

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

128th Legislative Day

May 10, 1994

Speaker McPike: "The House will come to order. The Chaplain for today is Reverend Jack Wagoner of the Pleasant Grove Bible Chapel in Danville, Illinois. Reverend Wagoner is the guest of Representative Bill Black. The guests in the balcony may wish to rise and join us for the invocation."

Reverend Jack Wagoner: "Let us bow our hearts and heads together dear people in a moment of quiet prayer. Our Heavenly Father we thank Thee for the privilege of prayer. We are thankful for Thy help and Thy guidance as available to all who are willing to humble themselves and call on Thee for that help and guidance. Thou has told us in Thy word our Bibles that been if any lack wisdom. Let them call upon Thee who giveth all men liberally and uprath not it shall be given him. Thou has told us in Thy word that if my people who are called by My name shall humble themselves and pray, and seek my face and turn from their wicked ways then will I hear from heaven and will forgive their sin and will heal their land. We would confess to Thee, our God, that our land is in desperate need of Thy healing touch, for we have strayed far from the faith of our Fathers. Therefore; our God we pray that though might impress upon our min what it truly means to be an American, that it is not one working against other but it is everyone working together for the good of all. Heighten our gratitude for the blessing that Thou has so lavishly bestowed upon us. As a nation we have been abundantly blessed and we thank Thee for it. Be pleased we pray to bless these Representatives for the people of the State of Illinois who have dedicated their lives and the service of others. We realize dear God that all of us are inadequate in ourselves for the tasks that Thou has called us to perform and Thou knowest the difficulties these Representatives have to face

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and the grave decisions they must make. We pray with them and for them that Thy will be done and Thy program be carried out above party, or personality, beyond time or circumstance, for the good of our state, for the good of America, and for the good of the world itself. Humble us all dear Lord before it's too late. Restore, we pray, the dreams of our forefathers and forbid that we should be willing to settle for anything less. Our only hope is in Thee, we have seen a distinct downward trend in the morality of our people, help us to see that our salvation is in Thee and in Thy righteousness. And may we say with a psalme of old I will lift up mine eyes and the hills from whence cometh my help. My help cometh from the Lord which made Heaven and Earth. And so our Fathers we finish our prayer of invocation unto Thee, we do lift our hearts to Thee, who dwelleth in the heavens, for Thou art our only hope. We commit these Representatives unto Thee with the work of this day before them, may they as workers in the work that they do, have Thy blessing. These things we pray in the name of the One who loved us and gave Himself for us, even Jesus Christ our Lord. Amen."

Speaker McPike: "We will be led in the Pledge of Allegiance by Representative Tom Johnson."

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

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

Kubik: "Thank you, Mr. Speaker. Let the record reflect that all Republicans are present today."

Speaker McPike: "Thank you. Representative Currie."

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Currie: "Thank you, Speaker. Let the record show that Representative Charles Morrow is excused today."

Speaker McPike: "Thank you. Mr. Clerk, take the record. One Hundred Seventeen Members answering the Roll Call. A quorum is present. Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. For all the benefit of you Cardinal fans that have been wailing and frailing in your anxieties because of this loss, we are going to pick up the story as we talked about last week. When I got on the House floor last week I said I don't care where the Chicago Cubs end up at the end of this Season. Whether they have the worst record in the major leagues, but all I know, and all I desire is that when they go to Busch Stadium, that artificial stadium with that phony grass, when they beat the Cardinals in their own stadium that to me is the height of success in major league baseball."

Speaker McPike: "Representative Walsh."

Walsh: "Thank you, Mr. Speaker. Representative Novak is certainly a wise man and obviously very knowledgeable about baseball. And I was wondering if you could answer a question for me? What do you think...what do you think the likelihood of the Cubs sweeping the Cardinals is this week?"

Novak: "Representative Walsh, I think to answer that question, the likelihood for the Cubs to sweep, sweep, let me emphasis that word, sweep the Cardinals this series is about as likely as an eclipse occurring on May 10, 1994."

Walsh: "Thank you, Representative."

Speaker McPike: "Representative Granberg."

Granberg: "Two points, Mr. Speaker. As I was walking into...as I was walking into the chamber someone asked me, they said,

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something strange is going on and I said what is that, the eclipse? And they said no the Cubs won a game. The second point, I want to congratulate Representative Novak and the Cubs for finally attaining a 300 winning percentage, they are now at 302, that is quite an achievement and I'm sure they will be right there at the end of the season."

Speaker McPike: "Agreed Resolutions."

Clerk Rossi: "House Resolution 2587, offered by Representative Weaver; House Resolution 2588, offered by Representative Balanoff; House Resolution 2589, offered by Representative Krause; House Resolution 2590, offered by Representative Balanoff; House Resolution 2591, offered by Representative Leitch; House Resolution 2592, offered by Representative Weller; House Resolution 2593, offered by Representative Weller; House Resolution 2594, offered by Representative Weller; House Resolution 2595, offered by Representative Weller; House Resolution 2596, offered by Representative Weller; House Resolution 2597, offered by Representative Weller; House Resolution 2598, offered by Representative Weller; House Resolution 2599, offered by Representative Weller; House Resolution 2601, offered by Representative Lindner; House Resolution 2602, offered by Representative Leitch; House Resolution 2603, offered by Representative Maureen Murphy; House Resolution 2604, offered by Representative Biggins; House Resolution 2605, offered by Representative Rutherford; House Resolution 2606, offered by Representative Gash; House Resolution 2607, offered by Representative Novak; House Resolution 2608, offered by Representative Moseley; House Resolution 2609, offered by Representative Burke; House Joint Resolution 153, offered by Representative Balanoff; Senate Joint Resolution 149, offered by Representative Ryder; Senate Joint Resolution

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151, offered by Representative Mulligan."

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

Clerk Rossi: "House Resolution 2585, offered by Representative Tim Johnson, with respect to the memory of Jasper Lewis. House Resolution 2586, offered by Representative Tim Johnson, with respect to the memory of Donald Ray Black. House Resolution 2600, offered by Representative Deering, with respect to the memory of Mark Anthony Heldner. Senate Joint Resolution 156, offered by Representative Hoffman, with respect to the memory of Senator Sam Vadalabene."

Speaker McPike: "Representative Granberg moves for the adoption of the Death Resolutions. All those in favor say 'aye'; opposed 'no'. The 'ayes' have it. The Death Resolutions are adopted. Committee Reports. Supplemental Calendar. Mr. Clerk."

Clerk Rossi: "Supplemental Calendar #1 is being distributed."

Speaker McPike: "Supplemental Calendar #1 on the Motion, the Chair recognizes Speaker Madigan. Speaker Madigan."

Madigan: "Mr. Speaker, I am waiting for some information. I am waiting for some information."

Speaker McPike: "All right."

Madigan: "Carol Braun used to tell me that knowledge is power. So we do need knowledge."

Speaker McPike: "Speaker Madigan."

Madigan: "Mr. Speaker, I rise to support the Motion by Mr. Granberg to suspend the posting requirements for a variety of Senate Bills which have been approved for consideration by the Rules Committee. The House Rules Committee received 167 Bills from the Senate. Of those 167 the Rules

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Committee has approved 136 for consideration by the House. Of the 136 approved for consideration, 69 are sponsored by Republicans in the Senate and 67 are sponsored by Democrats. So, as you shake your head, am I correct in thinking that we mean House Sponsors."

Speaker McPike: "House. House Sponsors, yes."

Madigan: "So, 69 are sponsored by House Republicans and 67 are sponsored by House Democrats. So the action of the Rules Committee, quite apparently, was very fair in terms of political party consideration, relative to these Bills. And so if you could quiet the cackling over there, Mr. Speaker. I would like to say again, that of the 136 approved for consideration, 69 are sponsored by Republicans and 67 are sponsored by Democrats. Of the 167 that came from the Senate, 16% of the 167 were sponsored by Senate Democrats, 16% of what came from the Senate was sponsored by Senate Democrats. And so in light of all that, Mr. Speaker, I move to support this Motion to permit the House Committees to begin immediate consideration of these Bills so that we can move along toward an orderly conclusion of this session."

Speaker McPike: "And on Representative Granberg's Motion, Minority Leader Daniels."

Daniels: "Well, Mr. Speaker, Ladies and Gentlemen of the House. We had a phenomena today occur when the moon eclipsed part of the sun and I would just point out that maybe that was the first warning that you ought to change your ways. And maybe this is a reaction to that phenomena that occurred and I am very pleased that you have let a number of the good Senate Bills out of committee, whether they be Republican or Democrat. But if I understand correctly, this is the third time now that we have a Motion from your

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side of the aisle to change the rules of the House that we agreed upon by Mr. Madigan and President of the Senate, Pate Philip. Rules of the House that you brought to us, without any input on this side of the aisle, and that we agreed to follow. You then came and you suspended those rules and changed the reporting dates for House Bills to the Senate, you then extended it for a second week, which we are in right now, you refused to call on Republican Bills, and now you say that because we have had good Senate Bills come over you have let a number of them out of Rules Committee. I agree with that, I think you made a wise decision, I think that's a wise course to have. But now what you want to do is the ultimate slap in the face to the people of Illinois. Because what you are asking is that we give them no notice, no adequate posting of what these Bills are all about in the House. So what you are saying now is, forget the fact that we've tramped on you through the last couple of weeks by not calling Bills sponsored by Republicans, each one, each Republican representing 97,000 people in this state, forget that fact all together, now we are going to slap the people once again and we are going to suspend these posting requirements on Senate Bills. Well, its just not going to work, we have now grown accustomed to the fact of the routine that we are going to follow from the other side of the aisle. We understand that these very Bills will be heard next week in committee and we have a whole week to hear those Bills. And we'll follow that rule. And we'll follow this week going through the charade that you have created last week by extending the deadline. And we will listen to your Bills. And we will stay on the floor. And we will debate these Bills, we'll make sure they are heard and next week we'll be here ready for

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committee on the very good Senate Bills that came out. And we will cooperate with you in committee and try to get those Bills out of committee, Republican and Democrat Bills, we will listen to the Amendments that you are preparing, sizeable in nature, which will try to put your Bills from the House, that you couldn't get out of the House because you couldn't run the House adequately and properly and you are going to try to put those in the Senate Bills. And we will be prepared for that action and then we will go to action on the Senate Bills. But until the time that the people of Illinois have adequate opportunity to look at these Bills, we're going to resist your Motion, simple as that. Not standing up on the floor, putting up on the board for the first time that we see it, the Motion to suspend the posting requirement. And to once again turn your back on the people of Illinois. We are going to oppose it."

Speaker McPike: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. First of all, this is not a change in the House rules. Let me correct the previous speaker, this is not a change in the House rules this is merely a Motion to suspend the posting notice. Secondly, I find it interesting this...we're trying to get Bills out before the Members, all the Members, Republican and Democratic Members, before the public. There was a slow down the last few weeks so Bills couldn't be considered and I understand the argument for that. But now in turn we see the arguments, they don't want any Bills out of committee. Well, you can have it one way or the other, I guess, but I don't think you can have it both ways. The people, the Members, want their Bills, the people want to hear the Bills, so let's hear the Bills."

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

Wennlund: "Thank you, Mr. Speaker. Problem with the inquiry, I believe it takes 71 votes."

Speaker McPike: "You are correct."

Wennlund: "And in addition to that, Mr. Speaker, I am joined by four of my other colleagues in pursuant to Rule 55 (c) and request a record vote on the Motion."

Speaker McPike: "Yes, we will have a roll call. Representative Brady on the Motion."

Brady: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in support of Representative Daniels, Leader Daniel's, remarks. Although I must say I am very happy to see that Speaker Madigan is admitted that we have wronged this General Assembly and the people of Illinois by last week going through the motions we went through and yet this week. But in agreeing with Leader Daniels I must say that two wrongs don't make a right and Leader Daniels is so right. The people of the State of Illinois need time to take a look at the Bills that are over here and we must insure that they have that right to do so. So I would suggest that everyone consider the fact that although one wrong has occurred we don't allow another wrong to occur, understanding that two wrongs do not make a right."

Speaker McPike: "Representative Granberg has moved to suspend the posting requirements on all the Senate Bills on Supplemental Calendar #1. All those in favor of the Motion, vote 'aye'; opposed vote 'no'. This requires 71 votes. Have all voted who wish? The Clerk will take the record. On this Motion, there are 66 'ayes' and 51 'noes'. The Motion fails. Government Administration, Third Reading. Representative Pugh, House Bill 33...House Bill 3386. This Bill has been read a third time previously."

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Mr. Clerk, is that correct? All right, read the Bill."

Clerk Rossi: "House Bill 3386, a Bill for an Act amending the Unified Code of Corrections. Third Reading of this House Bill."

Speaker McPike: "Representative Pugh."

Pugh: "Yes, Sir, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3386 was designed merely to correct a minor oversight in the transference of powers and duties by the parole and pardon board which was abolished in 1977 and transferred to the Prison Review Board in 1978. And the Prison Review Board was designed to take over the orderly transition of the Parole and Pardon Board. In that transition, the letter of the law got a bit miscued, the Prison Review Board was designed to through a panel of at least three members, hear cases of individuals who were sentenced under the old law prior to the Class X Felony Law of 1978 and to make a determination based on their decision. What has happened is that the Prison Review Board has went out and sent one member to do what was mandated by three members and we're attempting to correct that through this legislation. And this legislation is the same piece of legislation, Mr. Speaker, that we passed out of the House, with a unanimous vote, last year. And I am available to answer any questions."

Speaker McPike: "On the Gentlemen's 'do pass' Motion, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We've beaten this Bill several times. I think you all know by now what its going to do is, it is going to increase the cost by 51 at least \$51,000 a year for the parole board. Presently, only one member of the parole board has to travel to all 26 adult institutions in this

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state at least once every month to conduct various kinds of parole hearings. This would increase that and require three members of the parole board to travel to each of those 26 institutions at least once a month. And increase the cost to the state at least by \$51,000 a year. Unfortunately, because of the number of parole hearings and year after year after year, we just don't have the funds to be able to fund this type of a parole system. We beat it before it should be beaten again, vote 'no'."

Speaker McPike: "Mr. Pugh, to close."

Pugh: "Mr. Chairman,..."

Speaker McPike: "I'm sorry. Representative Davis had her light on. Representative Davis."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Body. I think it is important that we realize that legislation that came out of this Body is being misinterpreted. The legislation that placed the review board, instead of the parole board in place, states that they should have three member panels to interview prisoners. Now they decided on their own to change it to one member and it doesn't mean those other two are out busy somewhere else, it does not mean that at all. It means that those other two just choose not to go at that particular moment. And I think we do ourselves a terrible injustice when we allow legislation that has passed out of here, with one intent, to be terribly diluted. Now, for three people to go and talk to a potential parolee, in my opinion, is much more significant than one person. Then we also find when that one person goes back to the entire 12 member board, perhaps they don't want to listen to one, and if there were two others with that person they could listen. We have a serious crisis in the State of Illinois, we have a crime

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crisis, and we have a overcrowded prison crisis. This is the beginning to solve both of those issues. And I urge you to give this an 'aye' vote. I believe it passed out of this House before, Representative Pugh, is that correct? It passed out of here before, it went all the way over to the Senate and I don't think we should back up off of this issue. Thank you, Mr. Speaker."

Speaker McPike: "Representative Mulligan."

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

Speaker McPike: "Yes, he will."

Mulligan: "Representative Pugh, last week we left upon this issue and there was some question as to whether the three members would vote or whether they'd go back and the 12 members would vote on the parole. Have you got the answer to that?"

Pugh: "Yes. And the way that the legislation is designed, it would make three members...the way it is currently written, only one member goes back to three members. One member goes out and does the interview and he goes back to at least three members. We're saying there is a 12 member board, we want at least three members to interview the case and then go back to the 12 member board and make the decision."

Mulligan: "But will the 12 member board vote on it or..."

Pugh: "The 12 member board will have the final vote."

Mulligan: "It was my understanding that that was not the case. I have no problem with three members interviewing, rather than one. But I do have a problem with the three members making the decision. And I do have a problem with...what type of felons are we talking about or criminals are we talking about?"

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Pugh: "We are talking primarily about individuals that were sentenced prior to 1977 with Class X Felonies and this range from armed robbery to murder. And these individuals because the Class X Felony law came into effect in 1978, they were caught in somewhat of a chasm and they were not allowed to receive what's called flat sentencing. So they are...they have what's interrupted as indeterment sentences. That means that they might have from 20 to 100 years, they might have 20 to 60 years, they have served their minimum, which is for the most part 20 years but they don't know when, if ever, what their outdate is going to be. What this Bill does is merely allows them the opportunity to have to make their case to three members of the board as opposed to one member of the Prison Review Board."

Mulligan: "I'm reluctant to belabor the point, but we still don't have the answer as to whether three members alone will decide this issue, or whether the three members go back for a vote of the total 12 members."

Pugh: "And you are absolutely right, that was a point that needed to be clarified. We have an Amendment, we have an Amendment, that would address that concern."

Mulligan: "Has that Amendment been filed?"

Pugh: "It is my...Mr. Speaker, can we have the Bill taken from the record?"

Speaker McPike: "Take the Bill from the record."

Pugh: "With leave to come back?"

Speaker McPike: "House Bill 2617. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2617, a Bill for an Act amending the Nursing Home Grant Assistance Act. Third Reading of this House Bill."

Speaker McPike: "Representative Prussing."

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Prussing: "Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2617 is to correct an error. People who paid the Granny Tax were promised a refund and the state started paying the refunds early so the people who were owed money for the final quarter did not receive a payment. There was a question raised about the origin of this Bill by Representative Johnson last week and I would like to respond to that question that I received a letter from a constituent on September 15, 1993, pointing out this problem and that is the reason that I introduced the Bill. And I would urge 'aye' votes on this. Thank you."

