

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Speaker Daniels: "The House will come to order. The Members will please be in their chairs. Those not entitled to the floor, will please retire to the gallery. The Chaplain for the day is Pastor David McHenry of the Shelby Christian Church in Shelbyville. Pastor McHenry is the guest of Representative Duane Noland. Guests in the gallery may wish to rise for the invocation. Pastor McHenry."

Pastor McHenry: "Let us pray. Oh God, we take this moment to thank You for this great nation and for this great state and, Father, we thank You for those who represent us and govern over us. We thank You, Father, that we can trust in You and it is in Your name we pray. Amen."

Speaker Daniels: "Thank you, Pastor McHenry. We will be led in the Pledge of Allegiance by Representative Duane Noland."

Noland - 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 Daniels: "Roll Call for Attendance. Representative Currie is recognized on the Democratic side of the aisle for excused absences."

Currie: "Thank you, Speaker. Please let the record show that Representatives Phelps and Martinez are excused today."

Speaker Daniels: "Record shall reflect. Can you tell us the subject of the flowers next to you, Representative Currie?"

Currie: "Thank you, Speaker, I appreciate this opportunity. My seatmate, Representative Ronen, is having a birthday today. Now it is not a major birthday. That was last year. But we have provided a major cake and we are hopeful that you will all join in celebrating her birthday and in helping us make inroads into this major cake. So be sure to wish Carol well and be sure to have some of this lovely cake."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Thank you."

Speaker Daniels: "Representative Cross is recognized on the Republican side of the aisle for any excused absences."

Cross: "Thank you, Mr. Speaker. We're all present on the Republican side of the aisle."

Speaker Daniels: "The record will so reflect. Representative Currie, is there someone else on your side of the aisle that has a birthday today? Representative Jones? Representative Howard, is it your birthday today?"

Howard: "No it's not, Mr. Speaker, but I would like to make an announcement if I might."

Speaker Daniels: "Oh, please go ahead."

Howard: "Yes, I'd like to announce that today is the celebration of the natal day of my very dear friend and seatmate. We know her as Lou Jones. She looks good for ninety, doesn't she? Please feel free to come and help Lou eat this cake. I understand that each slice of cake is about five thousand calories, so she doesn't need to eat it all."

Speaker Daniels: "Representative Cross would like to have a piece of that cake, right? Well, happy birthday to both Representative Jones and Representative Ronen. Representative Hartke. Representative Hartke for an introduction."

Hartke: "Thank you, Mr. Speaker. It is my distinct honor and privilege today, to introduce to the General Assembly the 1996 Miss Illinois County Fair, Miss Julie Ann Niemerg and she is accompanied today by her parents, Carl and Colleen Niemerg. Julie Niemerg, please welcome her."

Julie Niemerg: "Thank you, Chuck. It is my great pleasure to be here with you this afternoon and I would just like to take this opportunity to thank each and every one of you who extend their hand and just showed me just their great

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

pleasure to see me here. Like you said, I'm the 1996 Miss Illinois County Fair Queen and I'm pleased to represent Illinois' fine county fairs, all 105 of them. I also represent the Illinois State Fair Pageant, State Fair, and the DuQuoin State Fair. So I look forward to working with each and every one of you throughout my reign. Thank you."

Speaker Daniels: "Mr. Clerk, take the record. There are 116 Members answering the Roll and a quorum is present. The House will now come to order. Representative Wirsing. Representative Wirsing for an announcement."

Wirsing: "Thank you, Mr. Speaker, Members of the House. It gives me a great deal of pleasure, first of all, to recognize that the Illinois Director of Agriculture, Becky Doyle, is in the Chamber. Secondly, oh, she's up here, I'm sorry. Secondly, I'd like to introduce to you, Lynn Bowden, who is the current President of the Illinois FFA Association. And Lynn comes from a great district up in the northern part of the state, the 70th district and she is evidence of the kind of young adults that are produced up in that district. And Lynn is here today to share a few comments with you. So, if you would please welcome Lynn Bowden, FFA State President."

