and I just want to make sure that I would be  
available for any comments that you wish to have. I would  
ask my colleagues to join me in support of being one of the  
few states in the United States of America that creates a  
public policy for the advancement of hydroelectric power."

Speaker McPike: "Representative Persico."

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

Speaker McPike: "Yes he will."

Persico: "Representative, first of all, I don't know if you can  
consider this Bill non-controversial, but I do have a few

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

124th Legislative Day

May 3, 1994

questions for you. First of all..."

Novak: "Mr. Speaker. Mr. Speaker, I can't hear the Gentleman. Could you repeat that question please?"

Speaker McPike: "He hasn't asked it yet."

Persico: "I haven't asked the question yet. But, the first question I would like to ask..."

Novak: "I couldn't hear him comment."

Persico: "My previous comment was that I do consider this Bill to be fairly controversial. But I do have a few questions to ask of the Sponsor. First of all, Representative, according to my analysis and according to the federal permit, one of these hydroelectric plants will be built in the State of Missouri, is that true?"

Novak: "Representative, that is not true. The dam that is located on the Mississippi River is on the Illinois side and the power plant will be located right next to the dam, which is on the Illinois side. I don't know where you got your information from but Illinois workers will be hired."

Persico: "Well, according to the application that...from the Federal and Energy Regulatory Commission, the northern portion of the project, which would be located in Illinois, those are the transmission lines, while the southern portion will be located in St. Charles County, Missouri, which is the plant itself. So, I guess my question would be, if this plant is actually located in the State of Missouri, I would find it very difficult to believe that Missouri unions would allow Illinois jobs in the construction of this plant."

Novak: "Again, I dispute the information that you received. The information that I have is that..."

Speaker McPike: "Representative...excuse me, excuse me, just a minute. Mr. Novak. Representative Currie in the Chair,

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

124th Legislative Day

May 3, 1994

I'm sorry, Representative Steczo is back. Representative Steczo, has returned. Representative Steczo, in the Chair. Representative Steczo in the Chair."

Speaker Steczo: "Representative Steczo in the Chair. Representative McPike. Representative McPike."

McPike: "Thank you, Mr. Speaker. Could I answer that question? That refers to my area, not his area you might be for or against this Bill, but at least the information should be correct. There's a new dam that has been under construction in Alton for the last ten years. Lock and Dam 26. There was a dispute whether or not the employees on that dam would receive Illinois unemployment insurance and Illinois worker's comp, or Missouri's unemployment insurance and Missouri's workman's comp, and we finally at the Corp of Engineers found a map dated back to 1870 where the river had shifted course, and they discovered that the entire lock and dam is in the State of Illinois, the entire lock and dam. The Mississippi River at that point is located entirely in Illinois, so the proposed plant they are building, I don't know where their home office is, maybe they have a home office in St. Charles or in New York, I have no idea. But, the plant itself is going to be built in the middle of the Mississippi River, it will be connected to two of the gates on the dam, and it's obviously entirely within the State of Illinois."

Persico: "In other words, Representative, to paraphrase what you said last week, it's not going to be a question of 'do you want Illinois jobs, or Missouri jobs', you're saying this is definitely located in Illinois, and these will be Illinois construction jobs that will build this plant?"

McPike: "Well, I can't guarantee where the private contractor would hire the people. I have no control over the private

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

124th Legislative Day

May 3, 1994

contractors, where he hires individuals. I would presume that he would hire the laborers out of the Alton, Wood River Laborers Hall, and the cement finishers out of Granite City, but yes he could hire them from New Orleans, I presume. I have no control over that, I'm just telling you the plant itself is in Illinois."

Persico: "Well, I appreciate that information. According to the federal permit that I received and my analysis, it would be located in Missouri, Missouri, but if you're saying differently than I would go along with that, but I still would like to ask the Sponsor a few more questions?"

Speaker Steczo: "Representative Persico, proceed."

Persico: "Representative, is it true that, that you're asking the Members of the General Assembly, to vote to subsidize a plant through tax credit, which eventually can be passed on to Illinois consumers, because you are extending, what we call the Retail Rate Law to hydroelectric plants."

Novak: "This, this, first of all, let me clarify one thing about the question you had about the Mississippi River with whether the plant was going to be built on the Illinois side or the Missouri side. First of all, the specificity of this Bill does not apply to a proposed construction site on the Mississippi River. It applies to any possible project on any navigable waterway that has an existing dam. Let me clarify that, because there are other proposed projects around the State of Illinois, including the one down near Alton. But, yes, to answer your question Representative Persico, yes this does fall under the subsidy provisions of the Retail Rate Law, yes it does, and I'd like to point out that we subsidize a lot of industries in this state. We subsidize the farmer. We subsidize senior citizens. We subsidize business. We subsidize

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

124th Legislative Day

May 3, 1994

industry. We subsidize a myriad of entities in the State of Illinois to promote jobs and economic development."

Persico: "That may be true, Representative, but if you recall reading a article in the Chicago Tribune this Saturday, which exactly, which talked exactly about that particular subject, the heading, the headline was 'States Who Get Burned on Incinerators', and we are beginning to look into this whole business of the Retail Rate Law. But, another question, if the electric companies are forced to purchase these, you know, this electricity, what...will this be passed on to the consumers, do you believe?"

Novak: "Representative Persico, let's separate two issues here. You're bringing in the incinerators, this has nothing to do with incinerators."

Persico: "I'm just saying we should, we may be looking into that particular law, but my question is..."

Novak: "Well, that's another subject."

Persico: "Do you believe that this legislation..."

Novak: "We're trying to promote a clean energy source in Illinois."

Persico: "...to pass on the rate increase to consumers."

Novak: "Pardon me?"

Persico: "Does this particular piece of legislation, if it's passed, allow the electric companies, Com Ed, Illinois Power, and so on, to pass on this rate increase to their consumers?"