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

Black: "Yes, thank you very much, Mr. Speaker. First of all an inquiry of the Chair. Was this Bill on postponed consideration?"

Speaker McPike: "No. It was taken out of the record last Friday."

Black: "I'm sorry. Okay. All right. Will the Sponsor yield?"

Speaker McPike: "Yes, she will."

Black: "Thank you very much. Representative, the Bill, and if you have staff around, you may want to take a look at this. In the compiled statutes Chapter 305, I believe, dealing with duration of these grants, it says the grants under the nursing home assistance program created by this act shall be made only for the state fiscal year of 1993. Now given that this is in the compiled statutes, is there anything in your Bill that corrects or overturns that particular statute?"

Speaker McPike: "Representative Prussing."

Prussing: "The Bill is very specific in that it specifies that people who paid the tax and did not receive the promised

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refund for the fourth quarter are entitled to the refund for that quarter."

Black: "But does the Bill specifically say that it is retrospective? Going back into FY '93? If it does I can't find it in there."

Prussing: "It says, individuals during the fourth quarter of fiscal 1993 who did not receive a grant for that quarter or the fourth quarter of fiscal 1992."

Black: "All right. Does the Bill...you're right...Thank you. Does the Bill have any...I assume we at some point have to pass a companion appropriation Bill?"

Prussing: "That is correct."

Black: "All right. And so this is the substantive Bill that has nothing to do with actually appropriating the dollars necessary to pay for the program, correct?"

Prussing: "That's right."

Black: "Do you have a companion Bill or trailer that will be coming along later?"

Prussing: "That will be done during the budget process."

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

Speaker McPike: "Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. To the Bill. This is part of an intriguing process that much like the eclipse today, miracles never cease. It seems like my name was mentioned last week in reference to this Bill. I see that we have Co-Sponsors added and I appreciate the addition of those Co-Sponsors. Sorry that my name is not up there but Representative, I...the miracle I refer to is that something happened in your district that happened in my district at almost the same time. We had filed legislation I think exactly like this Bill, if not, very very similar previous to your Bill. It was deemed by the Rules

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Committee as to not be appropriate to be heard this year. It is amazing when they got to your Bill, that was deemed appropriate. But, in the words of the Speaker, this process is about fairness and he referred to that fairness today when he said about half of the Bills out of Rules Committee that are Senate Bills are Republican sponsored and about half are Democrat sponsored and he called that fair. And I hope that the next time you are speaking with him you will ask him then what the definition of the process was up to this point. And it can be characterized as anything but fair, but I'm not worried about the authorship of the Bill, I think we ought to talk about the substance. And I stand in support and when the appropriations process to pay this Bill for these grants is in need of support, I will put my vote up there too. And I salute you for this fine idea that you can up with."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker. I would like to know if the Sponsor will yield for a question?"

Speaker McPike: "Yes, she will."

Parke: "Representative, last week Representative Balanoff presented this Bill on your behalf and did a good job. In the conversation it was noted that this was the same Bill that Representative Stephens presented. Would you agree that this is pretty much the same Bill?"

Prussing: "Representative Parke, I believe that they're on the same topic but if you read both Bills, you will see that they are different. And I do have documentation that I was contacted by my constituents and I believe this is a statewide problem so it is not unusual that more than one Representative would introduce a Bill."

Parke: "So it is very similar though to Representative?"

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Prussing: "Right. That's correct."

Parke: "And last week also I think there was an arrangement that would allow him to listed as a hyphenated Co-Sponsor on this Bill. Is that arrangement been tried to be worked out for him, for Representative Stephens? Because we would feel good about it, if he was part of this."

Prussing: "I did not hear that he wanted that, but if he would like to be a Co-Sponsor that would be fine."

Parke: "Okay. Well, sounds like a good Bill. We thank you."

Prussing: "Thank you."

Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 117 'ayes' and no 'nays'. House Bill 2617, having received the Constitutional Majority, is hereby declared passed. Government Administration, Second Reading appears House Bill 2808. This Bill has been read the second time previously. Mr. Clerk, are there any Amendments?"

Clerk Rossi: "Amendment #1 was adopted in committee. And Amendment #2 has been previously adopted on the floor. Floor Amendment #3 was withdrawn. Floor Amendment #4, offered by Representative Cross."

Speaker McPike: "Amendment #4, Representative Cross. The Gentleman withdraws the Amendment. Further Amendments?"

Clerk Rossi: "Floor Amendment #5, offered by Representative Biggert."

Speaker McPike: "Who was it, Mr. Clerk?"

Clerk Rossi: "Representative Biggert."

Speaker McPike: "Representative Biggert. The lady withdraws her Amendment. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 2808, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker McPike: "Representative Raschke-Lind."

Raschke-Lind: "Thank you, Mr. Speaker and Members of the House. This Amendment replaces everything and becomes the Bill. The Amendment expands the criminal code and provides safe zones for medical facilities and clinics. Similar to those already implemented for schools at this time. And it also allows for provisions to include enhanced penalties for the unlawful use or possession of a weapon or firearm on the property of a medical facility or within 1000 feet of a medical facility."

Speaker McPike: "The lady moves for the passage of the Bill. And on that Motion, Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. First an inquiry of the Chair? The Sponsor indicated that the Amendment becomes the Bill, I'm confused."

Speaker McPike: "Yes."

Black: "The underlying Bill is still there, isn't it?"

Speaker McPike: "Mr. Clerk, what Amendments are on the Bill?"

Clerk Rossi: "Committee Amendment #1 and Floor Amendment #2."

Speaker McPike: "All right. Mr. Black, there are two Amendments on the Bill."

Black: "All right. Thank you very much. Will the Sponsor yield?"

Speaker McPike: "Yes, she will."

Black: "Representative, in your comment you said the Amendment becomes the Bill. The Bill is still the same as amended, correct? So, the underlying Bill still deals with enhanced penalties for weapons violations that occur on or around a medical facility. Is that correct?"

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Raschke-Lind: "That is correct."

Black: "All right. Is...I see, Amendment #2 is on the Bill so we will have plenty of policemen to enforce it. But let me ask...do you adequately define medical facility in the Bill? I think that was...the reason I'm asking you that, I think that was a problem earlier on, I can't remember but I think there was a definitional problem of what is, in fact, a medical facility. For example, if I'm going hunting and I transfer my legal, my totally legal shotgun, into my brother's four wheel drive vehicle and I am within 500 feet of a dentist office, for example, I wouldn't be in violation of this would I?"

Raschke-Lind: "This has to be an institution where medical care is provided. And a medical facility is defined as a public or private hospital, clinic, medical school, medical training institution, health care facility, physicians office, infirmary, dispensary, ambulatory surgical treatment center or other institution or location where medical care is provided to a person."

Black: "Okay. So, it could technically then include a physicians office, could it not?"

Raschke-Lind: "Yes, it could."

Black: "Okay. The only other question I have is, well two actually, do you have any idea why the State Bar Association has expressed their concern about the Bill?"

Raschke-Lind: "No, I do not know."

Black: "All right. Representative, is this the first Bill that you have carried to the House Floor?"

Raschke-Lind: "Yes, it is."

Black: "And you carry one with enhanced penalties on criminal law? Very very difficult, very difficult. Well, I admire your courage for bringing such a strict Bill full of

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penalties to the floor for your first try and I appreciate your patience."

Raschke-Lind: "Actually, Representative Black, the coalition for a safer community and the representatives from the medical facility came to Representative Giorgi, but since his passing they then came to me so that I could carry this Bill."

Black: "Okay. Well, thank you very much."

Speaker McPike: "Representative Johnson."

Johnson: "Yes. Will the Sponsor yield?"

Speaker McPike: "Yes."

Johnson: "Representative, I just want to be absolutely certain because I also heard the word Amendment becoming the Bill and so on. As I recall this from committee this was basically just dealing with enhanced penalties for weapons found with on a person within a medical facility and the boundaries around it. Is that correct?"

Raschke-Lind: "That's correct."

Johnson: "Nothing else has been added to it?"

Raschke-Lind: "Nothing has been added."

Johnson: "Okay. Thank you."

Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Saviano is over here, he is very upset, someone vote him 'aye' please. Vote Representative Saviano 'aye'. Vote him 'aye' please. Mr. Clerk, vote him 'aye'. Okay. Have all voted? Have all voted who wish? I think you did it Representative Saviano. I think you did it. The Clerk will...Have all voted who wish? The Clerk will take the record. On this Motion, there are 107 'ayes' and 8 'noes'. House Bill 2808, having received the Constitutional Majority, is hereby declared passed. Representative

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Hughes."

Hughes: "Yes, I would like the record to show a 'yes' vote, please."

Speaker McPike: "All right. Representative Hughes had intended to vote 'aye' on that Bill and the record will so reflect. And Representative Flowers. Representative Flowers and Representative Wirsing, the record will reflect that they also desire to vote 'aye'. And Representative Clayton had intended to vote 'aye', also. House Bill 3373. Representative Biggins also intended to vote 'aye' on the previous Bill. House Bill 3373 has been read a second time previously. Are there any Amendments?"

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

Speaker McPike: "Representative Murphy. Representative Granberg."

Granberg: "Thank you, Mr. Speaker. I don't believe Amendment #1, a point of order, Amendment #1 is germane to the underlying Bill. And I would ask the Parliamentarian to so review."

Speaker McPike: "Mr. Granberg."

Granberg: "Yes, Sir, because of the Sponsor I would like to withdraw the objection."

Speaker McPike: "Representative Murphy. Present your Amendment."

Murphy, M.: "Thank you. Amendment #1 would define nuisance also meaning any property in which any illegal activity involving controlled substances as defined in the Illinois Controlled Substances Act or cannabis is defined in the Cannabis Control Act takes place or on any property in which any street gang related activity as defined in the Illinois Street Gang Terrorism Owners Prevention Act takes place. And I will request a roll call vote on that, I appreciate..."

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Speaker McPike: "There is no objections to this Amendment."

Murphy, M.: "Okay, thank you."

Speaker McPike: "Question is, 'Shall this Amendment be adopted?'

All in favor say 'aye'; opposed, 'no'. The 'ayes' have it.

And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 3373, a Bill for an Act concerning disclosure of information in real property transfers. Third Reading of this House Bill."

Speaker McPike: "Representative Ronen."

Ronen: "Speaker, Ladies and Gentlemen of the House. House Bill 3373, is rather straight forward, it just requires that sellers of property notify buyers in writing if the property is subject to court proceedings as a result of illegal drug activity. This comes out of a task force that has been working in my neighborhood for...in my district for the last 12 months. With the increase in narcotics, what we have found is, and the attention on drug houses, what we found is unscrupulous landlords that are trying to get rid of property and selling them to unsuspecting buyers who are then left with the problems. I know of no opposition to this Bill and I move for its passage."

Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 113 'ayes' and 1 'no'. House Bill 3373, having received the Constitutional Majority, is hereby declared passed. House Bill 3452. The Bill has been read a second time previously. Mr. Pugh had intended to vote 'aye' on House Bill 34...on House Bill 3373. House Bill 3452 has been

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read a second time previously. Are there any Amendments?"

Clerk Rossi: "No Committee Amendments. Floor Amendment #1, offered by Representative Hoeft."

Speaker McPike: "Representative Hoeft. Withdraws the Amendment. Further Amendments?"

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

Speaker McPike: "Representative Cowlshaw. Withdraws the...lady withdraws the Amendment. Further Amendments?"

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

Speaker McPike: "Representative Rotello."

Rotello: "Withdraw the Amendment, Sir."

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

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

Speaker McPike: "Mr. Rotello."

Rotello: "Move the passage of this Amendment."

Speaker McPike: "Would you explain it?"

Rotello: "Yes, Sir. Amendment #4 would create a committee to look at the creation of a Mentor Mister Training Program for people in the workplace to have some type of training to deal with kids that are involved in the school to work transition programs. I think this is an important step to developing a world class globally competitive workforce and insures adequate supply of trained and skilled individuals. Both dealing with the kids and the kids themselves. It is a real important link to the progress in our school to work transition program. And I would ask for your support."

Speaker McPike: "On the Motion, no opposition. On that, Representative Davis."

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Davis: "Representative, I just have to ask, is this for any one particular area or is it for the whole state?"

Rotello: "This program would be statewide, Representative."

Davis: "And is there an existing program already?"

Rotello: "No there is not, there is...the Governor has budgeted for the tech prep concept, \$5 million. And recently the federal government has approved \$300 million for this school to work program. And the State of Illinois is requesting \$7.8 million and this program is estimated to cost around \$2.5 million but the moneys are becoming available through the federal government."

Davis: "Does your school district have to apply, is the grant initiated or?"

Rotello: "Well, this...this committee will first set up a structure to deal with it and then the school districts will have to deal with the State Board of Education in putting this program in place."

Davis: "Thank you. Thank you, Representative."

Rotello: "Yes, Ma'am."

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

Clerk Rossi: "Floor Amendment #5, offered by Representative Hoeft."

Speaker McPike: "Mr. Hoeft withdraws the Amendment. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 3452, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker McPike: "Representative Rotello."

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

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House. I would appreciate a 'aye' vote on this. It has the support of the Illinois Manufacturers Association, and the Illinois Education Association, and the State Board of Education. So I think it...everybody's on board and we think that this is a positive move to putting Illinois at the forefront on the school to work transition."

Speaker McPike: "Mr. Black, on the Motion? No. The question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. Mr. Black, why is your light on? Did you want to speak on this? No. On this Motion, there are 115 'ayes' and no 'nays'. House Bill 3452, having received a Constitutional Majority, is hereby declared passed. Mr. Black, for what reason do you rise, Sir?"

Black: "Yes, an inquiry of the Chair, Mr. Speaker. On the order of alphabet soup, I noticed that we're on Rotello, you must of skipped over Republican. While we're on the R's, E comes before O. Was it just an oversight?"

Speaker McPike: "It was an oversight."

Black: "Thank you. I except you will rectify that shortly?"

Speaker McPike: "Absolutely."

Black: "Thank you."

Speaker McPike: "House Bill 3917 has been read a second time previously. Are there any Amendments?"

Clerk Rossi: "Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Saltsman."

Speaker McPike: "Mr. Saltsman."

Saltsman: "Yes, thank you, Mr. Speaker. Amendment #2 is requested by John Deere and Company. I don't think that it is needed but it is a safety valve that they think would be

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more comfortable with. So with that I ask for its passage."

Speaker McPike: "Gentleman, did you move adoption of the Amendment? And on that Motion, Representative Kubik."

Kubik: "Thank you, Mr. Speaker. Question of the Sponsor?"

Speaker McPike: "Yes, the Sponsor yields."

Kubik: "Representative, perhaps I didn't hear all of your explanation of the Amendment. Could you perhaps describe what the Amendment does?"

Saltsman: "Yes, I really don't think this Amendment is needed, but when the people from John Deere and Company approached me, we agreed to put this Amendment on the Bill and what it does it protects them, their companies are all in preference states that work with us, but this is more of a safety valve because they do have a 1,000 people in the State of Illinois that would cover them regardless of where their product was purchased, where their product was made at."

Kubik: "So essentially, did this exempt them from the provisions of this Bill?"

Saltsman: "Yes."

Kubik: "Thank you."

Saltsman: "And Caterpillar and all of our big companies that have several states where their products are made."

Speaker McPike: "Any further discussion? Further discussion? Representative Granberg."

Granberg: "Thank you. Representative Saltsman, I sorry to belabor this but one of the Members asked me, they couldn't hear your explanation of the Amendment so could our Members. Don, if you wouldn't, mind you go through that again, if you have the time?"

Saltsman: "Which Member?"

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Granberg: "Amendment #2."

Saltsman: "Yes, what it does, if you have over 100,000 employees you are not just a fake store front. This is put on for like Caterpillar, John Deere who has product coming in from all over and it protects them as not being hampered by a preference state. It is at their request."

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

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 3917, a Bill for an Act amending the Illinois Purchasing Act. Third Reading of this House Bill."

Speaker McPike: "Mr. Saltsman."

Saltsman: "Thank you, Mr. Speaker. This legislation was brought to me from a company up in Wheeling, Illinois. And the reason for this was, they did a contract with the State of Illinois for many years and we had a very good working relationship with them. However, they were underbid by a company out of Ohio, Ohio is not a preference state, Ohio does not let our contractors in this state contract with them with any type of a preference. With this type of legislation, what we are doing is, we are just taking a retaliatory measure of what one state does to us we will do in return. This is not to prohibit other states from working with us and it is not a buy Illinois Bill. This is a retaliatory Bill for those handful of states that have no preference that our people here are more subject to a bid and if the major part of the product is made right here in the State of Illinois. I ask for this Bill's passage."

Speaker McPike: "And on the passage Motion, Representative

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Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would rise in opposition to this Bill. I think the Sponsor is well intended on this Bill, but unfortunately I think this is one of those Bills where the idea might be a good one but the result is not such a good idea. What this is going to do in...the Department of CMS, the Central Management Services, is going to have to spend hours and hours to determine where...where these contracts will be performed. It will put every bit that we...that is let by the state agencies, every year vendors would be required to identify the location where the majority of the work of the contract will be performed. So it is not only going to be difficult to determine what is going on in the contract, but we're going to have to develop a whole new system as to determining where the work is actually going to be performed. And frankly, well I know the gentleman has good intentions, this is going to be almost impossible to determine. The construction industry has been opposed to this particular Bill and Representative Saltsman has been so kind as to exempt them out of it. We saw an Amendment just a moment ago to exempt other large industries out of the Bill. What is happening is, we are diluting this Bill which is a good idea, we're making a bad Bill better. But it is still a bad Bill and it just is going to create an enormous amount of paperwork and actually, is going to create a war between the states. It doesn't make sense, I really think you ought to think carefully about your vote on this issue because you may have companies in your district in which, who bid on contracts and may perform only 49% of the work in the State of Illinois and the other 51% somewhere else. They would

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be barred from bidding on this work, so your companies, while they are in Illinois may do a small portion of the work out of Illinois, will be barred from being able to bid on these contracts. It is a...it is a idea which I certainly understand why the Sponsor is doing it, but reality dictates this idea is not going to work. I would urge a 'no' or 'present' vote on this Bill."

Speaker McPike: "Representative Saltsman to close."

Saltsman: "Yes, thank you, Mr. Speaker. In...according to the last speaker, CMS is wrong they have put a printout out here that is not going to take no seven or eight people to do this. All that we are looking at are the states that won't recognize us. If it is Missouri we don't care, if it is Iowa we don't care, if it is Indiana we don't care because we have preference with those states. The only ones that we are looking at is the ones that don't give us preference and will not let our people come in there. This is retaliation on our part, this is not a buy Illinois Bill. CMS is wrong, they don't need any employees. All that this does is give CMS a weapon, it gives them a law that they need to straighten this program out with our contractors in the State of Illinois. So therefore, if you want to retain the jobs, if you want us to lose a \$2 million contract, like just happened to this little company, a union company lost a \$2 million contract to a bidder from Ohio because this...we have lost the jobs, we have lost the income, if it cost CMS a couple thousand dollars it is worth it to save the \$2 million worth of contracts that we have just lost in the last few months or can be recovered by this. Keep the jobs in Illinois and only give preference to the states that give preference to us, that is all I am asking you. The dozens, I think there

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is about a dozen states that we don't have preference with. If they don't recognize us we shouldn't recognize this. CMS is lobbied this heavy and if they are too damn lazy to take care of our contractors in the State of Illinois and our business in Illinois then let's get rid of CMS. That is what they are there for to do this little bit of research. This is a jobs Bill for Illinois and I ask for its passing."

Speaker McPike: "Question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Have all voted who wish? Saviano votes 'aye'. Have all voted who wish? The Clerk will take the record. On this Motion, there are 93 'ayes' and 20 'noes'. House Bill 3917, having received the Constitutional Majority, is hereby declared passed. Representative Andrea Moore."

Moore, Andrea: "Please reflect me as an 'aye' vote."

Speaker McPike: "Representative Moore had desired to vote 'aye' on House Bill 3917. House Bill 4210. This Bill has been read a second time previously. Are there any Amendments?"

Clerk Rossi: "No Committee Amendments. Floor Amendment #1, offered by Representative Hoeft."

Speaker McPike: "Mr. Hoeft."

Hoeft: "Mr. Speaker. Would you like to go through charter schools again?"

Speaker McPike: "Out of the record. Withdraws the Amendment. Further Amendments?"

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

Speaker McPike: "Mr. Cowlshaw. The lady withdraws the Amendment. Further Amendments?"

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

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Speaker McPike: "Representative Burke. Representative Burke. It is Amendment #3, Representative Burke."

Burke: "Yes, thank you, Mr. Speaker. Floor Amendment #3 to House Bill 4210 would ask that this legislation be made statewide as opposed to strictly for the City of Chicago which is the original Bill. So simply again, that this legislation would apply to the entire State of Illinois. This is a matter that was discussed in committee and all committee Members were aware of the fact that we were going to agree to this Amendment."

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

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

Speaker McPike: "Representative Ostenburg."

Ostenburg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment, in effect, postpones for one year the evaluation process that is conducted by the State Board of Education on school districts. This is in response to a number of complaints that have been raised from school personnel and teachers and board members around the state. That the specifics that the Board of Education is looking for have not been adequately detailed. This creates a one year moratorium it does not effect the evaluation process in other way."

Speaker McPike: "And on the Gentleman's Motion, Representative Biggins."

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

Speaker McPike: "Yes."

Biggins: "Representative, this suspension is at the request of the teachers and the administrators?"

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Ostenburg: "Representative, this Motion comes in response to requests that I have received in my district from teachers, from administrators, and from board members. So there are three different groups and superintendents also who have complained about the lengthy process involved in these reports that have to be filed and the fact that the state has not specified clearly and in final form how the reports are to be prepared."

Biggins: "But these are evaluations of the schools performance or the teachers performances?"

Ostenburg: "They are a combination of different things, but they include school improvement plans, things of that sort."

Biggins: "Isn't this a escaping an accountability that the public, you are not mentioning any parents requesting any delays of any evaluations, isn't this a possibility that the teachers and the administrators could be escaping responsibility for the performance of their schools?"

Ostenburg: "I think, that Representative, we are revisiting an issue that we talked about last week and that's the fact that the schools primary purpose is to impart education to the students. And as a result of the lengthy process that's involved in the preparation of these materials that interferes with the ability of teachers and administrators to provide the basic purpose that the school was intended for. But in addition to that, the fact that there are not clear guidelines and by the acting superintendents, a statement before the committee, those guidelines will not be finalized for probably another 15 months. The reports that are being prepared do not, in fact, adequately or accurately, reflect the conditions in the schools. So second and third and fourth reports are being requested on an ongoing basis. So, it is not a case of where we are

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failing to fulfill the responsibility, the failure has occurred on the part of the State Board of Education and not having the guidelines clear cut before this program was initiated. And instead what we are foreseeing is an ongoing preparation of guidelines and that handicaps the ability of teachers, principals, superintendents, board members to clearly respond in the fashion that they should. What this Amendment will do is call a one year moratorium, nothing else. So that the State Board of Education can, in fact, get it's act together and then we don't have school personnel engaged in lengthy processes that are for not. Because they will, in fact, know clearly what it is that they are suppose to be doing at the request of the State Board of Education."

Biggins: "Okay. I want to ask another question, you know Representative Erwin, from your side of the aisle, was sick last week and she missed some of this dialogue so I wanted...she might of not had a chance to play all the tapes yet. Is the State Board of Education have a position on this Amendment?"

Ostenburg: "I would presume that they're opposed, they were opposed in committee, even though the Bill passed out of committee overwhelmingly."

Speaker McPike: "On the Amendment, Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. I would like to make a comment since I was part of the group that did the negotiations for this. This process started years ago with virtually every group in the State of Illinois. It was an agonizing process, the IEA was involved, the administrators, manufacturing segment, virtually everyone across the board. This was negotiated, this was a compromise, I believe that we would be backing away from the commitments that everyone

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made in the process by postponing this. If there are problems let's work our way through, let's continue to try and find some way to measure the quality of our schools. I think it is a bad thing to back away from commitments that we have made before and at that all these parties made before it, I ask you to vote 'no'."

Speaker McPike: "Representative Davis."

Davis: "Thank you, Mr. Speaker. Representative Hoeft, I read your report, I think you wrote it in 1990, pretty good report. I was the lone 'no' vote in the House on this legislation, because I did not realize what some districts where going through. My understanding is that some districts submit their school improvement plans, have been rejected, and yet are not told exactly what the state board is seeking. It was suggested in our committee that the state board design some kind of form that will allow school districts to have a better idea of what the state board is seeking in fulfilling this requirement of assessing the entire district. We don't say you don't need assessment, all we are saying is give the state board an opportunity to complete it's writing up of that assessment and that is what is incomplete. They continue to change it because they are exactly not sure how to word for the school districts to get the desired results. At this time I do agree with this legislation and I think as Representative Ostenburg knows I have talked to a number of educators and I agree to vote 'yes' on this legislation because I think it is very wise and prudent at this time."

Speaker McPike: "Representative Ostenburg to close."

Ostenburg: "Thank you, Mr. Speaker. Let me say that in response to one of the comments that was made earlier. That this legislation is not intended or designed to interfere with

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the process at all. The process was a very well thought out one and it was very good. It is only the time lines that have caused the problems, what this one year moratorium will do is allow the State Board of Education to, in fact, put things in place so that all the schools of the state can accurately and adequately respond and, thereby, guarantee that we have the proper kind of assessment that we should for our schools. It doesn't change the requirements at all, all of those stay in place. It was an excellent compromise that was worked out. This only changes the time lines and I would urge you to support this Amendment and the interest of giving educators a better opportunity to provide accurate material back to the state."

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

Clerk Rossi: "Floor Amendment #5, offered by Representative Giolitto."

Speaker McPike: "Representative Giolitto. Out of the record. Lady withdraws the Amendment. Further Amendments?"

Clerk Rossi: "Floor Amendment #6, offered by Representative Sheehy."

Speaker McPike: "Representative Sheehy. Mr. Sheehy, do you withdraw this Amendment? All right. That...Amendment #5 has been withdrawn and Amendment #6 is now withdrawn. Further Amendments?"

Clerk Rossi: "Floor Amendments #7, offered by Representative Gash."

Speaker McPike: "Ms. Gash. Representative. I couldn't see you. The lady withdraws her Amendment. Further Amendments?"

Clerk Rossi: "Floor Amendment #8, offered by Representative

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Hoeft."

Speaker McPike: "Representative Hoeft. Withdraws the Amendment. Further Amendments?"

Clerk Rossi: "Floor Amendment #9, offered by Representative Kubik."

Speaker McPike: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #9 is House Bill 2771, which passed the Elementary and Secondary Education Committee. It would require that public schools to transfer the student records, disciplinary records to the new...the new school and this legislation was discussed on the House Floor earlier. I would be happy to respond to any questions you might have."

Speaker McPike: "Any discussion? Question is, 'Shall this Amendment be adopted?' All in favor...all in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments."

Clerk Rossi: "Floor Amendment #10, offered by Representative Black."

Speaker McPike: "Representative Black."

Black: "Yes, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #10 cuts across party lines upstate and downstate. It is an attempt to keep negotiations alive between the State Board of Education and your local school district. I think all of you are familiar with the argument, this underlying Bill got out of the Education Committee 19 to zero. All it says is, life, health, safety, bonds can be used to meet Americans with Disabilities Act requirements. I think we need to keep the Bill alive so we can continue to negotiate with the state board. I would ask your favorable consideration of Floor

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Amendment #10 to House Bill 4210."

Speaker McPike: "On that, Representative Novak."

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

Speaker McPike: "Yes."

Novak: "Yes, Representative Black, how does this Amendment affect the life safety bond aspect for those counties that are under the CAP."

Black: "I have been told, I don't know this for sure, but I've been told and we have information in our file, that it does not pertain or will not be subjected to that CAP because of the life held safety bond uniqueness. But I don't know if that is true or not. That is what I have been told."

Novak: "So in other words, a school district in Will County or in Lake County if they wanted...if they needed to make some improvements pursuant to the ADA but they would still have to be subject to the CAP, correct?"

Black: "We were told they would not. That doesn't make sense to me, I think I am following your line of thought. I don't know how they could be exempt from the CAP."

Novak: "I don't know either."

Black: "We were told that it would not apply."

Novak: "Okay. Thank you."

Speaker McPike: "Representative Santiago."

Santiago: "Would the Gentlemen yield for a question?"

Speaker McPike: "Yes."

Santiago: "Representative Black."

Black: "Yes, Sir."

Santiago: "Is the State Board of Education in favor of this Amendment?"

Black: "No. They are...I think it would be fair to characterize them as benign opposition. No that is not fair. They don't like this at all and I can understand that. I think

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if we...and I don't want to necessarily see this on the Governor's desk but I do think we have to negotiate. We have schools that are being sued under the American Disabilities Act on accessibility. And the state board is saying, 'well the ADA is a civil rights action not an accessibility matter so you can not use life, health, safety, bonds.' We're have going to have to work this out somehow and I think that this legislation, proposed legislation, simply keeps it alive and hopefully will help us negotiate some kind of a reasonable settlement."

Santiago: "I don't have any other questions."

Speaker McPike: "Question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed...Representative Hoeft, do you wish to talk on this? Proceed, Sir."

Hoeft: "I just think it is a critical issue to every single school in the State of Illinois. These mandates are coming down, you have the ability to get this done through the life safety Amendments, but the state board is not giving your schools the flexibility. This Bill is saying please let us be able to use those funds which are a part of the CAP, let them use those funds so that, in fact, the school district has flexibility to meet individual needs. I think it is mandatory for all of us to vote in support of our schools."

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

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 4210, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker McPike: "Representative Santiago."

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Santiago: "Thank you, Mr. Speaker and Members of the General Assembly. This is a great Bill has bipartisan support. I move to adopt...I move 'do passage', Mr. Speaker."

Speaker McPike: "Question is, 'Shall this Bill pass?' And on that Representative Lindner."

Lindner: "Yes, thank you, Mr. Chairman. Will the Sponsor yield?"

Speaker McPike: "Yes."

Lindner: "Since I was not in this committee, could you please tell me what the assessment process is and how much it will cost and is this is a mandate on schools?"

Santiago: "It's a...you could consider it as a mandate, but the state is currently doing this procedure. So it is an ongoing mandate if you want to call..."

Lindner: "You mean they are currently doing it? But..."

Santiago: "They are doing it, we are just modifying the process, in which...how they are doing it."

Lindner: "They're doing it with older children?"

Santiago: "Yes. They are doing it right now."

Lindner: "And you are reducing the age?"

Santiago: "Right."

Lindner: "Okay. Thank you."

Speaker McPike: "Representative Skinner."

Skinner: "Mr. Speaker, I admit to being confused, I have had the Sponsor of the last Amendment say that the life safety codes will be outside of the tax cap and yet the last speaker, speaking in favor of it, said it is within the CAP. I don't have a clue whether it is in or out but if it is outside the CAP it's going to mean tax increases without referendums in the collar counties and I don't think that's a good idea."

Speaker McPike: "Representative Persico."

Persico: "Thank you, Mr. Speaker. An inquiry of the Chair."

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What...Which Amendments were adopted to this particular Bill?"

Speaker McPike: "Mr. Clerk."

Clerk Rossi: "Amendment 3, 4, 9 and 10 have been adopted to the Bill."

Speaker McPike: "3, 4, 9 and 10."

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

Speaker McPike: "Yes, he will."

Persico: "Representative, basically what does your Bill do?"

Santiago: "I can only respond for my part of the Bill. You got question the other individuals on their part."

Persico: "I know the...using life safety bonds to comply with the ADA Act is one and Representative Ostenburg's Amendment was adopted."

Santiago: "Right."

Persico: "What other Amendment was on there?"

Santiago: "Representative Black's Amendment dealt with life safety bonds."

Persico: "That was life safety."

Santiago: "Right."

Persico: "So those two are on your Bill right now?"

Santiago: "You are correct."

Persico: "Thank you."

Santiago: "And Representative Kubik's Amendment was also adopted. And so was Representative Burke's. So you have more Republican Amendments adopted on this Bill than you had in the entire session so far."

Speaker McPike: "Representative Persico."

Persico: "And I think it is wonderful on your part to allow these Amendments to be put on and I think they are much needed and stand in full support of this Bill."

Santiago: "Put up, put up the votes up there then. Thank you,

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Mr. Speaker."

Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? The Clerk will take the record. On this Motion, there are 87 'ayes' and 21 'noes'. House Bill 4210, having received the Constitutional Majority, is hereby declared passed. House Bill 3353. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3353, a Bill for an Act in relation to family mediation. Third Reading of this House Bill."

Speaker McPike: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker and Ladies and Gentlemen of the House. House Bill 3353, which is a product of the Citizens Assembly Council on Women seeks to set forth standards for the establishment of mediation programs in Illinois. The legislation is based on recommendations for Supreme Court rules on mediation made by the Illinois Supreme Court Study Committee on mediation of child custody support and visitation disputes submitted September 15, 1992. It was amended to take into account some recommendations made by some of the Legal Services Support Center of Illinois and the Mediation Council of Illinois and to respond to some of the concerns that were raised by DuPage County. I would urge adoption of House Bill 3353."

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

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

Speaker McPike: "Yes, she will."

Biggert: "Representative, there were some concern by a few lawyers in DuPage County, have you had a chance to speak with them or do they still have concerns about this Bill?"

Schakowsky: "Well what we know is, that their concerns about child support were addressed in the Amendment and there is

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no longer the inclusion of child support. They were concerned about confidentiality and that was clarified in the Amendment. And they had raised some concerns about domestic violence, but that is the intention of the Bill to exclude from mediation, circumstances of domestic violence. We have not heard back any further from them regarding the legislation."

Biggert: "Okay. Thank you."

Speaker McPike: "Representative Lindner."

Lindner: "Thank you, Mr. Chairman. I rise in support of this Bill. The Kane County Family Law Mediation Committee has studied this Bill and would ask that the Legislature consider their views and pass this Bill and I would ask you to do the same. Thank you."

Speaker McPike: "Question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 114 'ayes', no 'nays'. House Bill 3353, having received the Constitutional Majority, is hereby declared passed. House Bill 2521. Mr. Clerk, read the Bill. Out of the record? House Bill 2811. 2811 has been read a second time previously. Are there any Amendments?"

Clerk Rossi: "House Bill 2811. No Committee Amendments. Floor Amendment #1, offered by Representative Maureen Murphy."

Speaker McPike: "Representative Murphy withdraws the Amendment. Further Amendments."

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 2811, a Bill for an Act amending the State Revenue Sharing Act. Third Reading of this House Bill."

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Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 2811, is a Bill that amends the Revenue Sharing and Income Tax Act and specifies that the amount of money collected for local governments, for the purposes of the local government distributive fund be deposited directly into that fund rather than first being put in the General Revenue Fund and then deposited in the LCDF later on. This is a Bill that local governments wish very very, they wish they had very very much...very strongly because of delays that they had receiving payments of their money in a timely matter from the state. So, Mr. Speaker, I would answer any questions and I would appreciate a favorable vote."