Novak: "Commonwealth Edison buys this, buys this electricity at the price that's stipulated in the Bill, and they charge that utility, or when they charge the, or they sell electricity, they're able to charge the appropriating costs. Commonwealth Edison in turn, or any other utility, let's not relegate this to just Commonwealth Edison, but



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

124th Legislative Day

May 3, 1994

any other power company that purchased the power, is given an incentive to take the avoided cost as a tax credit, and then the credit reduces to the amount of tax that the utility must pay to the state."

Persico: "I have one more question. When you, since you are requiring the utility companies to purchase this power, I noticed that part of the legislation requires a middle man there, to sell this, these, this power. If you're requiring Com Ed and Illinois Power and so on to purchase these, this power, why do you need a middle man, to sell it?"

Novak: "Why do we need a what?"

Persico: "A middle man, a middle person to sell this, a contractor."

Novak: "Well, I think it's probably appropriate in terms of, of business since I guess, to have a contract. We have middle men in all types of retail and wholesale type operations, in Illinois. I would like to point out that an Amendment that we put on in committee answered some questions concerning the responsibility of paying back to the State of Illinois the tax credits that were realized by the appropriate utility. The Amendment that we added in committee provided for a lien to be put on the hydroelectric plant, should there be any problems in the pay back of those dollars that they receive through tax credits."

Persico: "To the Bill, Mr. Speaker. First of all, I would like to say this Bill is not what I consider non-controversial. For example, this Bill is opposed by the IMA, the Chamber of Commerce, the Chicago Chamber of Commerce, the Department of Revenue, Illinois Coal, Illinois Rail Association, the American Fishermen of Society. This is a

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

124th Legislative Day

May 3, 1994

Bill that would require us to pay through tax credit for the next ten years, approximately \$69 million from the years 1997 to 2008. First year alone will be \$15 million. That's \$15 million less that we can spend on our school kids, \$15 million less that we can help our truly needy, \$15 million less that we can use to help solve our Medicaid crisis. This is a rate increase. This Bill requires utilities to purchase power from hydroelectric units regardless of whether it's the cheapest available source of power, and I ask a 'no' vote."

Speaker McPike: "Representative Hanrahan."

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

Speaker McPike: "Yes, he will."

Hanrahan: "I applaud the Representative's commitment to hydroelectric power. I think it's something that we need to commit ourselves to and make that kind of investment. I guess what troubles me though, Representative, is the mandate aspect of the Bill, and I'm just curious if you're aware of any efforts that are made previous to this legislation, in regards to approaching utilities to consider this kind of investment without dictating that this go on. Have any efforts been made in that regards?"

Novak: "Representative, I can hardly hear you, I'm sorry. Could you speak up, or could we have a little order."

Hanrahan: "It's a little loud. The point being that, that the commitment you're making, hydroelectric power, is important, and I applaud that investment. The question is, is the question of mandates on whether or not this has to be dictated to the utilities, and my question is, to the best of your knowledge is any discussions going on, or what kind of efforts have been made to, by approaching the utilities about this issue to get them to invest without

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

124th Legislative Day

May 3, 1994

dictating this piece of legislation, any?"

Novak: "No, Representative, in a utility industry down here, doesn't want any other type of different power, they're just adamant about that, and what other, what facilities that we have currently that are in operation such as methane generated turbines at landfills that generate electricity. There's a hydroelectric plant in my city in Kankakee that operates well, it's been funded by, funded in part by the State of Illinois. Commonwealth Edison fought us tooth and nail on that. They just don't want to see any other type of alternative energy sources out there. You know, you have nuclear power with the dangers of nuclear power plants. You read in the paper about the Zion Nuclear Plant. You read about the Braidwood Nuclear Plant and problems over there and safety concerns over there. We have sulfur dioxide, and it's in the air. It contributes the acid rain, but lo and behold when it comes to nuclear, when it comes to hydroelectric power, it's the cleanest power there is. It's run by pure water, there's no smoke, no danger of any nuclear leaks at all. There's no fish kills. As matter of fact, many of the dams that are used right now were, where the power plants will be situated are retro-fitted with fish ladders to help fish migrate to where they're supposed to go. This is one of the most environmentally sensible and conscientious energy initiatives there ever was. So, you know, I understand the utility lobby, they got 60 lobbyists down here working against this Bill, and I run into them in the hall every day, so I understand where they're coming from, and I'm sure they've been over to see you. But, if we want to look to the future, if we have any type of vision, you know for clean energy sources, I think this is the right way to go.

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

124th Legislative Day

May 3, 1994

This is no mandate that we have to have hydro dams on every navigatable waterway in Illinois. It's just those communities, like in Representative Weller's district, that has been trying for the last five years, to site, to site a hydro plant. So, the answer to your question, they won't talk."

Hanrahan: "And, I concur that it's an environmentally safe means of energy. Relative to what you just raised in terms of your own district, and this other alternative forms of energy, have the utilities embraced those alternatives since they were mandated?"

Novak: "Have utilities what, sir?"

Hanrahan: "Have they embraced them? Have they continued to invest in these kinds of alternative forms of energy?"

Novak: "Well, Representative Hanrahan, you're new to this Assembly. Last year, last year we passed Senate Bill 770 that was one of the most major, major pieces of legislation for Commonwealth Edison, it allowed them to get involved in non-regulated energy sources, and it just got 60 votes, and I supported that legislation because it would allow them to get into non-regulated energy sources, wouldn't have to go through the commerce commission. It would allow them to get on a level playing field, to compete with other energy source companies, but they still...I just want to indicate that that there's a tax credit for the utilities, that, that they can take advantage of this."

Hanrahan: "Thank you."

Speaker McPike: "Representative Clayton."

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

Speaker McPike: "Yes he will."

Clayton: "Okay. My analysis says that these hydroelectric facilities would be exempt from the Public Utilities Act,

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

124th Legislative Day

May 3, 1994

and all the protections that, that provides for consumer.  
Is that in fact true?"

Novak: "To my recollection, no, Representative, I don't believe  
so. Not in my analysis."

Clayton: "So it's not exempt?"

Novak: "Exempt in a Public Utilities Act? No, it amends the  
Public Utilities Act to provide the capacity purchase from  
limited producers is not to be included in the calculation  
of excess capacity except with respect to request by the  
utility, to add generating capacity, but I have no, no  
indication whatsoever in my analysis that it is exempted  
from the Public Utilities Act, I'm sorry."