Speaker McPike: "Representative Clayton."

Clayton: "Yes, I rise in support, I rise in support of this Bill. It is a way for us to be able to get the funds to the municipalities in a more timely fashion and with the tax caps on them, anything we can do is certainly helpful."

Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 114 'ayes', no 'nays'. House Bill 2811, having received the Constitutional Majority, is hereby declared passed. Hello. House Bill 2825. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2825, a Bill for an Act amending the Illinois Municipal Code. Third Reading of this House Bill."

Speaker McPike: "Representative Stroger. Is Mr. Stroger here? Representative Lou Jones, would you like to handle the Bill? You're a Co-Sponsor...would you like to handle the Bill? Representative Jones, Representative Jones would you

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like to handle this Bill? Thank you very much.
Representative Jones."

Jones, Lou: "Mr. Speaker and Members of the House, I don't know whether I am going to handle this Bill or not because the Sponsor has not asked me to handle this Bill. There was some things he wanted to do, and as far as I know he has not done those things, and I would prefer not handle the Bill."

Speaker McPike: "All right, well then we will take it out of the record. House Bill 4043, has been read a second time previously. Are there any Amendments?"

Clerk Rossi: "Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Churchill."

Speaker McPike: "Mr. Churchill, Mr. Black would you like to handle the Amendment for Mr. Churchill?"

Black: "It would be my pleasure."

Speaker McPike: "Proceed Sir."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. My understanding this is an agreed Amendment between Representative Churchill and Representative Turner, amending the Mobile Home Landlord and Tenant Rights Act."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #2. All those in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments."

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 4043, a Bill for and Act amending the Security Deposit Interest Act. Third Reading of this House Bill."

Speaker McPike: "Representative Turner."

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Turner: "Thank you, Mr. Speaker and Ladies and Gentleman of the Assembly, as the previous Speaker, Representative Black, said this is Amendment which now becomes the Bill. What it does is, it amends the Mobile Home Tenants Act. It brings it in compliance with legislation that was passed last year affecting residential real estate property and what it says is that the security deposit that landlords collect shall be paid at an interest rate equal to the interest rate paid by the largest commercial bank in Illinois, on a minimum pass book savings account, and I move for the favorable adoption of House Bill 4043."

Speaker McPike: "And on that Representative Balanoff."

Balanoff: "I just have a question. What is current law as for as what do they pay on your security deposit?"

Turner: "The current law now, that affects residential property says that, they pay the rate that is currently offered at the financial institutions at 5% or whichever is less."

Balanoff: "So would this make it more or less?"

Turner: "This particular Amendment? What this Amendment does it allows the same law to apply for mobile home parks. So this is the only part of the Act that we are only effecting. It does not change the rate."

Balanoff: "Okay, right now...what I mean is right now mobile home tenants, do they get interest on their security deposit. If you live in a Mobile Home park do you get interest now?"

Turner: "I did not hear you."

Balanoff: "If you live in a mobile home park, do you get interest now on your security deposit?"

Turner: "If your in the...it would be what the going rate is now, what ever the going rate is six...hold on...it is about 2%, that is the going rate on pass books and that is what you would receive right now."

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Balanoff: "Right now you would receive, I'm sorry you said you would receive what right now?"

Turner: "It would be 5% right now. We would make it the same as what ever the going rate right now, so it would be less. You are right."

Balanoff: "Okay, thank you."

Speaker McPike: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker. I rise in support of this. We did this for all landlords last year that had large enough units, so that they had to pay interest on security deposit. Basically what happen when interest rates were real high, landlords were given the ability to pay interest on security deposits at a lesser rate. Which was about at 5%, as interest rates came down the interest actually went below the 5% level, so that landlords were collecting money putting it into savings accounts and getting back a two and a half or a 3% return. Which was not sufficient for them to pay the security deposit interest that they were supposed to pay. We changed that last year for most landlords around the state. Unfortunately, the mobile home parks were not included at that time. So this basically this brings mobile home parks in conformance with the rest of the landlords in the state."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk...Have all voted who wish? The Clerk, will take the record. On this Motion there are 107 'ayes' and seven 'noes'. House Bill 4043, having received the Constitutional Majority, is hereby declared passed. House Bill 2702, has been read a second time, a second time previously. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Representative Murphy. The Lady withdraws the Amendment. No, all right, Representative Murphy, I recognized you please, proceed with the Amendment."

Murphy: "Oh, I'm sorry, Thank you, Mr. Speaker. Amendment #2 amends the Illinois Income Tax Act by expanding its scope to provide tax credits for tech prep youth vocations programs to all taxpayers rather than limiting them to tax payers engaged in manufacturing."

Speaker McPike: "And on the Ladies Amendment, Representative von B-Wessels."

von B-Wessels: "Thank you, Speaker and all of the men and women of the House. We don't are not going to oppose the Representatives Amendment."

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

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 2702, a Bill for an Act that amends the Illinois Income Tax Act. Third Reading of this Bill."

Speaker McPike: "Representative von Bergen-Wessels."

von Bergen-Wessels: "Thank you, what this Bill does is amend the Income Tax Act to provide a deduction for nursing home grant assistance recipients, who may have paid additional taxes because of their grant. Last year at about the same time I found out from a constituent in the fall that there was a problem with the fourth quarter payment and that Representative Prussing was already addressing that problem in legislation. I also found out that nursing home grant recipients had been, we required to include that nursing

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home grant in their total incomes and therefore were taxed on it, and therefore creating a double taxation. What this Bill would do, would allow for a credit against their base income of the tax that they paid and I would urge your favorable consideration."

Speaker McPike: "The question is 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 113 'ayes', no 'noes'. House Bill 2702, having received the Constitutional Majority, is hereby declared passed. Representative Turner in the Chair."

Speaker Turner: "House Bill 3531, Representative Woolard. Read the Bill Mr. Clerk."

CLerk Rossi: "House Bill 3531, a Bill for an Act that amends the Illinois Farm Development Act. Third Reading of this Bill."

Turner: "Representative Woolard."

Woolard: "Thank you, Mr. Speaker. You know I think that probably everyone was aware that we were coming in to the farm area, and I was very disappointed that we had a change in the Chair. It is very rewarding to know that the previous person who sat in the Chair was a very farm related individual. We are talking about the amending the Illinois Farm Development Authority Act here. We are talking also about increasing the opportunities for young people to participate in this program. Really we are allowing only one at a time, outstanding debt in the Illinois Farm Authority Act, under this Amendment and we believe that this is a good change in the law, we would encourage everyone to give us an 'aye' vote."

Speaker Turner: "On that question, the gentleman from Vermilion,

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Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. I rise to defend the Speaker from those insinuations made by the Sponsor of this fine piece of Legislation. I think the reason that you are in the Chair, Mr. Speaker, is that the most successful High School in the City of Chicago bar none is the Agricultural High School. Located on the south west side of Chicago. Has the lowest drop out rate, has the highest number of students on the waiting list to want to get in, and has I think probably the highest placement rate in the State of Illinois. And that is the Agricultural High School in the city of Chicago. And that's why Representative Turner is in the Chair, and we are so glad that you are, Representative. And I rise in support of this fine Bill."

Speaker Turner: "Thank you, Representative Black. The Gentleman from Williams on, Representative Woolard to close."

Woolard: "Thank you, Mr. Speaker, I was not trying to infer that Representative Turner would be unfair in any fashion. But what I really was trying to indicate was that the previous person who had set in the Chair, I know has a genuine interest in the farm community, because of the extremely high population of the farmers within his district, and I was not aware of the extreme excellence of the school, that is located with in the confines of the district of Representative Turner, and for that reason it is an extremely pleasure for me to have him Chairing when we get this unanimous vote on this great Bill, 3531."

Speaker Turner: "Thank you, Representative Woolard, for those kind remarks. As you know we are all in this together. And every time we sit down to the dinner table we look at one great state here. Seeing there are no further

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questions. The question is 'Shall House Bill 3531 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Representative Woolard."

Woolard: "To explain my vote. I think that there has been an extreme mistake made by the person who is voting the switch of the Majority Spokesperson in this Body. And if that person who is voting that switch would so choose, I would like for them to give due consideration to changing from red to green."

Speaker Turner: "If that will help the passage of this Bill to the next chamber I concur with you Representative and would encourage...the Gentleman from Madison, Representative McPike."

McPike: "Thank you, Mr. Speaker. I was not aware of what was in this Bill. So I looked it up before I voted. I think it is reasonable right now, right now a farmer can only receive one state guaranteed loan per life time, and this says a farmer can only receive one state guaranteed loan per year. I think that is a pretty reasonable approach. I am going to change my vote."

Speaker Turner: "Thank you, have all voted who wish? Have all voted who wish? The Clerk, shall take the record. This Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 3086, Representative Schoenberg. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3086, has been read a second time previously. Amendment #1 was adopted in committee. No Motions filed."

Speaker Turner: "Further Amendments?"

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

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

Granberg: "A Point of order Mr. Speaker. I believe this Amendment is not germane..."

Speaker Turner: "Excuse me, Representative. Withdraw Amendment #2, Representative. Further Amendments?"

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

Speaker Turner: "Representative Schoenberg Amendment #3."

Schoenberg: "Withdraw floor Amendment #3."

Speaker Turner: "Withdraw Amendment."

Clerk McLennand: "Floor Amendment #4, offered by Representative Andrea Moore."

Speaker Turner: "Amendment #4, Representative Moore. The Gentleman from Vermilion...the Gentleman from Vermilion, Representative Black. The Sponsor is here, Representative Moore, on Amendment #4."

Moore, A.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #4 is designed to lower the cost and bring this back to the original way that the..."

Speaker Turner: "The Lady withdraws Amendment #4. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Turner: "No further Amendments. Representative Schoenberg."

Schoenberg: "Can I ask for immediate consideration, Sir?"

Speaker Turner: "That's Third Reading. Read the Clerk, Mr. Bill. Read it."

Clerk McLennand: "House Bill 3036, a Bill for an Act to relating to performance review with state spending and programs. Third Reading of this Bill."

Speaker Turner: "Representative Schoenberg, the Gentleman from

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Cook."

Schoenberg: "Mr. Speaker did I hear you correctly? Did you just say Mr. Bill read the Clerk?"

Speaker Turner: "No ohh, ohh no Mr. Bill. The Gentleman from Vermilion, Representative Black."

Black: "Just an inquiry of the Chair, Mr. Speaker. Don't forget now when we go to Third Reading, we need to ring the Bell. Remember that the Bell."

Speaker Turner: "Thank you, Mr. Black."

Black: "Your welcome."

Speaker Turner: "Where is the bell? Representative Schoenberg on House Bill 3086."

Schoenberg: "Thank you, Mr. Bill, pardon me Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3086, picks up...establishes the Illinois Performance Review Act. We follow the example from states such as Texas, North Carolina, Washington State, and others which are doing performance based reviews and deploying business techniques to review programming areas and functions of government to save money. The Bill as amended, provides that the Auditor General oversees a performance review and management committee. This is a process very virtually identical to that which came up with the, this is a process that came up that was identical to that which came up with the Procurement Code revisions, that was a committee that I served on. I would be answer any questions, and I move for its passage."

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

Skinner: "Yes, I wonder if the Sponsor could tell us if the General Assemblies is under the Jurisdiction of this Bill?"

Schoenberg: "Pardon me?"

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Skinner: "Is the General Assembly under the jurisdiction of this Bill? You know the flow of legislation perhaps through the General Assembly in a timely and orderly and fair manner? I mean I think it has been eleven days since a Republican Bill was called. Probably, certainly unprecedented in the last two decades plus. And I think its, I think we deserve an answer to know whether you have exempted the General Assembly from performance audits? If so why? Do you think we we'd fail?"

Schoenberg: "Sir, the Bill, as amended, provides of review for all state agencies and programs. If you interpret that to be the case, then that would be applicable. However, that is up to the discretion of the Auditor General and the Performance Review Committee, which consists of the Governor, the Lieutenant Governor, Attorney General, Secretary of State, Comptroller, Treasurer, Auditor General, the Director of the Bureau of the Budget, and the Executive Director of the Exc. and Fisc. Commission. It would certainly seem to me, that both parties are adequately represented there, and if indeed they do find it fit to review the performance standards, of the General Assembly, particularly the expenditures and whether or not we are getting the optimal usage of our expenditures then they would make that call."

Skinner: "Well if my count is right, the Republicans have the Majority on that committee. So indeed it would be possible for a study to be done of last weeks waste of money, and this weeks waste of money of our being here. And we would find that the General Assembly falls real low on performance standards, among other state agencies."

Schoenberg: "Mr. Skinner, as you are aware the...."

Skinner: "That was not a question, that was a statement."

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Schoenberg: "Okay."

Speaker Turner: "The question is 'Shall House Bill 3086 Pass?' All those in favor should vote 'aye'; all those opposed; vote 'no'. The voting is now open. Have all vote who wish? Have all voted who wish? The Clerk shall take the record. This Bill having received 115 yes, no 'noes', no presents, and having received the required Constitutional Majority, is hereby declared Passed. House Bill 2462 read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2462 has been read a Second time previously. Floor Amendment #2 offered by Representative Wyvetter Younge."

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

Black: "Yes, I have an inquiry of the Chair, Mr. Speaker. Could you tell you me what order of call we are on at the present time?"

Speaker Turner: "This is Government Administration."

Black: "Second Reading?"

Speaker Turner: "Second Reading."

Black: "Are we still on the order of Alphabet?"

Speaker Turner: "We are on Government Administration. Second Reading. On the order as it appears in the Calendar."

Black: "On page one, is that on page one?"

Speaker Turner: "That's page one, user file 0920."

Black: "I see, okay, thank you, because we are about at the end of the alphabet."

Speaker Turner: "We are at the end of Government Operations, Government Administrations, Second Reading, User File 0920."

Black: "0920."

Speaker Turner: "Page one."

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Black: "Thank you."

Speaker Turner: "Representative Younge proceed. Representative Younge, turn the lady on. Your mic is not working Representative, could you use Representative Pugh's mic."

Younge: "All right, thank you very much Mr. Speaker, would you withdraw Amendment #2?"

Speaker Turner: "Withdraw Amendment #2. Further Amendments?"

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

Younge: "I move for the adoption of Amendment #3. It a joint product of the Illinois Association of Realtors, and the Attorney General's office, and myself. This Bill comes out of a serious of hearings having to do with the bond for deed. This Amendment requires that the seller of a bond for deed, instrument which is an installment contract put in very bold letters in the contract, that it is to the best interest of the seller and buyer to record the contract. This is not a requirement on the house, the sale of the house where the seller lives, but any other transaction that would be the requirement, and the Amendment calls for a repeated in knowing violation of this section to be an unlawful business practice, and a consumer fraud, and a deceptive business practice. The Amendment requires, that if the buyer is responsible for tax, the payment of taxes and insurance, then the...it would be necessary for the seller to if he is going to use any of the principle for insurance and taxes he has to first get the written permission of the buyer. The Bill, the Amendment calls for a specific written approval if any moneys and the taxes and insurance are to be used for repairs and maintenance and it makes a deceptive business practice under the repeated and knowing violation of this

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Amendment. And I move for the adoption of the Amendment."

Speaker Turner: "The Lady moves for the adoption of Amendment #3.

And on that question. The Lady from Cook, Representative Murphy."

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

Speaker Turner: "She indicates she will."

Murphy: "Firstly, the language of the Amendment itself. Was this not contained within a Bill that was indicated last year, before consumer protection? Or was this always..."

Younger: "No, this is new language, as of this Amendment."

Murphy: "But this, the verbage, because you mentioned that this was agreed to, I'm trying to get the record to reflect that this was not agreed to and as a matter of fact, this is a Bill from last year that failed."

Younger: "Ahh, no this Bill was not filed last year. This Bill is the result of a group of newspaper articles which were in the News Democrat about six months ago. But this Amendment is an agreed Amendment between the Illinois Association of Realtors, and the Attorney Generals Office. Representative Skinner and myself, as a result of a serious of hearings this is a brand new Bill, or a Amendment."

Murphy: "All right, I still was trying, because this was consumer protection but also before revenue. I was trying to be clear as to where we were putting this agreed language at this time. Yes, so you are stipulating the realtors helped you on this language and it's agreed to."

Younger: "That is correct."

Murphy: "Is there any other opposition at this time from the INL?"

Younger: "There is no opposition."

Murphy: "Taxpayer Federation?"

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Younger: "No one else, has expressed any opposition to me."

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

Speaker Turner: "The question is 'Shall Amendment #3 be adopted?'

All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. Amendment #3 is adopted. Further Amendments Mr. Clerk?"

Clerk McLennand: "No further Amendments."

Speaker Turner: "Third Reading. Read the Bill Mr. Clerk."

Clerk McLennand: "House Bill 2462, a Bill for an Act in relation to real property. Third Reading of this Bill."

Speaker Turner: "The Lady from St. Clair, Representative Younger."

Younger: "Thank you, I ask for the passage of this Bill. It will correct a situation involving a number very unscrupulous people who did have real estate license at one time, but they lost it their license and it will protect people who are knowingly, because they do not have conventional financing and have to enter into this bond for deed, and are taken by unscrupulous people."

Speaker Turner: "The question is 'Shall House Bill 2462, pass?'

All those in favor should vote 'aye'; all those oppose vote 'no'. The role is now open. Have all voted who wish? Have all voted who wish? Giglio, 'aye'. Take the record Mr. Clerk. Vote Representative Younger 'aye'. This Bill having received a 116 'yeses' and no 'noes', and no presents. Having received the required Constitutional Majority is hereby declared passed. House Bill 3386, Representative Pugh. Out of the record. Government Administrations, Second Reading House Bill 2518, Representative Balanoff. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2518 has been read a second time previously. No Committee Amendments. Floor Amendment #1 offered by, Representative Hoeft."