Clayton: "Okay, I was just informed that they would be exempt  
from construction on it, that no one, no other utility..."

Novak: "The hydroelectric power plants are regulated by the  
Nuclear Energy Regulatory Commission, which is a federal  
agency and they grant licenses to communities that wish to  
build such plants on navigatable rivers that have existing  
dams."

Clayton: "Thank you."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. A couple of months from now, you'll forget all  
about some of these Bills and you'll be worried about  
something else, and that's November. Well, I can give you  
about five good reasons why you should oppose this and vote  
against it. You can imagine, you can imagine how these  
will play out and direct mail pieces for your fall  
campaign. Number one, in the first 11 years there's at  
least a \$70 million tax credit, that's GRF, General Revenue  
Funds that the taxpayers of Illinois are going to use to  
subsidize the hydroelectric plant. Number two, they're not

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

124th Legislative Day

May 3, 1994

going to pay interest on that money for up to 20 years, that's taxpayer's dollars out, without interest for up to 20 years. Number three, we not only have the taxpayers subsidizing it, but we have the rate payers, who may be paying up to three times what they're paying now for kilowatt hours. Number four, who gets hurt? For instance one, Central Illinois Power uses the most coal of any utility in Illinois. All those areas of Illinois that produce coal that sell to CIPS or Commonwealth Edison, the rest of the utilities, because we could have plants that used to generate electricity that are going to be sitting idle. They're not going to be burning Illinois coal. It's going to cost jobs in Illinois, that's another reason. So, we have the rate-payers, taxpayers, and we got the coal industry who are going to be hurt by this project. We don't need it. We've invested millions of dollars in not only existing plants, but in our nuclear power plants that have to be paid for yet. We don't need to be subsidizing, the rate-payers don't need to be subsidizing this new industry. Let's use the power we have. We have more than we could possibly use now because of excess power and nuclear plants. This Bill ought to be defeated because if you care about the ratepayers and the taxpayers and the coal industry, you ought to defeat the Bill."

Speaker McPike: "Representative Flinn moves the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The previous question is put. Representative Novak, to close."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think I'd just like to direct my comments when I'm closing to all the other opponents who got up and

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

124th Legislative Day

May 3, 1994

spoke, and as I indicated earlier we subsidize many things from a to z in this Legislature. As a matter of fact, on this special order of business here there are a number of business incentives that we give to people in this State of Illinois, business incentives that are tax incentives. Now are we going to have a double standard here? We going to pick and choose? So, let's put our heads on level, look to the future, look to a clean, environmentally conscientious, and viable energy source that doesn't smother trees, that doesn't kill fish, that doesn't pollute the air, that doesn't pollute the ground water, that generates clean, efficient electrical power for our lives, our livelihood, our businesses, our homes, and our families, and I ask you to support my legislation."

Speaker McPike: "The question is, 'Shall House Bill 3133 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Balthis, to explain his vote."

Balthis: "Thank you, Mr. Speaker. I would just remind some of my friends from the south suburbs that this is the same kind of subsidy that they were trying to take away from the Robinson Incinerator."

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

Balanoff: "Well, as a, one who has consistently stood up against government giveaways to corporate America, as welfare for the very wealthy. This is a terrible consumer's Bill. It's going to cost the rate-payers absolutely millions of dollars, and I've heard the word environment thrown around a lot in this discussion and I do want to point out to everybody that the Illinois Environmental Council is firmly against this legislation."

Speaker McPike: "Representative Pedersen, this Bill has 17 votes, do you wish to explain your vote? Go ahead. Mr.

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

124th Legislative Day

May 3, 1994

Pedersen."

Pedersen: "Thank you, Mr. Speaker. I just wanted to comment about this acid rain thing. I have read in numerous sources in the last two or three years that this is mainly a hoax, including the book written by that great Democrat Dixie Lee Ray."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 17 'ayes' and 91 'noes'. This Bill, having failed to receive the Constitutional Majority, is hereby declared lost. I...Yes, on the Order of Second Reading, appears House Bill 2799, Speaker Madigan."

Madigan: "Mr. Speaker, this Bill would provide for a major Amendment to the Grain Code. It's been discussed in length. There is no agreement on the Bill now, so I would propose that the Amendments be withdrawn, the Bill be restored as a vehicle Bill, and it be considered on Third Reading."

Speaker McPike: "Mr. Clerk, has this Bill been read a second time?"

Clerk Rossi: "The Bill has been read a second time previously."

Speaker McPike: "Any Amendments?"

Clerk Rossi: "No Committee Amendments. Floor Amendment #1, offered by Representative Brady."

Speaker McPike: "Who is the Sponsor?"

Clerk Rossi: "Brady."

Speaker McPike: "Representative Brady. The Gentleman withdraws his Amendment. Further Amendments?"

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

Speaker McPike: "Mr. Brady withdraws the Amendment. Further Amendments?"



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

124th Legislative Day

May 3, 1994

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

Speaker McPike: "Representative Brady. Withdraws Amendment #3. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 2799, a Bill for an Act amending the Illinois Grain Insurance Act. Third Reading of this House Bill."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor say 'aye'; opposed vote 'no'. Representative Black, to explain his vote."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is extremely important to almost every group in the State of Illinois. The Grain Insurance Code sunsets this year, and up to this point we have not been able to reach agreement. This is an agreement between our spokesman Representative Noland, Representative Woolard, and most everybody in this House so that we can have a vehicle to rewrite the Grain Insurance Code, and I extend my appreciation to Representative Woolard for helping not only farmers but bankers and a number of people in the State of Illinois. It's imperative that we have this vehicle so we can rewrite the Grain Insurance Code."

Speaker McPike: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. Let me correct the last speaker. The Grain Insurance Code does not sunset this year. However, revisions are needed in the legislation, and I agree with passing this Bill over to the Senate so we can work on the Bill."

Speaker McPike: "Representative Woolard."

Woolard: "Thank you, Mr. Speaker. I think that if Representative

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

124th Legislative Day

May 3, 1994

Noland would stand up for a second, Duane. I believe, I think he is standing now, but it's difficult sometimes to tell. Duane, I think I understand that we have come to an agreement this afternoon, in fact, last Friday, in fact, that the industry, the Grain and Feed Association, the Farmer's Union, the Farm Bureau are all in agreement that they're going to proceed with a resolution of this Bill, excluding bankers. So those of you that are concerned about the banking industry at this time, they would be excluded from the Bill as we're sending it over in the vehicle stage. Is that correct, Duane? Thank you."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 113 'ayes' and no 'nays'. House Bill 2799, having received the Constitutional Majority, is hereby declared passed. Government Administration, Second Reading, appears House Bill 2937. Mr. Clerk, has this Bill been read?"

Clerk Rossi: "House Bill 2937 has been read a second time, previously."

Speaker McPike: "Representative, are there any Amendments?"

Clerk Rossi: "No Committee Amendments. Floor Amendment #1, offered by Representative Hoeft."

Speaker McPike: "Representative who?"

Clerk Rossi: "Hoeft."

Speaker McPike: "Representative Hoeft. Withdraws the Amendment. Further Amendments?"

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

Speaker McPike: "Representative Cowlishaw. Amendment #2 is withdrawn. Further Amendments?"

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

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

124th Legislative Day

May 3, 1994

Speaker McPike: "Representative Hicks."

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3, becomes the Bill on House Bill 2937, basically provides for a special education funding, whereby whenever you have a disabled child placed in a district, in a school district, it doesn't place a burden upon the local taxpayers, to pay the cost of that. It's a proposal that I know the Governor has been in favor of, and I'd be happy to answer any questions that anyone may have about it."

Speaker McPike: "On the...on the Amendment, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I find it necessary to ask a few questions at this time. Will the Sponsor yield?"

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

Ryder: "Representative, I didn't have a chance to hear all of your explanation, although it sounded as if some of it was interesting to me. Does this deal with orphanages?"

Hicks: "Representative, it deals with special education funding. Basically, the Bill itself, and if I may speak to the Bill because the Amendment becomes part of the Bill. The Bill itself will provide that when the, when a child becomes a, a ward of the state, and the state provides for that child to be placed into, let's say your school district, Representative, then the state, if that child has special needs, then the cost of educating that child becomes quite costly. What happens in that case, rather than placing a burden upon the taxpayers of your local district, this Bill would provide that the state itself would provide the full funding for that child who would be a ward of the state."

Ryder: "Representative, I appreciate the full explanation, and I found that to be helpful. I understand that there was some legislation floating around that would in the cases of

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

124th Legislative Day

May 3, 1994

orphanages indicate that since those would be children from all over this state but because they're located in a specific school district, that there would be some language to be helpful to the school district, apparently accomplishing very much the same thing that you described for special education, children that were special placements. Are we talking about the same concept but a different Bill here?"

Hicks: "No, Representative, we're talking about that Bill. We're talking about children with, if you want, disabled children, children with special needs are the ones who provide the extraordinary cost to the school district. Basically in the past when that has occurred, and it has occurred throughout the State of Illinois, and I happen to...in reality...in this Bill...it doesn't occur in my district for some reason. But, and this Bill doesn't help my district at all, but it helps most of the rest of the people in the House, because it can become quite a financial burden upon those school districts."

Ryder: "Representative, you are, you're removing a financial burden from the local school district to making the state responsible for that financial burden, is that correct?"

Hicks: "In, in, I guess the easy answer to that is 'yes', but the little bit more explanation I think goes along with that. These children are already wards of the state. The state already has a financial responsibility for these children, and so all we're simply doing is saying that when that financial responsibility becomes over burdensome upon a local school district then the state should participate more fully."

Ryder: "Thank you, Representative."

Speaker McPike: "Mr. Black."

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

124th Legislative Day

May 3, 1994

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

Speaker McPike: "Yes."

Black: "Yes, Representative, if I can continue on that same line of questioning as Representative Ryder, as I understand this, what your Bill is attempting to do; a special education placement may be ordered and that student who may be in my district ends up going to a school 200 miles away, at considerably greater expense than my home district's tuition. Now, it's the intent of your Bill as I read it on page 7, excuse me, your Amendment, in the past I think we've been aware that the state board has run out of money and then in that school district from which the child was taken has to make up the difference. Does your Bill now say that the state board must pay all claims?"

Hicks: "That's correct, it would here Representative, and that would come out of the next year's payment to ensure that by September 30 of the following year it would do so."

Black: "All right, just so we're together. In other words, if that, if that special needs child is put into an educational setting that may cost \$20,000, the district being responsible for their tuition portion which may be say \$4,000, the state must make up the balance, and I think that we both agree that in the past, they have perhaps not been able to come up with the \$16,000. Now, where in your Bill does it say or your Amendment does it say clearly that you must pay that difference in that claim? I mean, I don't see any appropriation."

Hicks: "The appropriation, Sir, would come out of the Governor's proposal. I believe the governor even in his recommendations, in his budget placed the \$9 million in to take care of that. It's my understanding Representative."

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

124th Legislative Day

May 3, 1994

Black: "I, and I think I know exactly where you're headed, but I guess what I'm concerned about if they have to make up the, the deficiency, will the local district, or the state board stop any future placements until they can pay for the ones they already have?"

Hicks: "Representative, I may have misspoken. I want to clear that up first, if I may before I have...it's my understanding from staff that the Governor has only said he is for this proposal. He has not placed it in his original budget. I didn't want to misspeak on that, but let me clear up, the state board itself does not place these children, Representative, it's not the state board themselves."

Black: "That's correct. Is it done by matter of conference or, it's been so long since I've been in that situation, I can't remember how it's done."

Hicks: "But in most cases, Representative, in most cases it would be the courts who would place these children in other places. It would not be left up to..."

Black: "My last question then, can you tell me whether the State Board of Education has requested funding for this particular item in its budget?"