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Speaker Turner: "Representative Hoeft on Amendment #1. Withdraw Amendment #1. Further Amendments?"

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

Speaker Turner: "Amendment #2, Representative Cowlshaw. Withdraw? Hold on Representative Black is handling that Amendment for her. The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. On behalf of Representative Cowlshaw, Amendment #2, amends the School Code, to authorize the state board of education to waive provisions of the School Code. Under certain conditions upon request of a school district. I would be glad to answer any questions you have."

Speaker Turner: "The Lady from Cook, Representative Currie."

Currie: "Thank you Speaker, I rise in opposition to the Amendment. In fact, we have defeated this Amendment on this House Floor, as recently as last week. There already is a procedure in place, when particular items might be appropriately waved for an interested school, school board, and state board of education. But I think that this measure actually is a very expansive notion about waving various requirements that currently exist in the School Code, and I think that there is no real reason for us to decide that we made a mistake, when we said that there shall be particular holidays celebrated, or that there shall be physical education, there shall be circular requirements, with the respect to learning to read, and write and that there shall be protections for workers as well as for students. So this a very expansive proposition and the right way to do, what this Amendment seeks to do is, in fact, to offer a measure, that would abolish the

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School Code. So I think that those of us who value Public Education and value the rights and responsibilities we have granted our school boards, our teachers, and our students should vote against this measure."

Speaker Turner: "The question is 'Shall Amendment #2 be adopted?' All those in favor say, 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'noes' have it. Amendment #2 fails. Further Amendments, Mr. Clerk?"

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

Speaker Turner: "Representative Balanoff, on Amendment #3."

Balanoff: "Amendment #3 was suggested in committee by Representative Cowlshaw. And it provides that no energy, conservation measures that would be under taken, implements under the Bill would adversely effect the health, safety, or comfort of students. And I urge its adoption."

Speaker Turner: "The Gentleman moves for the adoption of Amendment #3. All those in favor say 'aye'; opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The Amendments is adopted. Further Amendments, Mr. Clerk?"

Clerk McLennand: "Floor Amendment #4, offered by Representative Hoeft."

Speaker Turner: "Representative Hoeft, on Amendment #4. The Gentleman from Kane."

Hoeft: "Thank you, Mr. Speaker. This is the Charter of Schools Bill, different form. It is very important reform. 55(c), I would like a Roll Call Vote on this please, with five Members of my colleagues here."

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

Granberg: "Would the Gentleman yield?"

Speaker Turner: "The Gentleman says he will."

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Granberg: "Representative Hoeft, is this the same Amendment as we dealt with last week? I just want to clarify it for our Members."

Hoeft: "Yes, I do believe it is."

Granberg: "Okay, this is...is this the Amendment that Representative Brunsvold got up and with do respect spoke against your Amendment?"

Hoeft: "Yes, I believe it is."

Granberg: "Okay, Thank you Representative. To the Amendment, Representative Brunsvold, the Chairman of the Education Committee, is not here right now. But the arguments he made then are appropriate today. This is a very technical issue. We are looking into it to see the ramifications. There are some of us that would like to look to this as a possible option, so it should be on the table. But there are many, many questions to be answered, and I would ask that at the present time the Members of this side of the aisle should vote no."

Speaker Turner: "Just for the record Representative, Representative Brunsvold is in the back. The Gentleman from Vermilion, Representative Black."

Black: "Yes, thank you very much Mr. Speaker, I just wanted to reinforce to the Chair, that the Gentleman asked for a Roll Call vote on the Amendment, and simply say that we have gone through the alphabet once and now we are going back through again. And if we were able to call our Bills, we would not have to do this. But having been denied that opportunity, the Gentleman has a right I think to request a Roll Call vote on his Amendment."

Speaker Turner: "And you are absolutely right Representative, and he will be granted such a right. Are there any further questions on this Amendment? No further questions. The

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question is 'Shall Amendment #4 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'.

Representative from Cook, Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. As I have indicated in previous debate. I support Charter Schools, but because of the potential for a conflict of interest. I will be voting present."

Speaker Turner: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. This Amendment having received 36 'yeses', 74 'noes'. Is declared failed. Further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments."

Speaker Turner: "No further Amendments. Third Reading."

Clerk McLennand: "House Bill 2518, a Bill for an Act that amends the School Code. Third Reading of this Bill."

Speaker Turner: "Representative Balanoff."

Balanoff: "Mr. Speaker and Ladies and Gentlemen. A number of Chicago public schools, currently spend over half a million dollars annually on energy costs, with Clamente High School leading the way, at almost one million dollars per year. This Bill is designed to offer incentives, to reduce that cost. House Bill 2518 would provide that if local school councils, figure out how to save on the cost of energy, and these measures are implemented, then all savings realized would be split, between the local school council and the Chicago Board of Education. This money could be used for computers, teachers, books, or a variety of other very useful purposes. It would further be environmentally responsible in that it would save energy. So you can see that it is not only environmentally friendly, it is going to help our children. But it also fiscally responsible and conservative, designed to save taxpayers money, and use

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that money more efficiently. This Bill just plain makes since, and I urge your support."

Speaker Turner: "The question is...I should say the Gentleman from McHenry, Representative Skinner."

Skinner: "I'm inclined to agree. I wonder if the Sponsor could give us any indication of the amount of money we are talking about here? Are we talking about hundreds of thousands of dollars a year that the local school council might get to spend for whatever they wish?"

Balanoff: "Well, there are, there are a number of schools, and I don't have... I guess specifically which ones, that spend over half a million dollars on energy costs. One school in particular is Clamente High School spends all most a million dollars on energy, and that is because many schools are heated in Chicago by electricity, that's probably one of the reasons that the cost are so high. So I can't tell you specifically what the cost savings should be, but in some cases the local school council could split several many many thousands of dollars with the Board of Education, it would be a reduction in cost."

Skinner: "Are we talking about a 50-50 split?"

Balanoff: "Yes, we are. And the reason that we put in the idea of a split, was because there has to be some incentive to do the program. People won't look for things like energy efficiency if there was not an incentive, and that's why we thought it would be a good, you know..."

Skinner: "Now let's say you get a new very energy efficient gas furnace. Would part of the savings being, be getting rid of the fireman that not necessary to shovel the coal into the gas furnace?"

Balanoff: "Well, it deals with the entire cost of energy efficiency, but I don't think that would be in terms of job

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eliminations. When we are talking about the cost of energy we are talking about the cost gas and electricity."

Skinner: "Don't these guys get paid \$50,000, \$60,000 a year, and maybe couldn't you get may \$30,000.00 a year more for the local school council if we included them?"

Balanoff: "I don't know of any schools where we have someone shoveling coal into a furnace."

Skinner: "No but they are still on the payroll. They are called firemen."

Balanoff: "I know and the fire men, they do a different function in the school, a very necessary one often times..."

Skinner: "Which has nothing to do with fire."

Balanoff: "Well, that happens to be a job title, but they do a very many necessary things to protect our children and their safety, and health."

Skinner: "If it all the same to you, I think I would feel better if the local school council were in charge of that position as well."

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

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

Speaker Turner: "He indicates he will."

Black: "Representative I need you to take me through a little bit a levy and rate process in the Chicago Schools. I assume like all other school districts in Illinois, Chicago schools have an operations and maintenance levy, is that correct?"

Balanoff: "I would think so."

Black: "Assuming that they have some form of building fund or an operations rate. Assuming that they have this levy to pay the kind of expenses, you are talking about, utilities and

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those kinds of things, and assuming that we could recognize significant savings from energy saving technology. Wouldn't it make more sense to lower the levy, ie. then the rate, for the operations and building fund and put the savings into the pocket of the taxpayer."

Balanoff: "I guess that is certainly another approach."

Black: "Do you have any..."

Balanoff: "But one of the things that is important is, you have to have somebody deciding that energy efficiency is important. Now, when I say that, that's why we offered an incentive, to local school councils and said, hey look if are willing to put the time and the effort into in finding ways to save money on energy efficiency, then you will be able to take some of this savings half of this savings and be able to appropriate for things that you deem important to the education of our most precious resource our children."

Black: "So it would, what base line, I mean are you going to leave that up to the board to establish a base line of where the savings begins."

Balanoff: "Yes, I would say that they would have to set the guide lines for the program."

Black: "Okay, all right...let me ask you one...does a Chicago school and I don't know the answer to this at all. I assume they enter into a contract they being the Board of Education, with Common Wealth Edison, or is each school separately metered?"

Balanoff: "Well, each school is separately metered, I don't know what their overall contract is with Edison. I don't know, but each school or building is individually metered."

Black: "So they might be able to get a rate, like wheeling of gas. Do they do that?"

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Balanoff: "Well, I'm not sure if they do but it would certainly, probably be a good thing for them to do if they did not. But even within that framework, if we could determine that one school is using whatever rate we pay, one school is using half a million dollars, one school is using \$750,000 many variables that go into the amount of energy that's used, and you could save a quarter of a million dollars at one school or something like that. It would not matter what the rate would as long as its spread out."

Black: "Thank you very much."

Speaker Turner: "The Lady from Cook, Representative Mulligan."

Mulligan: "Thank you Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Turner: "He indicates he will."

Mulligan: "Representative Balanoff, some of the questions that have come up in the discussion, are we talking about a change in actual facilities? Or heating plants or are we just changing and going for group rates?"

Balanoff: "No, no what we're talking about is measures to improve on the use of energy. Things like I said earlier to Representative Skinner, many Chicago public schools are currently heated with electricity certainly that's not very efficient, and it is much more costly, than other means of heating. What it would be is if we could determine the local school council could determine and have them implemented ways to save this money, guaranteed ways to measures of saving money on energy."

Mulligan: "And would this include say changing the furnace? Or is it going for a ...get you a group rate? I mean many..."

Balanoff: "I guess it could include the question of changing a furnace, but they would have to, they would have to then figure out and the board would implement the rules, of how

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that would be amortized or put into the question of at what level we would start at."

Mulligan: "Would any savings that are split be split after the initial cost of whatever measure you are taking, is taken off the top?"

Balanoff: "That is what I am saying about amortizing like over a number of years. The board setting up rules or guidelines. Because it certainly you could, I don't think they would allow saying okay, well let's just buy a new furnace. And the new furnace costs a million dollars, and it saves us \$100,000 a year. So would it be then right to say well we are going to split the cost there. I think the Board would set guidelines would insure that what we are talking about is real savings of tax dollars."

Mulligan: "Are these guidelines not in your Bill?"

Balanoff: "No, it would up the Board to have to set those guidelines."

Mulligan: "So in other words, your Bill is just allowing them to have the them to have the discretion to do this, but it is not setting forth any kind of a program, that they would have to function under."

Balanoff: "Yes."

Mulligan: "So then it is not a mandate? Representative Johnson's telling me."

Balanoff: "No, it is not a mandate."

Mulligan: "It is just giving them the option encouraging the local schools to council to come up with an alternative?"

Balanoff: "I would say it is more trying to encourage the Chicago Board of Education to try to figure out on how to save some dollars on energy."

Mulligan: "Do you have a problem with reading into some kind of legislative intent that there is an encouragement in this

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to pay for what they are actually doing, as a cost savings measure before they start splitting up dollars?"

Balanoff: "No, that's fine. That certainly..."

Mulligan: "Thank you."

Speaker Turner: "The Gentleman from McLain, Representative Brady."

Brady: "Thank you, Mr. Speaker. Could the Clerk, give the status of the filed Amendments?"

Speaker Turner: "Mr. Clerk."

Clerk McLennand: "Amendment #3 was adopted."

Brady: "And the rest of the Amendments?"

Clerk McLennand: "Amendments 1, 2 and 4, 1 and 2 were withdraw. Amendment #4 was defeated."

Brady: "Thank you, to the...will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Brady: "Representative, what your...and I and having trouble understanding this because it doesn't seem to be something that would be something that would pertain to my school districts. But you are trying to state that if a energy saving measure were implemented that the cost of that measure would have to be shared by the school board of Chicago and the school?"

Balanoff: "No, no, what I'm saying Representative, Representative, is if, in order to determine savings, if you were just to say: well, we want to completely just change over a furnace. Now if in changing over electricity to gas, the savings is the savings \$ 100,000 a year. But in order to do this it costs us a million dollars. Well when you would buy new equipment it would certainly have to be, I would suspect that the program that they would come up with and I can't tell you what the Chicago Board of Education would program wise...in terms of guidelines will

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come up with. But it would be wrong for them probably to say okay, well you put in you spent this million dollars, so it's really, it would look, it appear that it would be more expensive that way. So it wouldn't be a cost savings, until the second year, because that would not have to be paid for. So they, I'm sure the program that they would come up with would be one that would that would take things like the capitol improvement costs and you know, put amortize them or spread them over a number of years."

Brady: "Were you providing for them to amortize the cost of this event, over a longer period of time, providing for a lack of cash flow? I'm trying to figure out how it's going to be accounted for."

Balanoff: "Well, like I said what we are trying to do is, allow the board, you know encourage the board to do a program similar to this. That would be at the discretion of the board. The problem is..."

Speaker Turner: "Proceed. Representative Balanoff, go ahead."

Balanoff: "Yes, one of the problems is, is that many people do not feel that energy efficiency is happening, there is no move in the board towards energy efficiency..."

Brady: "Who makes the decision on whether or not that energy efficient project ought to take place or not?"

Balanoff: "Well, I think that would be the local school council in meetings then with the Board of Education. But right now there is no movement to do this, and there is no encouragement to do this stuff."

Brady: "But then that decision has to be made by the board of education."

Balanoff: "Ultimately it would have to be, yes."

Brady: "And you are trying to incentize them to make the long term investment into..."

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Balanoff: "Not only a long term investment, but a whole question of looking at buildings and figuring out how to make them more energy efficient. Because that could include things like possibly caulking windows,..."

Brady: "Right, and I understand how it works, the incentive and you borrow the money or do what ever you need to do in the short term, because in the long term, it is going to pay off. But how are you incenting them, that's what I don't understand."

Balanoff: "Well, what I'm saying is those would be the rules would have to be promulgated by the board of education that is exactly how the program works. The problem is the board of education in my opinion has to be kind of prodded a little bit..."

Brady: "So are we mandating that they do something by such and such date."

Balanoff: "Well, it it I would call more of an incentive, for the board to get moving..."

Brady: "All right, what's the incentive?"

Balanoff: "The incentive would be for the board or the prodding to the board would be the legislation, but the incentive would be really for the local school council. The Board of Education right now can do things to implement energy savings. They don't do them all the time..."

Brady: "How are we forcing an incentive, that is what I do not understand?"

Balanoff: "Well, because, I would suggest that if we pass this Bill what you are going to find is local school councils are going to start looking for ways to save some of this money, so that they will have some more money to put into their specific education programs that are important. So you will have exactly what school reform is all about. And

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that will be parents and community putting pressure on the board to do what's right, and that is to improve the quality of the education."

Brady: "So what you are saying is, that what you are going to do is by reducing the cash flow, the operating cash flow, you are going to allow the local school boards to have part of that savings. And how much of that savings does this legislation allow them to have?"

Balanoff: "What it is, is that it is a split. If you save a \$100,000, the local school council would allow would be allowed to spend \$50,000 of that money and the Chicago Board of Education would...."

Brady: "If you spend a million dollars to save the hundred, where does the million come from?"

Balanoff: "Well, that is, that is what I'm saying about where, how that would work. Because it would be pushed probably, and I can't tell you what rules they are going to promulgate. But it would probably be put over a number of years, you know split up..."

Brady: "But who is going to pay it? Is that going to be another bond?"

Balanoff: "No, even now, even now, we there are ways to make buildings..."

Brady: "A million dollars has to come from some where."

Balanoff: "Absolutely, absolutely...and that's why when there are energy improvements, that will, and former Representative Stephens is part of a company now that is interestingly that will guarantee you a certain amount of savings, and it's a guaranteed kind of a saving type plan...now..."

Brady: "I understand the guaranteed savings, but some one has to make the capitol investment up front to bring any of that savings to fruition. And if we are going to spend a

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million dollars to save a \$100,000."

Speaker Turner: "All right you have had your five minutes, Sir, would you like to conclude. Representative Brady."

Brady: "Mr. Speaker, I'm really trying to understand the issue, I would like to support the Representative, but until I can clarify it and I think we are trying to make some headway, could I continue?"

Speaker Turner: "The rules abide by five minutes for discussion, and I think we have been over the five minute time limit. But if you would ask the last question we will move forward."

Brady: "I'm afraid Mr. Speaker, I can't do that. Maybe some one would be willing to yield me some time? Thank you."

Speaker Turner: "The time has been yielded, proceed."

Brady: "Thank you, Representative, the million dollars that you are going to spend, to save the..."

Balanoff: "I guess the bottom line is when operating a energy cost savings realized by the Chicago Board of Education, from energy conservation measures implemented under a guaranteed energy savings contract, are equal to the aggregate cost of the energy conservation measures, implemented under the contract, and when all amounts at any time payable under the contract have been paid in full, all operational, and energy cost, thereafter realized by the Chicago Board of education from this energy conservation will be split between the local school council and the board."

Brady: "So what you are saying is, that if it's a million dollars, and we're going to save a \$100,000 a year. The school board gets the first million and then the savings over and above that million is going to be split between the local school council and the School Board?"

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Balanoff: "Yes, yes,"

Brady: "Where does the school board come up with the million dollars? We are mandating that they come up with the million dollars?"

Balanoff: "No, we are not mandating that they come up with million dollars, no."

Balanoff: "And they have to give final approval to any of these investments?"

Brady: "Yes."

Brady: "So if they say, hey this was a great idea, we just can't afford it or budget it, it is a dead deal. But if they can sell the school board that this is a great enhancement..."

Balanoff: "Well, they do have to sell, I mean, I would imagine the local school council would have to like, sell the school board on a energy efficiency plan, yes."

Brady: "And this has to be a capitol improvement project of the school board within their budget and no one else is obligated."

Balanoff: "I'm not sure that it has to only be, well I guess it would have to be capitol improvement, probably."

Brady: "I'm sorry."

Balanoff: "Probably, it would have to be a capitol improvement."

Brady: "And we are back door referending...in no way shape or form."

Balanoff: "No, no, no, absolutely not."

Brady: "Thank you."

Speaker Turner: "No further questions? Representative Balanoff to close."

Balanoff: "Well, I just ask for your 'aye' vote."

Speaker Turner: "The question is 'Shall House Bill 2518 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who

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wish? Have all voted who wish? The Clerk shall take the record. On this Bill there are 94 'ayes', 24, 21 'noes', Representative McGuire votes 'aye'. 95 'ayes', 21 'noes', one voting 'present'. This Bill, having received the required Constitutional Majority, is here by declared passed. The next Bill under Government Operations, page 2, House Bill 2487. Representative Blagojevich. Any Amendments?"

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

Speaker Turner: "Representative Johnson, on Amendment #2, withdraw. Further Amendments?"

Clerk McLennand: "Floor Amendment 3, offered by Speaker Madigan."

Speaker Turner: "The Gentleman from Clinton, Representative Granberg, on Amendment #3."

Granberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is the Police Funding Amendment, we've talked about this before and I would move for its adoption."

Speaker Turner: "The Gentleman from McLean, Representative Brady, on Amendment #3."

Brady: "Yes Mr. Speaker, is the Amendment germane?"

Speaker Turner: "Representative Brady in the opinion of the Chair the Amendment is germane. The Bill deals with reduction of crime, and the Amendment deals with the reduction of crime. Representative Brady."

Brady: "Mr. Speaker, I don't know how it could possibly be germane. The two, the Amendment and the Bill deal with two completely different areas, and I would make a Motion to appeal the ruling of the Chair."

Speaker Turner: "Representative that is untimely, you are not joined by five people. The Gentleman from Vermilion, Representative Black, Representative Brady."

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Brady: "Mr. Speaker, with all due Respect you turned my light off. I tried to appeal the ruling of the Chair in a timely fashion and I am joined by five of my fellow Members here, I under 55(c), I will... a roll call vote..."

Speaker Turner: "Representative, Representative, you, now that you are joined you are in order. But when you initially made the Motion, you were not joined by five Members of the chair, your Motion."

Brady: "I thank you, and you are right, I was only joined by four."

Speaker Turner: "That's not five. The question is 'Shall the Chair be overruled?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. This Motion requires 71 votes. The Gentleman from Vermilion, Representative Black,"

Black: "I just to explain my vote. Is that permissible with the Speaker?"

Speaker Turner: "Yes, Sir, you have one minute to explain your vote."

Black: "Thank you very much. I just simply would like my colleagues to understand that it certainly not aimed at the Speaker, but it's aimed, but it is aimed at the fact rather the fantastic ruling that the underlying Bill amends the Criminal Code, and the Amendment amends the State Finance Act. The local government distributive fund, and dozens of other non-germane articles, and that we...this Amendment has been ruled germane on just about every Bill that is has been attached to, our Amendments that are often attached to Bills and the Amendment absolutely amends the correct chapter of the statute, are ruled non-germane. I think that is a rather heavy handed interpretation by the Chair, and for that reason Mr. Speaker, we are appealing the

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Chair. Certainly it is not aimed at you personally, or the institution embodied by the Chair, but the heavy handedness of the advisors to the Chair."

Speaker Turner: "The Gentleman's remarks will so duly recorded. Have all voted who wish? Have all voted who wish? Clerk shall take the record. On this question there is 51 yeases, 66 noes, and the Motion fails. The question is, 'Shall Amendment #3 pass?' All those in favor should say, 'aye'; all those opposed, 'no'. In the opinion of the Chair, the ayes have it, and the Amendment passes. Further Amendments, Mr. Clerk?"

Clerk McLennand: "Floor Amendment #4, offered by Representative Biggert."

Speaker Turner: "Representative Biggert, on Amendment #4. The Gentleman from Dupage, Representative Biggert on Amendment #4."

Biggert: "Thank you, Mr. Speaker. This is an Amendment to amend the Criminal Code relating to the offences of prostitution, solicitation of sexual act, pandering, pimping, and exploitation of a child. This changes the elements of offensives that involve the giving of money, property, or anything of value so that they involve, the giving of anything of value. And it amends the child pornography provisions of the code. It prohibits child pornography by computer, prohibits the dissemination of child pornography, by tel-communications network and similar means. It changes the language prohibiting a person from soliciting a person to appear in child pornography and increases the penalty for permitting the sexual abuse of a child, from a Class A misdemeanor to a Class I felony."

Speaker Turner: "On that question, the Gentleman from Cook, Representative Dart."

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

Speaker Turner: "She indicates she will."

Dart: "As far as...now this is Amendment removes provisions that deal with sexual acts within the family members. Now this...how is this...why is that part being removed?"

Biggett: "Could you repeat your question?"

Dart: "Why are you removing the part about the sexual acts within family members?"

Biggett: "I did not intend to if I did."

Dart: "I'm just looking at, I think it is Amendment #4, and I...I don't understand why were, what the point with that is I guess. I'm just..."

Biggett: "I'm sorry I can't hear you."

Dart: "I don't understand exactly why we're moving that provision there. I am just trying to figure that one out."

Biggett: "I'm not. There is a provision that...."

Dart: "On page two, section (c)."

Biggett: "Right, which is permitting sexual abuse of child by a parent or guardian, ad litem. The new language would include create a Class I felony for the offense when the parent or guardian permits or arranges the child to be involved in juvenile prostitution?"

Dart: "Well, well, no this Amendment here only has provisions dealing with the statute of limitations on it not raising or lowering penalties, is that correct?"

Biggett: "Is the Amendment that you have just for the two year statute of limitations?"

Dart: "Yes, the one I am looking at is the three page Amendment, Amendment #4 and it talks just about statute of limitations provisions. I don't see anything about raising or lowering penalties at all, or increasing anything. Unless I missing it. Okay, Representative as far as this goes, there is no

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raising or lowering of penalties here, the long and short of it is, as far as the different sexual acts, this deals strictly with changing the statute of limitations for bringing that offense, correct?"

Biggert: "That is correct."

Dart: "Okay, is this on a Bill all ready, or not?"

Biggert: "No."

Dart: "Okay, thank you."

Speaker Turner: "Further questions? The Gentleman from Vermilion, Representative Black."

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

Speaker Turner: "She indicates she will."

Black: "Representative, if I am reading the Amendment correctly, it increases the penalty for permitting sexual abuse of a child from a Class A misdemeanor to a Class I felony. Is that your understanding?"

Biggert: "Representative Dart?"

Speaker Turner: "Representative Black asked the question, Representative. Representative Black?"

Black: "Yes. I asked the question whether it increased the penalty from a class A misdemeanor, to a class I felony?"

Biggert: "I am sorry Representative Black, I was speaking to another Amendment that I had. I am really just dealing with the statute of limitations..."

Black: "We are dealing, we are dealing with Amendment #4, correct?"

Biggert: "That's right."

Black: "My notes indicate that there is an enhanced penalty in this Amendment?"

Biggert: "It goes from one year, to two years."

Black: "No, it says class A misdemeanor to class I felony."

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Biggert: "That's not in here, Representative Black."

Black: "All right, I have been informed that the notes on this Amendment are incorrect. I'll withdraw my question."

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

Skinner: "Is this Amendment that I have seen floating across my desk on several different Bills, with regards to computerized pornography?"

Biggert: "No, there are two different Amendments. This is not the image one."

Skinner: "That's coming up?"

Biggert: "Yes."

Skinner: "Okay, Thank you."

Speaker Turner: "Representative Blagojevich, Representative Blagojevich."

Blagojevich: "Yes, Mr. Speaker."

Speaker Turner: "Do you have any questions of Amendment #4?"

Blagojevich: "I have no questions."

Speaker Turner: "The question is 'Shall Amendment #4 be adopted?' All those of on favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. Amendment #4 is adopted. Further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments."

Speaker Turner: "Third Reading. Proceed Mr. Clerk."

Clerk McLennand: "House Bill 2487, a Bill for an Act that amends the Criminal Code of 1961. Third Reading of this Bill."

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

Blagojevich: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. House Bill 2487 is a very basic Bill that passed out of the Judiciary Committee, in April 16 - 0, what it does it expands existing law, existing criminal housing

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management law to apply to the offence that's committed by a property owner, or manager of property that has been charged with violating a local housing, zoning, or health and safety ordinance regarding the use of a single family dwelling as a multi dwelling boarding house or similar purpose and who continues to permit those of the property in violation of that local ordinance. It also creates the new offence of unlawful use of a dwelling and this offence applies only to the City of Chicago, and there is a three tiered approach to that offence, 1) A person has personal management or control of residential real estate located in Chicago 2) That person intentionally violates a local housing code, zoning ordinance, et cetera, and 3) He charges or receives rent from two or more unrelated people who occupy the dwelling. Both offences are class A misdemeanors for the first offense, they can be upgraded to a class IV felony on second offense, that again would be based upon of the discretion of the local prosecutor. I would be happy to answer any questions. Again this Bill passed 16 - 0 out of committee."

Speaker Turner: "The Gentleman from Kendal, Representative Cross."

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

Speaker Turner: "He indicates he will."

Cross: "Representative, is Mr. Sentar in favor of this Bill?"

Blagojevich: "Interesting that you should mention that, Eric Senator lived in building on the Northwest side of the city of Chicago, that was subjected to some of his neighbors doing this type of illegal conversation. I don't know specifically whether or not he'd support this. But I would say that most of the people who lived in the neighborhood he grew up in would strongly support and favor

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this legislation."

Cross: "I can see why he would, one other question. I think the Bill is an excellent one is there any reason the second portion of this Bill only applies to the City of Chicago?"

Blagojevich: "We did this from a tactical standpoint we thought it might be easier to pass and it is more in line with the fact that this problem is more of a Chicago problem. The illegal conversion problem is so wide spread in the city of Chicago, Representative Cross, that the mayor has formed a task force to combat this. So that probably would answer you second question. That is why we did that."

Cross: "Well Representative on behalf of Eric Sentar and others thank you very much for a well drafted Bill."

Blagojevich: "I appreciate that very manly comment."

Cross: "Thank you."

Speaker Turner: "Seeing that there are no further questions, the question is 'Shall House Bill 2487, pass?' All those in favor should vote 'aye'; all those oppose vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Vote Stroger, 'aye'. Have all voted who wish? The Clerk shall take the record. 116 voting 'yes'; no 'noes'; no 'present'. This Bill, having received the Constitutional Majority, is here by declared passed. The next Bill 2528, Representative Brunsvold. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2528 has been read a second time previously. Amendments one and two were adopted in committee. No Motions filed. Floor Amendment 3 offered by Representative Hoeft."

Speaker Turner: "Representative Brunsvold."

Brunsvold: "Mr. Speaker and Ladies and Gentlemen of the House, and concerned with time and my fellow colleague on this

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side of aisle, I'd like to pass."

Speaker Turner: "Take the Bill out of the record. House Bill 3065. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3065, a Bill for an Act that amends the Metropolitan Water Reclamation District Act. Third Reading of this Bill."

Speaker Turner: "Any further Amendments? The Bill is on Third. Representative Bugielski, the Gentleman from Cook."

Bugielski: "Thank you, Mr. Speaker, Members of the House. House Bill 3065 amends the Metropolitan Water Reclamation District Act. It authorizes the imposition of hearing officer fees and court reporter costs in administrative hearings in a total amount, not to exceed \$3,000 only upon the companies who are found to be in the violation. If they are not found to be in the violation they would not be charged, and all of this language in this Bill is agreed upon by the Illinois Manufactures Association and the district. And I ask for the passage of this Bill."

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

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

Speaker Turner: "He indicates he will."

Black: "Representative, it is my understanding that there is a...if this Bill becomes law this is going to result in considerably higher cost because it will allow interest to be charged on the unpaid cost and fees as well as penalties, and then the district could also collect other fees and costs after a hearing in addition to any civil action. Is that your understanding? I mean, it looks to me to be a very open-ended Bill as far as cost."

Bugielski: "No, it would not increase the cost. All we are doing

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right now when a company is found to be in violation, the cost are absorbed by everyone putting in these fees. Right now if the company is found to be in violation that company would have to pay the fees for the court reporter and the hearing officer fees. There it would be just that company only, right everyone else, all the other companies that are in violation right now are spreading the fees amongst themselves, and if this Bill would become law, the company that is in violation would have to pay those fees only. It would be a savings."

Black: "It is my understanding that the business community that is most directly affected by the reclamation district, had some serious concerns if not opposition to this measure. I thought I heard you say, that everybody had signed off on it."

Bugielski: "The Illinois Manufacturers have. They are the ones that had some problems with this last year, because this Bill was in the...a similar Bill last year and then they agreed I guess now with the rewriting of this Bill, the Illinois Manufacturers Association and the district are in agreement with the language in the Bill."

Black: "What may the fine be per day under your law?"

Bugielski: "I'm sorry."

Black: "What is the maximum fine per day?"

Bugielski: "Up to \$3,000, so if the cost for the administrative hearing, for the hearing officer, and the court reporter fees were over let's say they were over let's say they were \$4,000 that company would only be charged \$3,000."

Black: "My notes indicate that the board my order the party to pay a fine of not less than \$100 nor more than \$2,000 per day for each day of discharge. Has that been changed? You are going up to a maximum now of \$3,000?"

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Bugielski: "The maximum is \$3,000."

Black: "That would only be for the hearing cost, correct?"

Bugielski: "Correct."

Black: "It would not have anything to do with the \$2,000 per day fine for a violating a cease and desist order?"

Bugielski: "No, that is in existence right now."

Black: "Okay, so your Bill, basically, is only dealing with the recovery of costs on a hearing? Is that basically what it's doing?"

Bugielski: "Only if they are found in violation. If they are found not guilty, it would not pertain to them. It is only if they are found guilty of that...of it then they would have to pay."

Black: "What are the rules of evidence in this? I mean, is this a hearing? Can you be represented by counsel or..."

Bugielski: "You and your representative go to the hearing, then I guess you have counsel from your own companies, from the companies that are in violation, they go in front of the Metropolitan Water Sanitation District, or the water reclamation district rather, and they have the hearing officer and the court reporter, and right now that is being picked by the water reclamation district, and all they're trying to do is to save some money to the innocent people throughout the state, the ones that are following the regulations and trying to recoup some of the expenses that the district incurs with the violators."

Black: "Okay, so nothing really has changed, except this Bill would authorize the district to charge and collect on a party found guilty. All court reporter costs, et cetera, for that hearing up to \$3,000, that being the maximum, correct?"

Bugielski: "Correct."

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Black: "And then the party would obviously have recourse, to the courts, to protect their right of due process if they thought they were not treated unfairly in hearing, I assume. Would it be possible for them to recover that money, if the courts ruled in their favor?"

Bugielski: "Well right now, I don't think so. You mean, would the district be able to recover the money?"

Black: "No, if the a...."

Bugielski: "If a violator?"

Black: "If a company, let's say the alleged violator..."

Bugielski: "If you're an alleged violator and if you are found not guilty, you won't have any charges. This is only if you are found guilty, if they are found to be in violation then they would be charged."

Black: "Okay, but now I need to focus on that. Found guilty at the hearing or found guilty, subsequently, in a court of law?"

Bugielski: "All I have here is in the hearing."

Black: "Okay, so I...I assume that the, that the party would certainly have recourse to the Circuit Court?"

Bugielski: "Correct."

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

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

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

Speaker Turner: "He indicates he will."

Brady: "Representative, this hearing panel, do you have any idea what the hearing costs? Our analysis says, when a hearing officer, paying hearing officer fees, how are they paid and do you know what they charge?"

Bugielski: "I have no idea what they charge."

Brady: "Three thousand dollars just seems like an absorbinate

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amount of money."

Bugielski: "Some of these hearings go on for several days, and you're having besides the hearing officer, the fees for that and the fees for the court reporter. The court reporter fees, I know are very expensive, too."

Brady: "What kind of discharge are we talking about? Can you give me a practical application of these types of hearings?"

Bugielski: "It's just the company which discharges a fluid that contains higher concentrations of pollutants than are allowed in the ordinance that is set by law."

Brady: "Well..."

Bugielski: "So, if they are..."

Brady: "...paint factory, or is that the kind of thing."

Bugielski: "...if they are emitting pollutants over what the requirements are right now, then they would be found guilty of this."

Brady: "This would in no way hinder their rights to have a just and fair hearing, would it?"

Bugielski: "That's right."

Brady: "And then as Representative Black alluded to, they still have their right of appeal in the courts?"

Bugielski: "Correct."

Brady: "If the courts were to rule in their favor, but the hearing officer, in other words, if the courts were to rule in the..."

Bugielski: "In the higher courts, then they would be able to go back and collect, if they were found not guilty in the higher courts."

Brady: "Would they still have to pay the costs of the hearing because they were found guilty at the hearing level? That is one of the technical...in other words, if we go through

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a hearing...."

Bugielski: "...and you are found guilty, and you...."

Brady: "Three thousand dollars in cost, and I appeal that to a higher court, do I have to pay the \$3,000 before I have my right to appeal? And secondly, if I do have to pay my \$3,000 and I go to a higher court and they find in my favor..."