Hicks: "It's not law yet, Representative, so they would not be requesting it until it became law."

Black: "So, as far as you know, I, but I don't get any sense that they necessarily oppose this in any way shape or form. Would that be your understanding?"

Hicks: "Representative, I have to tell you, I have not had anyone come to me and say they are opposed to this concept, even included, and I've read in the newspapers myself, where the Governor himself has said it was something he was in support of doing, and so, I know of no opposition to do

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

124th Legislative Day

May 3, 1994

this, and there again if I may."

Black: "I would intend to agree with you. I think the Governor has clearly said that he supports the intent and hopefully if we ever get to budgets we can see if his, he has or will budget for this. I thank you for your patience."

Speaker McPike: "Representative Hoeft."

Hoeft: "I'd like to compliment the Sponsor for addressing a problem that the school districts in this state have had for a long time. This is a well overdue Bill, and he has done a fine job of presenting it. My own school district last year lost \$390,000 because the state board could not properly fund this. I would ask that all people consider their school districts and vote 'yes' for this very fine Bill."

Speaker McPike: "The question is, 'Shall House Bill 2937 pass?' All those in favor vote 'aye';...I'm sorry. The question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

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

Speaker McPike: "Mr. Black. Withdraws the Amendment. Further Amendments?"

Clerk Rossi: "Floor Amendment #5, offered by Representative Daniels."

Speaker McPike: "Representative Daniels, Amendment #5. Withdraws the Amendment. Further Amendments?"

Clerk Rossi: "Floor Amendment #6, offered by Representative Black."

Speaker McPike: "Mr. Black. Amendment #6 is withdrawn. Further Amendments?"

Clerk Rossi: "Floor Amendment #7, offered by Representative

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

124th Legislative Day

May 3, 1994

Kubik."

Speaker McPike: "Representative Kubik. Withdraws the Amendment, is that correct? The Gentleman withdraws the Amendment. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 2937, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker McPike: "The question is, 'Shall this House Bill pass?' All those in favor vote 'aye'; those opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 116 'ayes', no 'nays'. House Bill 2937, having received the Constitutional Majority, is hereby declared passed. House Bill 2729. Mr. Clerk, what is the status? It's on Government Administration, Second Reading."

Clerk Rossi: "House Bill 2729 has been read a second time previously. Amendments #1 and #3 have been adopted to the Bill. Amendments #2 and #4 are withdrawn. Floor Amendment #5, offered by Representative Morrow."

Speaker McPike: "Representative Morrow."

Morrow: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to move to table Floor Amendment #5."

Speaker McPike: "The Gentleman withdraws Amendment #5. Further Amendments?"

Clerk Rossi: "Floor Amendment #6, offered by Representative Santiago."

Speaker McPike: "Representative Santiago."

Santiago: "Thank you, Mr. Speaker and Members of the General Assembly. Amendment #5, what it does, or Amendment #6 to correct my previous statement, the main purpose of this Amendment is to try to prevent a scheme that has been



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

124th Legislative Day

May 3, 1994

Kubik."

Speaker McPike: "Representative Kubik. Withdraws the Amendment, is that correct? The Gentleman withdraws the Amendment. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 2937, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker McPike: "The question is, 'Shall this House Bill pass?' All those in favor vote 'aye'; those opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 116 'ayes', no 'nays'. House Bill 2937, having received the Constitutional Majority, is hereby declared passed. House Bill 2729. Mr. Clerk, what is the status? It's on Government Administration, Second Reading."

Clerk Rossi: "House Bill 2729 has been read a second time previously. Amendments #1 and #3 have been adopted to the Bill. Amendments #2 and #4 are withdrawn. Floor Amendment #5, offered by Representative Morrow."

Speaker McPike: "Representative Morrow."

Morrow: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to move to table Floor Amendment #5."

Speaker McPike: "The Gentleman withdraws Amendment #5. Further Amendments?"

Clerk Rossi: "Floor Amendment #6, offered by Representative Santiago."

Speaker McPike: "Representative Santiago."

Santiago: "Thank you, Mr. Speaker and Members of the General Assembly. Amendment #5, what it does, or Amendment #6 to correct my previous statement, the main purpose of this Amendment is to try to prevent a scheme that has been

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

124th Legislative Day

May 3, 1994

developed by general contractors in relationship to avoid the Minority and Female Business Enterprise Act. That is the main purpose of the Bill. I move to adopt Amendment #6."

Speaker McPike: "Any opposition? The question is, 'Shall Amendment #6 be adopted?' All those in favor say 'aye'; all opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 2729, a Bill for an Act amending the Minority and Female Enterprise Act. Third Reading of this House Bill."

Speaker McPike: "Mr. Clerk, did you read the Bill? All right, Representative Morrow."

Morrow: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move for a passage of House Bill 2729. This is to, concerns the sunset of the Minority and Female Business Enterprise Act. It repeals it. Amendment #1 gives the Act five years rather than ten, which was in the first Bill, the original Bill. Amendment #2 was withdrawn. Amendment #3 sets up a 24 hour hotline. It sets up an annual report. Amendment #4 and #5 was withdrawn and we just heard Amendment #6 which deals with subcontracts. I move for the passage of House Bill 2729."

Speaker McPike: "On that Motion, Representative Deuchler."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House, I do stand in support of House Bill 2729. I thoroughly reviewed the Amendment. Many of the points in this legislation extending Minority and Female Enterprise Act were parts of the original legislation that I proposed. I think it is good public policy that we will be continuing to monitor

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

124th Legislative Day

May 3, 1994

state contracts that are awarded to female-owned businesses, and to minority owned businesses, and the 2% to disabled individuals. Thank you."

Speaker McPike: "Mr. Morrow, do you want to close?"

Morrow: "Yes, I do. I just want to thank Representative Deuchler, Representative Meyer, and my good friend Representative Mulligan who was mad at me last week who is no longer mad at me. I just want 'aye' votes on 2729."

Speaker McPike: "The question is, 'Shall House Bill 2729 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 112 'ayes', no 'nays'. House Bill 2729, having received the Constitutional Majority, is hereby declared passed. Supplemental Calendar announcement."