Bugielski: "I would imagine that you would not have to pay them."

Brady: "Okay, that is one of the technical things that we've got a question on. So your intention is that if you're going to appeal it, you wouldn't have to pay the \$3,000 until you went through the appeal process. If for some reason you have paid it, and the higher court found you innocent, you would be refunded your \$3,000."

Bugielski: "Correct."

Brady: "Thank you."

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

Walsh: "Thank you, Mr. Speaker. Can I ask, are there any Amendments on this Bill?"

Speaker Turner: "Mr. Clerk?"

Clerk McLennand: "No Amendments have been adopted to the Bill."

Walsh: "Representative Bugielski, they don't charge for the hearing officers fees and the court reporter fees right now?"

Bugielski: "They're not being charged to the person that's being charged. It's being absorbed by everyone else that's paying into it."

Walsh: "That..."

Bugielski: "All the companies are paying right now."

Walsh: "How are they going to assess those fees? Is it going to be an hourly rate for the hearing officers and an hourly rate for the court reporter?"

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Bugielski: "I didn't hear the question."

Walsh: "How are they going to assess the fees? Is it going to be an hourly rate for the number of hours that the hearing..."

Bugielski: "However they bill right now at the present. If they are billing by the day, by the hour, that's, you know and if it's only a two hour hearing, the bill may only be \$200; if it's a one week hearing, it may be \$5,000 bill."

Walsh: "And this..."

Bugielski: "But if this hearing is only going to last for four hours, you're not going to have a \$3,000 bill, naturally."

Walsh: "And, the, the administrative fees or the hearing fees that, they will only be up to a maximum of \$2,000 in the maximum fine for this is \$2,000 a day and that would be in addition to the fees for these administrative..."

Bugielski: "We're not talking about, all we're talking about is to receive back up to and not going over the \$3,000 for the costs of the hearing officers."

Walsh: "Regardless of how long it goes?"

Bugielski: "Right. The other fines are not, does not pertain to this at all."

Walsh: "Okay, but there is the possibility that after that they can be fined up to not less than \$100 and not more than \$2,000 per day."

Bugielski: "I believe that if that's the existing law right now. We're not talking about that in this Bill."

Walsh: "And, did you say that the Manufacturer's Association is now in favor of this?"

Bugielski: "Yes, they are."

Walsh: "Okay. Thank you."

Speaker Turner: "The Gentleman from Kendall, Representative Cross."

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

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Speaker Turner: "He indicates he will."

Cross: "Thank you. Representative, does this apply to, what's the definition of an offending party under your Bill?"

Bugielski: "Anyone that's found guilty of polluting."

Cross: "Does this..."

Bugielski: "Companies that are adding the pollutants to the water system."

Cross: "Does this apply just to commercial property, or could it, could it apply to residential as well?"

Bugielski: "I don't know, it doesn't, I think this is just companies. That was the intent that I, pretty sure that's what it applies to."

Cross: "Could it, is it possible, I'm just trying to get, go through the Bill right now, is it possible that it involves or includes private individuals?"

Bugielski: "I don't believe it includes private individuals."

Cross: "I'm looking on page 2 of the Bill, the term 'person' means any and all persons, natural, artificial, and including any, any individual like including local, unit of local government. What happens, and I just happened to find that, Representative, on page 2."

Bugielski: "What did you, on page 2?"

Cross: "Page 2, there's a definition of 'person'. I just wonder, worried if we're..."

Bugielski: "This isn't, that's in the existing law right now."

Cross: "What I'm concerned, well, what I'm asking though is could an individual property owner be assessed at \$3,000 fee, if he or she loses?"

Bugielski: "Well, it says any individual, firm or association."

Cross: "As well as any unit of local government. Representative, one other question. What if the party prevails in one of these hearings, are we, do we still have the ability to

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assess them the cost?"

Bugielski: "I would imagine you can."

Cross: "Is that the intent of this too, as well? To assess a, a winning party?"

Bugielski: "I don't think that's the intent of the Bill. The intent is they're looking mainly at the major, the companies and the major corporations that they are having the problems with. They're not having problems with the individuals."

Cross: "Okay, well I understand, that makes, explains it. Thank you very much."

Speaker Turner: "No further questions. Representative Bugielski, to close."

Bugielski: "Well, as we brought out in the discussion, it's mainly we're looking at the companies that the pollutants, the major pollutants in the state, and we're just looking, feeling that if they aren't doing the polluting, why should we be charging the innocent companies that are doing the decent job and abiding by the law. All we're doing is trying to recoup some of our charges that are being incurred by these pollutants. And I ask for an 'aye' vote."

Speaker Turner: "The question is 'Shall House Bill 3065 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk, shall take the record. I'm sorry, Representative Hughes. The Lady from McHenry."

Hughes: "Thank you, Mr. Speaker. To explain my vote. It would seem to me that allowing interest and raising fees is a manner of gaining more revenues rather than adding efficiencies to the department and we should be extremely

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cautious about doing this."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, to explain your vote."

Black: "Thank you very much, Mr. Speaker. To explain my vote. I think the Sponsor has have done an outstanding job of explaining the Bill, but you know at this late stage in the afternoon there seems to be some confusion over the amount of money and how that money would be assessed, and I think as a previous speaker said, if the attempt is to streamline the process, that's one thing. If, on the other hand, the attempt is simply to put more money into the flow, shall we say, of the water district, than that's something entirely different and I think we have to take a look at that. When all else fails, we may want to filter this, filter your vote very carefully through those necessary activated charcoal filters before you cast your vote. So I vote 'no'."

Speaker Turner: "The Gentleman from Cook, Representative Parke, one minute to explain your vote."

Parke: "Thank you, Mr. Speaker. I would like to br changed from 'yes' to 'no', please."

Speaker Turner: "Change the Gentleman's vote. The Gentleman from Will, Representative Wennlund, one minute to explain your vote."

Wennlund: "Thank you, Mr. Speaker. I don't know what I missed in all this conversation about this whole Bill. There's nothing at all wrong with this Bill, and there's absolutely no reason in the world to oppose it. It's a Bill that's necessary for the operations of the Metropolitan Water Reclamation District. It's essential to the administrative operations. I don't know why all these speeches against it are out there, but it's a good Bill. it ought to be voted

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on and let's close the, move on."

Speaker Turner: "Right now there are 80 people with you. The Gentleman from Cook, Representative Walsh. One minute to explain your vote."

Walsh: "Thank you, Mr. Speaker. I agree with the previous speaker, I think we should be proud of the efforts of the Metropolitan Water Reclamation District to keep our rivers and our streams and creeks in Cook County clean. Ultimately their goal is to keep Lake Michigan clean, and that's a laudable goal for all of the State of Illinois, and I think that the Sponsor's Bill is a good one. So, I would ask that all of my colleagues support the Bill by voting 'aye'."

Speaker Turner: "The Gentleman from Lake, Representative Churchill. One minute to explain your vote."

Churchill: "Thank you, Mr. Speaker. I heard during the debate that the Illinois Manufacturer's Association had worked out its differences on this Bill. I do not believe that to be the case in fact I'm on the phone at this very moment with someone from the Illinois Manufacturers Association who tells me that he does not believe that this has been worked out. So, at this point, if you think that this has been worked out, you may be wrong, and if, if for some reason, that's wrong, perhaps it should go on postponed consideration, that could be considered at a later date. But, at this point, as of this moment, the Illinois Manufacturers Association is not worked out their differences on this Bill."

Speaker Turner: "Do you care to put them on the microphone? Have all voted who wish? The Clerk, shall take the record. On this question there are 80 voting 'aye', 34. Representative Ackerman votes 'aye'. Representative Zickus

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votes 'no'. No further...Representative Frederick votes 'aye'. Any further changes? This Bill, having received 81 'ayes', 34 'noes', having received the required Constitutional Majority, is hereby declared passed. House Bill 2825, Representative Stroger. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2825, a Bill for an Act that amends the Illinois Municipal Code. Third Reading of this Bill."

Speaker Turner: "Any Amendments? Representative Stroger."

Stroger: "Thank you, Mr. Speaker. House Bill 2825 allows the City of Chicago to increase it's purchasing threshold for small order contracts from 10,000 to 25,000. It also gives the purchasing department the ability during an emergency, to use \$100,000, the previous amount was \$40,000."

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

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

Speaker Turner: "He indicates he will."

Black: "Representative, what's the genesis of this Bill? Why do you want to do this?"

Stroger: "The reason to increase the amount of emergency funds, because the last time there was an emergency, which was the Chicago, the flood that happened downtown, the purchasing department was only able to use \$40,000 for that immediate crisis, and now we're trying to raise it to \$100,000 because they would have more money to combat the situation. Also, the small order threshold would allow minorities, and women businessmen to bid on contracts up to \$25,000, when previously it was \$10,000, before it would be open to the public, the general public."

Black: "Is the, is there a definition of emergency anywhere in

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the underlying Bill?"

Stroger: "There is not a definition of emergency, but the Bill does state that there has to be a written account when the funds are used."

Black: "All right, but as I look at the Bill on page 2. The emergency could be anything declared by the corporate authority of the municipality, correct? Any emergency affecting the public health or safety so declared by the corporate authority."

Stroger: "What line are you on?"

Black: "On this LRB printout, page 2 line 2 through 7 for all practical purposes."

Stroger: "Oh, correct."

Black: "Okay. Now, this only affects the City of Chicago, is that your understanding?"

Stroger: "Yes."

Black: "All right, so, in the event that there is an emergency declared by the corporate authority of the, of the city, emergency expenditures could be \$100,000, that's correct, right?"

Stroger: "That's correct."

Black: "Instead of the current \$40,000?"

Stroger: "That's correct."

Black: "Now, is that an aggregate total, \$100,000 total, or could it be a \$100,000 like in the tunnel when the water collapsed. Well, what I'm trying to get to here is that we don't spend \$100,000 for sandbags, \$100,000 for pumps, \$100,000 for barricades, see what I'm, you know, I'm trying to make sure that we just don't give it an open, open ended emergency provision."

Stroger: "No. No, once the \$100,000 is spent, then they would have to go to the City Council for any additional funds."

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Black: "Okay. And, then, then the provision in the Bill, it says, purchases over currently \$10,000 can be made without competitive bid, and you want to raise that threshold to \$25,000, correct?"

Stroger: "Correct."

Black: "All right. Thank you very much for your patience Representative. Mr. Speaker, and Ladies and Gentlemen of the House. There's no question that Chicago is a different city than any other in the State of Illinois, and they, when they have problems, they're certainly bigger in magnitude than most of the cities that I'm familiar with in the rest of the part of the State of Illinois. However, I think you need to take a very strong and long look at this Bill. This is the very Bill, the very kind of Bill that created all kinds of problems with the State Purchasing Act. We did this late at night about two years ago, and raised the threshold of non-bid contracts, as many of you will recall, and since that time, we've had a blue ribbon committee trying to go back to lower that threshold. So, again, some of us have gone down this road at a state purchasing level, and have found it to be somewhat difficult to traverse. I suggest to you that you may find this equally as difficult, and you should vote accordingly."

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

Murphy: "Mr. Speaker, I would ask your permission if it's not in violation of the House rules to announce the seventh grade class of St. Beads up here in the Gallery, and perhaps you could welcome them, and thank you for your indulgence."

Speaker Turner: "We will welcome St. Bead and it is a violation of the rules. Are there any further questions? The question is 'Shall House Bill 28...Representative Stroger

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to close."

Stroger: "The City of Chicago has not increased this emergency thresh, threshold for purchases since 1961, and I believe now times of inflation, they need more money and they haven't increased the purchasing threshold for small order contracts since 1980, and I believe we should do it now, and I ask for a favorable vote."

Speaker Turner: "The question is 'Shall House Bill 2825 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. Voting is now open. Representative, the Gentleman from Cook, Representative Martinez. One minute to explain your vote."

Martinez: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this Gentleman's piece of legislation. Obviously, it's out of his concern of, to what you have referred to early in his comments, the flood of Chicago, and I take exception with Representative Black that Chicago's a different kind of a city. We're still second city, we're not number one yet. We do have, when our problems come they do come big. So, I believe this Gentleman is trying to address that for the future, that there be sufficient funds to address whatever happens. We are the city of big shoulders and, but we need the financial support to go along with the big shoulders. I urge support of this whole House on this measure. Thank you."

Speaker Turner: "Further questions? Have all voted who wish? Have all voted who wish? Is this the Gentleman's first Bill? Have all voted who wish? The Clerk, shall take the record. On this Bill, there are 37 'yeses', 76 'noes', and the Bill will fail. Fails. You didn't hear me. House Bill 3164, Representative Burke. Read the Bill, Mr.

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Clerk."

Clerk McLennand: "House Bill 3164 has been read a second time, previously. Amendments #1 and #2 were adopted in committee. No Motions filed. Floor Amendment #3, offered by Representative Hoeft."

Speaker Turner: "Withdraw Amendment #3. Further Amendments?"

Clerk McLennand: "Floor Amendment #4, offered by Representative Cowlshaw."

Speaker Turner: "The Lady from DuPage, Representative Cowlshaw on Amendment #4. Withdraw #4. Further Amendments?"

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

Speaker Turner: "Withdraw Amendment #5. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Turner: "Third Reading."

Clerk McLennand: "House Bill 3164, a Bill for an Act to amend the School Code. Third Reading of this Bill."

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

Burke: "Thank you, Mr. Speaker. Quite basically, this Bill would provide that LSC's in the City of Chicago in the event of a vacancy in the office of principal would be able to hire the new principal for the full four year term as opposed to the unexpired term as currently exists, and I'd ask for your favorable consideration."

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

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

Speaker Turner: "He indicates he will."

Wennlund: "Yes, Representative, does this, this provides for a four year contract for principals?"

Burke: "I beg your pardon, Representative?"

Wennlund: "Does this mandate a four year contract for

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principals?"

Burke: "Currently that is what the School Code would provide for, four year terms. So, it is already..."

Wennlund: "That's already law."

Burke: "Yes."

Wennlund: "So, when they're hired, they have to hire them a four year term?"

Burke: "They are currently being hired for four year terms."

Wennlund: "And, they..."

Burke: "So, all this Bill would do is provide for, in the event of a vacancy, if a principal would retire, or leave the position for some reason. The local school council would have the opportunity to contract with a new person for the full, four year term as opposed to the remainder of whatever that term would be."

Wennlund: "I see, so the law is now that when they hire a principal he's got a four year term, he can't be cut during that time?"

Burke: "No, unless for a good cause."

Wennlund: "Did the Amendment become the Bill?"

Burke: "Yes it did."

Wennlund: "Okay, then that's all it does?"

Burke: "That is all it does."

Wennlund: "Thank you very much."

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

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

Speaker Turner: "He indicates he will."

Rutherford: "Representative, what, what's the frequency of this to occur, I mean, is this something that we see, principals moving often, or what are the numbers we're talking about, that this could happen in."

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Burke: "Of late, with the recent appearance of the five-five retirement program, there were a number of principals taking advantage of that early out and there were several vacancies in the office of principal throughout the city."

Rutherford: "Not, being from the Chicago area, obviously are we talking 10, 100, I mean just so I can understand a little of quantifying this?"

Burke: "There is really no way to predict, and I don't think that it would occur with any great frequency. This would be the odd occurrence where a principal would probably, maybe decrease, retire, or otherwise leave the office. So, this simply gives the school council the opportunity to replace that individual for the full four year term. And, furthermore, it would accommodate the need of the local school councils to attract qualified candidates. Very often, if there's only a short period of time, they wouldn't find that there would be many applicants for the position."

Rutherford: "Also, just one thing to clarify my understanding of this, there was an Amendment, did Committee Amendment #2, which dealt with the utilization of law enforcement agencies, is that still a part of the Bill, Representative?"

Burke: "Would you repeat that, Representative?"

Rutherford: "I just wondered if Committee Amendment #2, which was adopted by voice vote, which dealt with responsibility to principals to utilize law enforcement agencies when the safety and welfare of teachers and students are threatened by illegal use of possession of weapons. Is that still a part of the underlying Bill we're considering now?"

Burke: "No, it is not, and I'm not familiar with the fact that it ever was."

Rutherford: "Great. Thank you, Representative."

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Speaker Turner: "The Gentleman from Kendall, Representative Cross."

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

Speaker Turner: "He indicates he will."

Cross: "Representative, our analysis indicates that the, Representative Rutherford alluded to the weapons portion of the utilization of law enforcement agencies that was adopted by a voice vote on the floor, is that, has that not happened? Could we..."

Burke: "You know, Representative to be honest with you, I'm not familiar with that section of the Bill."

Cross: "Well, they're two different..."

Burke: "My only interest, and the only way this legislation reads now is that it provides for four year terms."

Cross: "I'm not questioning you, I just, our analysis shows two different spots where it's been, there's reference to an Amendment on the floor, by voice vote. If the Clerk could..."

Burke: "If I could defer to the Clerk for an inquiry?"

Speaker Turner: "All right, Mr. Clerk, what Amendments are on this Bill?"

Clerk McLennand: "Amendments #1 and #2, have been adopted to the Bill."

Speaker Turner: "Representative Cross, does that explain your inquiry?"

Cross: "Yes, Representative Burke, both 1 and 2 in our analysis deal with the law enforcement utilization of law enforcement and I'm just asking if we can just check on that?"

Burke: "Yes, Representative, that section would provide for the principles authority currently they can only contact local police authority in the event in their suspicion of drug

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use. This would further include suspicion of use or possession of weapons or of suspicion of illegal gang activity. So, you are right, and this would be part of the legislation."

Cross: "And, the same with Representative Rutherford's question, I believe as well as be the same..."