Clerk Rossi: "Supplemental Calendar #1 is being distributed."

Speaker McPike: "Committee Reports. All right, Supplemental Calendar #1 on the Speaker's Table, appears House Resolution 2514, Representative Giglio. Mr. Giglio."

Giglio: "Mr. Speaker, Ladies and Gentlemen of the House. This is the Resolution to extend the deadline for House Bills, Third Reading, House Bills Second Reading, and Senate Bills."

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

Black: "Yes, well, thank you very much, Mr. Speaker. Would the Sponsor yield?"

Speaker McPike: "Yes, he will."

Black: "Representative, I...Well. let's just start at the beginning. We've already agreed to the deadlines and rules very early in the Session. Why are you coming to us today at this late hour, saying that we're going to extend the deadline by one week, is that correct?"

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

124th Legislative Day

May 3, 1994

Giglio: "Well, yes Representative Black, there's been so much commotion and so much static on the other side of the aisle, we felt we'd extend these deadlines so you and your Party could continue to have your Bills heard and we can run the House in an orderly fashion."

Black: "Well, I understand that, and of course we've already quoted the transcript from last Friday, in which we would adjourn because both sides of the aisle were in no mood to continue. What force does this Resolution have in that, I don't see a corresponding Resolution on the part of the Senate? I'm, what are we doing here I mean, if they're not going to change the rules that the Senate and the House have agreed to, then what does this do, except maybe give some of us false hope."

Giglio: "Well, it may be false hope on the other side of the rotunda, but we're really not concerned about those people. As you know, you know they have their own set of rules. We're just trying to abide by what we want to do and show that our intent here is to keep an orderly House, running as smoothly as we possibly can, Representative Black, and give the courtesy that is due to both sides of the aisle."

Black: "Well, I, I stand in total agreement with your last sentence, that courtesy should be extended in this chamber to both sides of the aisle. That's all we've said all week, that's the only reason why I have become sometimes excitable, but what we're doing here to me is just simply another exercise in futility. We agreed to the rules as passed by the House and Senate, now we are changing those rules unilaterally without any knowledge if the Senate will change their rules or not. Now, if they do not, then any Bill not moved out of here today, for all practical purposes is gone. Well, I think what...go ahead, I'm

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

124th Legislative Day

May 3, 1994

sorry."

Giglio: "No, I just wanted to say, Representative Black, you know, the Senate never consults us on their operation, so we just want to do what we're supposed to do and elected to do and that's what we're trying to do here."

Black: "Well, you know, excuse me, with all due respect to you, I thought the President of the Senate and the Speaker of the House had conferred on the original rules some two months ago, and that's why the rules were adopted, in sync, with the House and the Senate."

Giglio: "Mr., Representative Black. Nobody conferred with me, I'm the Chairman of the Rules Committee."

Black: "Well, I, well, okay. I, evidently there was a breakdown in communication and the Speaker didn't converse with the Chairman of the Rules Committee, but be that as it may, to the Resolution. I think the Resolution is a prima facie case of your side of the aisle not being able to move the orderly business of the House as you're expected to do. Now, we've been here all day today, we have, we appreciate the consolatory measure that was made earlier this afternoon. We were ready to stand with you to move expeditiously on Bills that needed to be called, but of the Bills on the Calendar, 385 were Democrat Bills, 55 were Republican Bills, all 55 Republican Bills on an order of business that if the Speaker was quoted accurately, and I say, 'if' he was quoted accurately, he said would be the last measure to be called today. At 6:39 not one Republican Bill has been called today. If that's fairness and that's equity, you define it differently in your district, Sir, than I define it in mine."

Speaker McPike: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. Perhaps the Sponsor of this

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

124th Legislative Day

May 3, 1994

Resolution is forgetting a few things that have occurred today, so I'm just going to refresh his memory. Two more, two more and we'll be on round three. I was a Member of the Rules Committee, Sir. I was there when you were being communicated with rather well. When you were sitting in the Rules Committee in which a staff member didn't whisper, but spoke rather loudly into your ear telling you the exact words to say. I think you were having communication rather well. I was there today when the Republicans offered opportunities to move the process along in which you consistently voted against open, open opportunities to run this Session. I think that it is demeaning to the process to suggest that when the Speaker and the President of the Senate, get together on rules that the House adopted, that you weren't communicated with. As a result, Sir, I think that what we have before us is simply a sham. If the Senate sticks to their guns, no Bill submitted to the Senate after noon tomorrow will be considered by their, under their rules. If that's the case, any Bill not heard in this House until tomorrow is dead on arrival in the Senate. Now, that's a big if I understand the Senate has those rules, but if that's the case, it is no comfort to me to know that after the deadline established by the Senate in consultation with the Speaker, after that deadline, I get an opportunity for Bills sponsored by Republicans to be heard. It is no consolation to me to know that those Bills we go through the effort for the rest of this week and they arrive dead in the Senate, because, the Senate adheres to the rules agreed to with the Speaker but the House changes the rules in mid-stream, and if you didn't have the proper kind of communications, Sir, then, I suggest you listen a little louder, a little more carefully when that staff is

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

124th Legislative Day

May 3, 1994

whispering in your ear."

Speaker McPike: "Mr. Doorman, who was ringing that bell? All right, the question is, 'Shall the House adopt House Resolution 2514?' All in favor vote 'aye'; opposed vote 'no'. Representative Meyer, to explain his vote. This requires 60 votes. This Motion requires 60 votes."

Meyer: "I did, I did not have my light on to explain my vote. I had my light on to request floor debate on this issue. I think I'm entitled to floor debate on this issue. All after, all day long I've sat here and listened to other people speak when they wanted to speak, Mr. Speaker, and I think I have every right that anyone else in this chamber has. I think this is a sham. Those rules were agreed to early on in the Session, and all that you're doing is cutting off our ability to present our Bills and have meaningful exercise and debate on this floor. I think..."

Speaker McPike: "We're giving you an extra week."

Meyer: "The person that is proposing this Resolution is practicing smoke and mirrors, you ought to be exposed for that, I don't think it's the kind of conduct that we should tolerate in this Body, I think we all have a right to have fair debate on our issues on this floor."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. To best summarize what's going on here and what is happening here and what just happened by cutting off the debate. I'm going to quote Representative von Bergen-Wessels, in the last edition of Illinois issues, the May issue, she says, 'The power of Pate Philip and Mike Madigan over the life and death of every single Bill. It's just too much,' says von Bergen-Wessels referring to the Senate President and House Speaker. When you have all these people elected by

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

124th Legislative Day

May 3, 1994

constituents, the power of these two people is dismaying.  
Indeed it is."

Speaker McPike: "Representative Brady."

Brady: "Thank you, Mr. Speaker. That's hard to follow. I think everyone understands really what's going on here, and this is simply an attempt to justify a process that should not be justified for what has happened. But I ask everyone who voted up there for this to consider the fact that if they vote for this, if we extend these deadlines understanding the Senate rules, that what we are, in fact, doing is giving ourselves \$84 per day, paid for by the taxpayers of Illinois to continue this sham, and if you want to vote for \$84 per day, per diem cost for you to continue this sham, please go ahead."

Speaker McPike: "Mr. Brady it's \$81. Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker. I had the pleasure to go to the Rules Committee today and watch this type of fiasco take place. It was absolutely embarrassing to think that when we all started off having the same book, the same rules, we knew where they were coming from. The Senate understood it. We go out there and try to extend the times so we can go ahead and shove it to the Republicans. I think it's embarrassing that we've been able to go through and try and present something like this. There were other rule changes proposed, rational, logical process to try to expedite so that we could move this legislation and that the Chairman of the Rules Committee did not even allow the proper debate by the Members of the, by the Members of the committee itself. I would strongly urge a 'no' vote for this Resolution."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 65



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

124th Legislative Day

May 3, 1994

'ayes' and 51 'noes'. House Resolution 2514 is adopted. Earlier the Chair sent HJR 147 to the Committee on Assignment. The Chair erred; HJR 147 to the Speakers' Table. Representative Homer, on a Motion and then the Chair will be prepared to adjourn. Mr. Homer."

Homer: "Thank you, Mr. Speaker. I cleared this with Representative Tom Johnson on the other side and Leader Daniels last week. This is regarding SJRCA 123."

Speaker McPike: "And the Motion is?"

Homer: "I would move, pursuant to Rule 33 (b), to advance this Constitutional Amendment proposal to Second Reading without reference to committee. This is the Child Shield Act Constitutional Amendment, Mr. Speaker, that I think we're all familiar with. We have to act on it this week in order for it to have time to beat the Constitutional requirement."

Speaker McPike: "On that Motion, Representative Parke. Mr. Parke."

Parke: "Thank you, Mr. Speaker. You said that your intent was to adjourn, shortly?" Speaker McPike: "Yes it is."

Parke: "And, today not one Republican Bill was heard, not one Republican Bill was heard."

Speaker McPike: "All right. Representative Black, on the Motion of discharge. Mr. Black. Mr. Black, on the Motion to discharge. All right. The question is...All those in favor of the Gentleman's Motion... All right, this requires 71 votes. Is there any opposition to the Motion of discharge? There being no opposition, all those in favor say 'aye'; opposed, 'no'. By use of the Attendance Roll Call, the Motion carries. Any announcements? Representative Levin."

Levin: "Yes, just to remind everyone that there is a meeting of

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

124th Legislative Day

May 3, 1994

the House Revenue Committee tomorrow morning at 9:00 in Room C-1. I think it will be a short meeting. The people can come; we can get out."

Speaker McPike: "Representative Saltsman, on an announcement."

Saltsman: "Yes, the House of Appropriations Committee on Public Safety will meet at 8:00 tomorrow morning, 8:00 tomorrow morning; House Appropriations Committee, Public Safety."

Speaker McPike: "Representative Granberg. Representative Hannig."

Hannig: "Yes, while we're on the order of announcements, just to remind the Members of the General Services Appropriation Committee that we will also meet at 8:00 tomorrow. Thank you."

Speaker McPike: "All right, Representative Granberg now moves and allowing the Clerk perfunctory time, the House stands adjourned until tomorrow morning at the hour of 11:00 a.m. All in favor of the Motion say 'aye'; opposed, 'no'. The 'ayes' have it, and the House stands adjourned."

Clerk McLennand: "Perfunctory Session will be in order. Introduction - First Reading of Bills. Senate Bill 1427, offered by Representative Hannig, a Bill for an Act to amend the Illinois Drainage Code. First Reading of this Senate Bill."

Clerk McLennand: "First Reading of House Bills with the intent of leaving them on the Order of Second Reading. House Bill 3127, a Bill for an Act to amend the Property Tax Code. House Bill 3155, a Bill for an Act to amend a Professional Engineering Practice Act of 1989. House Bill 2489, a Bill for an Act to amend the Uniform Partnership Act. House Bill 2535, a Bill for an Act concerning alternative fuel. House Bill 3105, a Bill for an Act to amend the Cash Deficit Act. House Bill 3213, a Bill for and Act to amend

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

124th Legislative Day

May 3, 1994

the Illinois Income Tax Act. House Bill 3489, a Bill for an Act to amend the Illinois Income Tax Act. House Bill 3612, a Bill for an Act to amend the Code of Civil Procedure. House Bill 3852, a Bill for an Act to amend the County Economic Development Project Area Property Tax Allocation Act. House Bill 4111, a Bill for an Act concerning Investment of Public Funds. Second Reading of these Bills, that will be held on the Order of Second Reading."

Clerk McLennand: "House Bill 3224, a Bill for an Act in relation of Women-owned businesses. Second Reading of this Bill. It will be held on the Order of Second Reading."

Clerk McLennand: "House Bill 4043, a Bill for an Act to amend the Code of Criminal Procedure of 1963. House Bill 4132, a Bill for an Act to amend the Counties Code. Second Reading of these House Bills to be held on the Order of Second Reading."