Burke: "That's absolutely right."

Cross: "On the, on the Amendment portion, is there anything in the law now that prohibits principals from doing what the Amendment provides?"

Burke: "As we understand it currently there are only..."

Cross: "I'm not saying, I don't even think it's a bad idea, I was just wondering what..."

Burke: "This would require the principle to make the notification. So, it now becomes the principles responsibility, these two separate occasions."

Cross: "I think that..."

Burke: "Weapon use, and gang activity, along with drug use. So, these three categories now are mandated that the principal must advise a local law enforcement authority of that activity."

Cross: "I think that's an excellent idea, is there any responsibility on law enforcement on how they're to react, I don't have the Amendment. I like the idea of the requirement. I think that's a good concept, but I just want to know, make sure that we have law enforcement responsible."

Burke: "Other than by department directive, there would be no provision in this Bill to cause them to do anything other than what they're doing currently."

Cross: "Okay, thank you very very much."

Burke: "You're quit welcome."

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Speaker Turner: "The Gentleman from DuPage, Representative."

Johnson, Tom: "Yes, will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Johnson, Tom: "Representative Burke, I still, I want to get back to the underlying Bill. I, typically principals are awarded what, four year contracts, okay, and somebody retires or they're gone and there's three years left on the contract, right now board interviews and then what? The board interviews and what, just reappoints, or appoint a principal for three years remainder?"

Burke: "Under current law of the LSC, the Local School Council would only be eligible, entitled to hire for the remainder of the term. So, if you, as you say there was three years left, that's all their authority would extend to. That three year. This would change it and permit them to hire for the entire four year period."

Johnson, Tom: "Okay, but if a principal is doing a good job, typically, are not their contracts renewed?"

Burke: "That, that is the case, but the principals in Chicago have insisted that it's uncomfortable for one to apply for a position that is less than four years, we cannot control how long that period would be, if a principal were to retire or decease, there could, in fact, be a year. It's difficult to establish yourself in and entity, even in four years let alone one in that environment. So, the principals in..."

Johnson, Tom: "How long does it typically take to interview before they fill one of these positions?"

Burke: "It's an unpredictable variable, with the current state of affairs in Chicago with LSC's actually doing the hiring."

Johnson, Tom: "Have you experienced any lack of applicants for the position?"

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Burke: "That's what I'm being advised of, the fact is if there is less than four years, they are not as likely to get the full compliment as applicants as they would the four year."

Johnson, Tom: "I hear what you're saying, they're not as likely. Do you know for a fact, is there a lack of applicants?"

Burke: "This is what I am being told, by the Chicago Board of Education and the Chicago Principals."

Johnson, Tom: "Thank you."

Speaker Turner: "The Lady from Cook, Representative Davis."

Davis: "Thank you, Representative. Currently, if a principal is given the interim principal ship, the LSC or the School gets to see how that person would operate, right, before they make a decision on awarding a four year contract?"

Burke: "They will serve for the remainder of the unexpired term of the previous principal, whatever that period of time may be. It's not a test period, it is a contract that is engaged with that applicant for the remainder of the term."

Davis: "You mean now?"

Burke: "Now."

Davis: "Now they have whatever the balance of the contract is, is that correct?"

Burke: "Correct."

Davis: "And your legislation wants to remove that interim period."

Burke: "No."

Davis: "No."

Burke: "No, not at all. We're not even discussing any interim period. We're talking about the opportunity of an LSC to hire a principal for the full four year contract."

Davis: "But would they..."

Burke: "No matter what."

Davis: "Would they have to do it, or you just giving them the

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opportunity to do it?"

Burke: "This, is their only opportunity now, to renew a contract for four years."

Davis: "Let me, let me, you could help me, where am I missing it? What I want, what I want to prevent is not giving the LSC the opportunity to see how a person would work and if they'd want to give that person a contract, in other words, if a person resigns on April 18, on April 19, with your legislation, they wouldn't have to give a contract?"

Burke: "I fully understand what you're suggesting, that certainly would be another alteration to the current law. We're asking that only in the event of the unexpired term having to be replaced that it be four years as opposed to the remainder of the term."

Davis: "Why, why?"

Burke: "It's easier to find applicants, there are very few people that would want to take a position for a year or six months."

Davis: "Okay, that does make sense. Thank you, Representative. Thank you."

Burke: "You're very welcome."

Speaker Turner: "Further questions? Seeing none, Representative Burke to close."

Burke: "Thank you, Mr. Speaker. If I might, probably contrary to the rules, I have a group I'd like to introduce from St. Bead grammar school, where my niece Aaron attends, and the kids are all here in the, on the floor with us."

Speaker Turner: "That's a violation of the House rules, I don't think it will affect the outcome of your Bill."

Burke: "I beg your indulgence and in view of the question, and the discussion on this particular Bill, I would ask for your favorable consideration."

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Speaker Turner: "The question is, 'Shall House Bill 3164 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? The Clerk, shall take the record. On this question, there are 116 voting 'aye', no 'noes'. This Bill having received the required Constitutional Majority is hereby declared passed. The Gentleman from Vermilion, Representative Black. For what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. I rise to a point of personal privilege. I think it's a gross miscarriage of justice in the rules in this House, when the Gentleman calls a Bill on the Order of Education and surrounds himself with school children so that he can eke out a narrow 116 positive votes, that's going too far, Mr. Speaker."

Speaker Turner: "The Chair will concur. House Bill 3601, Representative Currie."

Clerk McLennand: "House Bill 3601, a Bill for an Act relating to the Financing and Funding of Educational Projects and Loans. Third Reading of this Bill."

Speaker Turner: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is a rewrite of the educational facilities financing authority, an authority that was created about 22 years ago, and is essentially been operating under rules that were imposed at that time. Most of the provisions in the revised Act are technical some changes reflect changes in financial markets, so there is greater leeway for example, to use financial instruments that weren't available 22 years ago. The idea of the Bill is to increase flexibility, and as I say it's the first rewrite of the legislation since the

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authority was created some 22 years ago. We have worked on the measure with the colleges and universities that turn to the authority for help. I know of no opposition to the measure, I would be happy to answer your questions and would appreciate your support for this measure to modernize the operation of this important authority."

Speaker Turner: "The question is, 'Shall House Bill 3601 pass?' All those in favor should vote 'aye'; those opposed vote 'no'. The voting is now open. Have all voted who wish? Vote Representative Biggins, 'aye'. Have all voted who wish? Have all voted who wish? The Clerk, shall take the record. On this question there are 113 'yes', no...3 'noes', no 'present'. This Bill having received the...Representative Blagojevich votes 'aye'. There are 114 'yes'. This Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 3806, Representative Dart."

Clerk McLennand: "House Bill 3806 has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Tom Johnson."

Speaker Turner: "Read the Bill, Mr. Clerk. Out of the record. Look, withdraw the Amendment."

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

Speaker Turner: "Representative Black, on Amendment #2."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 was a Bill that I got out of Judiciary Committee, I don't believe there was any negative votes, unfortunately, the Bill has been lost on the Calendar somewhere. It amends the Marriage and Dissolution of Marriage Act, it provides that legal disability and sanity and incompetence, are not defenses to an action for

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dissolution of marriage or legal separation that is brought on grounds of irreconcilable differences. I'd be glad to try and answer any questions you have and ask for a favorable consideration."

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

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

Speaker Turner: "The Sponsor indicates he will."

Dart: "There was a, this was the exact language that the Amendment we had in our Committee, is that correct?"

Black: "Yes, it was House Bill 2657. You know, and I'm not, I don't want to incumber or endanger your Bill, Representative, and I've, I apologize for not talking to you about this. The Bill that you'll recall, the former judge, and the attorney testified on, they feel very strongly that this needs to be made and quite frankly I'm running out of places to try and find a place to put it."

Dart: "I don't, was there any, there wasn't any opposition to this?"

Black: "Not to my knowledge, I think it got out on an unanimous vote."

Dart: "No further questions."

Speaker Turner: "Representative Black."

Black: "Yes, thank you very much. I ask for your favorable consideration of Amendment #2 to House Bill 3806."

Speaker Turner: "The question is, 'Shall Amendment #2 to House Bill 3806 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. The 'ayes' have it and the, in the opinion of the Chair. Further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments."

Speaker Turner: "Out of the record. House Bill 3672, Representative Deering."

Clerk McLennand: "House Bill 3672 has been read a second time

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previously. No Committee Amendments. No Floor Amendments."

Speaker Turner: "Third Reading."

Clerk McLennand: "House Bill 3672, a Bill for an Act to amend the Water Authorities Act. Third Reading of this Bill."

Speaker Turner: "The Gentleman from Washington, Representative Deering."

Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This, this Bill amends, this Bill amends the Water Authorities Act prohibiting any ordinance from being enacted, other than, or other actions taken by a water authority that affects the public utility, meaning a water authority that has to go to the ICC for authority to increase rates. They want to have a hearing held, and the ICC would have to approve any regulation or ordinance or other action that would affect the, the utility. I would like to answer any questions."

Speaker Turner: "And there are none. The question is, 'Shall House Bill 3672, pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk, shall take the record. On this Bill there are 117 voting 'yes', no 'noes', no 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 3040, Representative Edley. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3040, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hoeft's'."

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

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

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Speaker Turner: "Withdraw Amendment #2."

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

Speaker Turner: "Representative Edley on Amendment #3. Withdraw Amendment #3. Further Amendments?"

Clerk McLennand: "Floor Amendment #4, offered by Representative Hoeft."

Speaker Turner: "Representative Hoeft on Amendment #4. Withdraw #4. Further Amendments?"

Clerk McLennand: "No further, no further Amendments, but a fiscal note has been requested."

Speaker Turner: "Fiscal note requested. Representative Edley, the Gentleman from McDonough."

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

Speaker Turner: "The Bill will be removed. House Bill 3806, Representative Dart."

Clerk McLennand: "House Bill 3806, the Bill's on the Order of Third Reading."

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

Dart: "Thank you, Mr. Speaker, Members of the Assembly. House Bill 3806, creates the Domestic Violence Courtroom Advocacy Act. The Act basically what it will do is puts a \$10 Domestic Violence Courtroom fee onto divorce proceedings, the money is to be used for courtroom advocacy programs throughout the State of Illinois. It is a program whose merits I can go on for hours and hours, but I won't do it at this time. It is something that is essential and to the prosecution of Domestic Violence cases. In addition to that, the Bill has on an Amendment that was just put on by Representative Black as well, which is a non-controversial Amendment and I move for passage of this Bill."

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Speaker Turner: "The Gentleman from Kendall, Representative Cross."

Cross: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative, you know it often helps us to have a map to kind of guide us through legislation here. Can you relay to us again, the, where the \$10 fees is gonna, explain to us where the \$10 fee is going to be assessed or to what action?"

Dart: "It's going to be assessed on Divorce filings, and the fees going go 5% will go for the cost collection of it, and the rest of it's going to be dispersed through domestic violence agencies throughout the state for courtroom advocacy programs."

Cross: "Will it be, will the money stay in each particular county, or will it come back somewhere to a, to the state?"

Dart: "The money is going to be dispersed through the attorney general's office and they're going to disperse it, using all sorts of different factors trying to make sure that geographically it doesn't overlap, and that the same counties are well covered and there's other ones that aren't."

Cross: "I think it's a good idea, it's...who will be eligible for it, any domestic violence types, will there be shelters?"

Dart: "There's a criteria that's set out, that they're the attorney general's office is to use when they're judging who is eligible for it, and they got, go through the goals of the applicant, their commitment and ability, their track record and things along those lines to try to determine ones that are liable ones opposed to people who just set up shop."

Cross: "Thank you very much."

Speaker Turner: "The Gentleman from Livingston, Representative

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Rutherford."

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

Speaker Turner: "He indicates he will."

Rutherford: "Representative, do we have any idea approximately how much money we're talking about here that will be collected in a fiscal year."

Dart: "No, I don't at this time."

Rutherford: "What, is there, you suggested that the Attorney General's will be the one responsible to allocate the funds. Is there an mechanism, in place today, in the Attorney General's Office to evaluate applicants, let me ask it another way, will there be applications taken to the Attorney Generals Office for programs supplied for funds, etc."

Dart: "Exactly, there'd be an entire application process which would delineate all the different things and basically the hoops they'd have to jump through to qualify for this, and the Attorney General's Office is actually the only agency right now set up who could do this, opposed to some of the other one's."

Rutherford: "Is there a mechanism in place today in the AG's office to do this, or would this be something they would have to package."

Dart: "To my understanding, my understanding is the Attorney General's Office could administer this program right a way, actually."

Rutherford: "Under their existence, okay. Could you just give me just one or two examples of what type of a program could get funded?"

Dart: "The type, the type of ones getting funded would be the ones that work in the, specializing in the courtroom advocacy programs. They don't have to be solely working in

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that area, but they're one's that have a major component that does that, and things such as geographically how they overlap with other one's would be taken into consideration, but the thrust of it is for the courtroom advocacy programs they're talking about individuals who've set up programs that are valid one's, with people who have been trained with 40 hours in how exactly to work within a courtroom setting, and I actually have had the personal experience with dealing with, and working with these people about two years, and it's phenomenal. You can tell, and they have the safeguards set up to make sure it isn't just some fly by night operation that someone who truly is working in this area."

Rutherford: "It just gets like clarified, a \$10 fee, is this an additional \$10 fee that would be filed within the system, or this taken existing fees..."

Dart: "This is taking an additional \$10 fee onto the cost of the divorce proceedings right now."

Rutherford: "Great. Thank you very much. To the Bill. The issue of domestic violence of course is something that's of great concern to us here in the State of Illinois, and I commend the Sponsor for packaging this together, and would encourage an 'aye' vote."

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

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

Speaker Turner: "He indicates he will."

Blagojevich: "Representative Dart, are you familiar with the group, the Illinois Coalition Against Domestic Violence?"

Dart: "Yes, very."

Blagojevich: "Are you familiar with an individual by the name of

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Adon O'Brien Gilbert?"

Dart: "Yes, yes I am."

Blagojevich: "A year ago Mr. Gilbert used to work for the Illinois Coalition of Domestic Violence Act, are you familiar with that."

Dart: "Yes, yes."

Blagojevich: "At that time he brought up this legislation to me, did you happen to know that?"

Dart: "No, he never actually mentioned that to me."

Blagojevich: "In fact, he did, and I can only say to the Bill. I support this Bill whole heartedly so much so that I put my name on the Bill. I commend Representative Dart for his efforts and I would say that in the spirit of Adon O'Brien Gilbert, that we passed this Bill out of here, because Mr. Gilbert brought this to our attention. One last thing, here's a statistic that Adon O'Brien Gilbert gave me. One out of three women in emergency rooms today in the United States are there as a result of Domestic Violence. So, this kind of Bill works toward that problem. I urge a 'yes' vote. Thank you."

Speaker Turner: "the Gentleman from Cook, I mean the Lady from Cook, Representative Mulligan."

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

Speaker Turner: "He indicates he will."

Mulligan: "Representative Dart, this is really a familiar Bill, because I to was approached last year on this Bill. I'm just wondering, what Domestic Violence groups that may participate in the windfall of these grants are behind this Bill?"

Dart: "Well, the coalition against Domestic Violence that Mr., Representative Blagojevich talks so heartfully about is

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actually one of the forces behind this, and they're sort of the umbrella group for the most of them throughout the state, and it, virtually all of them would qualify for this as long as they could show that they're a reputable organization that does these different activities."

Mulligan: "So, in other words, that's the main group that's backing this. How about life span?"

Dart: "Excuse me?"

Mulligan: "Life span?"

Dart: "Well, they take into consideration all those different factors as far as..."

Mulligan: "Are there any women on your side of the aisle that are willing to put their names on this Bill? I mean, I find it truly, I would like to see, you know, all though I know we have some battered men. It would be nice, Jeff are you saying you're battered? No, I think it's wonderful, I just would like to see what groups are behind it, and that some of the women on your side of the aisle are willing to stand with you on this Bill. Representative Lang is insulted, I'm so sorry, and I did mention his name, perhaps he'd like to get up and speak to it and back this Bill. I think it would certainly do him well in his area, but I think this is probably a very good idea..."

Speaker Turner: "Representative, we're not encouraging any more speakers."

Mulligan: "Thank you."

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

Hoffman: "Thank you, Mr. Speaker. Adon, also worked with me on this Bill, and I think that he worked very closely with Representative Granberg on this Bill, and we hope that we can all support this."

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Speaker Turner: "Representative, he also talked to me earlier. How many other people did he talk to in here, with show of hands, okay. A pretty good cross section. Representative Dart to close."

Dart: "Thank you. Apparently I was the last one he talked to. They, this is a Bill whose merits are quit obvious and I won't be labor them any longer, it's a Bill who, it's very important and I would urge the support of everyone."

Speaker Turner: "Now, our question is, 'Shall House Bill 3806 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? The Clerk, shall take the record. On this question there are 115 voting 'yes', no 'noes', no 'presents'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Hannig, for an announcement."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. I would just like to announce that the Appropriations Committee that will meet tomorrow, General Services will meet at 9:00 a.m., not at 8:00 a.m. as originally announced."

Speaker Turner: "At this time I would like to thank Representative Black for an orderly afternoon. It's not often that I'm up here in the podium, but I'd like to commend him on his behavior here this afternoon, and with that... Representative Saltsman, the Gentleman from Peoria."

Saltsman: "Yes, the House, the Appropriations Committee on Public Safety will meet at 8:00 a.m. tomorrow morning."

Speaker Turner: "No further, no further announcements. Representative Granberg moves that the House stands adjourned until the hour of 12:00 noon tomorrow. All those

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in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the House is adjourned until 12:00 noon tomorrow."

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