Clerk McLennand: "Being no further business, the House Perfunctory Session will be adjourned, and the House will reconvene on Wednesday May 4, 1994 at the hour of 11:00 a.m."

Clerk Rossi: "Second Reading of Senate Joint Resolution 123. SENATE RESOLUTION BE IT RESOLVED BY THE SENATE OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the following amendment to Senate Rules 3-7 and 7-4, adopted January 13, 1993, be and hereby is adopted, with all new matter underscored and all matter which is to be omitted or superseded crossed out with a line: "3-7. Rules Committee. (a) The Rules Committee may consider any legislative measure referred to it pursuant to Rules 3-8 and 3-9, or by motion or resolution, ~~or by order of the Presiding Officer upon initial reading.~~ The Rules

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

124th Legislative Day

May 3, 1994

Committee may, with the concurrence of a majority of those appointed, sponsor motions or resolutions; ~~notwithstanding any other provision of these Senate Rules; any motion or resolution sponsored by the Rules Committee may be immediately considered by the Senate without reference to a committee.~~ (b) During even-numbered years, the Rules Committee shall refer to a standing committee of the Senate only appropriation Bills implementing the budget and Bills deemed by the Rules Committee to be of an emergency nature or to be of substantial importance to the operation of government. This subsection (b) shall apply equally to Senate Bills and House Bills introduced into or received by the Senate."; and "7-4. Motions, Generally. The following are general rules for all motions: 1. Every motion, except to adjourn, recess or postpone consideration, shall be reduced to writing if the Presiding Officer desires it. Unless otherwise provided in these Senate Rules, no second shall be required to any motion presented to the Senate. ~~The Presiding Officer may refer any motion to the Rules Committee;~~ 2. Before the Senate debates a motion, the Presiding Officer shall state an oral motion and the Secretary shall read aloud a written motion. 3. After a motion is stated by the Presiding Officer or read by the Secretary, it shall be deemed in the possession of the Senate, but may be withdrawn at any time before decision by consent of a majority of the Senate. 4. If a motion is divisible, any member may call for a division of the question. 5. Any question taken under consideration may be withdrawn, postponed or tabled by unanimous consent or, if unanimous consent is denied, by a motion adopted by a majority vote. Second Reading of this Senate Joint Resolution. Perfunctory Session now stands adjourned."

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
DAILY TRANSCRIPTION OF DEBATE INDEX

94/10/17  
12:37:54

MAY 03, 1994

HB-2489	SECOND READING	PAGE	137
HB-2535	SECOND READING	PAGE	137
HB-2627	THIRD READING	PAGE	7
HB-2628	MOTION	PAGE	2
HB-2686	THIRD READING	PAGE	15
HB-2704	THIRD READING	PAGE	103
HB-2729	SECOND READING	PAGE	128
HB-2729	THIRD READING	PAGE	129
HB-2799	SECOND READING	PAGE	120
HB-2799	THIRD READING	PAGE	121
HB-2802	THIRD READING	PAGE	17
HB-2830	THIRD READING	PAGE	104
HB-2866	THIRD READING	PAGE	28
HB-2866	THIRD READING	PAGE	31
HB-2866	OUT OF RECORD	PAGE	28
HB-2937	SECOND READING	PAGE	122
HB-2937	THIRD READING	PAGE	128
HB-3057	THIRD READING	PAGE	95
HB-3090	THIRD READING	PAGE	106
HB-3100	THIRD READING	PAGE	107
HB-3105	SECOND READING	PAGE	137
HB-3127	SECOND READING	PAGE	137
HB-3133	THIRD READING	PAGE	108
HB-3155	SECOND READING	PAGE	137
HB-3213	SECOND READING	PAGE	137
HB-3224	SECOND READING	PAGE	138
HB-3380	THIRD READING	PAGE	28
HB-3380	POSTPONED CONSIDERATION	PAGE	31
HB-3439	THIRD READING	PAGE	33
HB-3457	THIRD READING	PAGE	34
HB-3489	SECOND READING	PAGE	138
HB-3498	THIRD READING	PAGE	43
HB-3612	SECOND READING	PAGE	138
HB-3704	THIRD READING	PAGE	44
HB-3770	RECALLED	PAGE	62
HB-3770	THIRD READING	PAGE	62
HB-3770	THIRD READING	PAGE	69
HB-3779	THIRD READING	PAGE	55
HB-3841	THIRD READING	PAGE	79
HB-3852	SECOND READING	PAGE	138
HB-3912	THIRD READING	PAGE	85
HB-3975	THIRD READING	PAGE	82
HB-4043	SECOND READING	PAGE	138
HB-4104	THIRD READING	PAGE	87
HB-4111	SECOND READING	PAGE	138
HB-4132	SECOND READING	PAGE	138
HB-4176	THIRD READING	PAGE	92
SB-1427	FIRST READING	PAGE	137
HR-2514	ADOPTED	PAGE	136
HR-2514	RESOLUTION OFFERED	PAGE	130
SJR-0123	SECOND READING	PAGE	138
SJR-0123	MOTION	PAGE	136

SUBJECT MATTER

HOUSE TO ORDER - SPEAKER CURRIE	PAGE	1
PRAYER - REVEREND EUGENE GREENE	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
ROLL CALL ATTENDANCE	PAGE	1
REPRESENTATIVE MCPIKE IN THE CHAIR	PAGE	4
AGREED RESOLUTIONS	PAGE	4
DEATH RESOLUTION	PAGE	4
GENERAL RESOLUTIONS	PAGE	5
REPRESENTATIVE STECZO IN THE CHAIR	PAGE	90

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 03, 1994

SUBJECT MATTER

COMMITTEE REPORTS	PAGE	93
REPRESENTATIVE MCPIKE IN THE CHAIR	PAGE	94
REPRESENTATIVE STECZO IN THE CHAIR	PAGE	110
REPRESENTATIVE MCPIKE IN THE CHAIR	PAGE	114
HOUSE ADJOURNED	PAGE	137
PERFUNCTORY SESSION	PAGE	137
PERFUNCTORY SESSION ADJOURNED	PAGE	139