Lynn Bowden: "Thank you all so very much, Members of the House and members of the Illinois FFA in the gallery. I would like to thank you for the opportunity that you have given me to share with you today on the behalf of the agricultural industry, agricultural education, and our most precious commodity, youth. The U.S. today and Illinois in particular, is extremely concerned with higher academic standards and with the negative effects happening to youth, things like peer pressure and school dropout rates. Yet agricultural education and the FFA are taking great strides

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

in wonderful directions to combat these problems. The FFA aims to create premiere leadership, personal growth, and career success in each of our 13,505 FFA members here in Illinois. Nationally, the FFA is a unique organization because we have a three part program. First of all, each of our FFA members is enrolled in an agricultural education course. Now, next, our members take on a series of record keeping or supervised agricultural experience program. Finally, our members are able to test and develop their skills through career development events in the FFA. Agricultural education is on a wonderful upswing, and rightfully so. Just this past year we experienced a thousand member increase in the State of Illinois alone. Nationwide, there are nearly a half a million members in the FFA. Now, there has never been a more exciting time to be involved in agriculture, the world's largest industry. Never before have we seen so many changes. As the traditional farm is decreasing in number, yet growing in size, the search continues for qualified individuals to fill positions in the technological areas of agriculture. Yet, nearly 16% of all jobs in agricultural related fields, go unfilled every year. But we in Illinois are able to educate our youth through high school, community colleges, and the university levels of agricultural education. I thank you all for believing in our future, for believing in the future of agriculture. I believe in the future of agriculture because I know that the FFA creates members that are highly motivated, well skilled individuals with one keen eye on our future. Thank you all so very much for the opportunity for letting me to represent myself and what the FFA stands for nationwide. Thank you."

Speaker Daniels: "Representative Lindner, for what purpose are

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

you seeking recognition?"

Lindner: "Thank you, Mr. Speaker. I rise on a point of personal privilege to introduce the FFA Chapter from the 65th district, Steve Austin, the Sponsor and the young people from Hampshire High School. Please welcome them."

Speaker Daniels: "Representative Spangler, you seek recognition, Sir?"

Spangler: "Yes, Mr. Speaker. Ladies and Gentlemen of the House, I rise on a point of personal privilege. It's my honor and I'm proud to have FFA citizens in the gallery from Seneca, and their advisor, Mr. Jeff Mierhoffer."

Speaker Daniels: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. I rise on a point of personal privilege. On behalf of those who come from areas which are agriculturally challenged, I'd like to thank those who participated in Ag Day today for the many fine gifts and products that we've received. There's one that does come of note, however, I have to say, Mr. Speaker, after sitting through two days of appropriations hearings, I'm not sure that 12 ounces of pork bar-b-que spice is going to be enough for this year. If anyone has any extra that they'd like to pass along to Mr. Ryder, please join me in doing so. Thank you."

Speaker Daniels: "Representative Lang."

Lang: "Thank you, Mr. Speaker. I rise on a point of personal privilege. I just want to say that as the newest member of the Agriculture Committee, I'm very proud to have these fine young men and women here today. They delivered food to our offices and it's excellent and I'm very proud to be a member of the Agriculture Committee."

Speaker Daniels: "Committee Reports."

Clerk McLennand: "Committee Report from Representative Churchill,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Chairman of Committee on Rules to which the following Joint Action Motions were referred, action taken on March 28, 1996, reported the same back, 'do approve for consideration'. To the Floor. Floor Amendment #2 to House Bill 2655; Floor Amendment #2 to House Bill 3141; and Floor Amendment #8 to House Bill 3455. These Amendments are available for download to the computer machines."

Speaker Daniels: "Mr. Clerk, House Bill Second Reading. House Bill 1014. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #1014, a Bill for an Act to make an appropriations to the Department of Revenue. Second Reading of this House Bill. Amendment #1 was adopted in committee, no Floor Amendments. No other Amendments."

Speaker Daniels: "Third Reading. House Bill 1249. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #1249, a Bill for an Act to amend the Criminal Code of 1961. The Bill has been read a second time previously. Committee Amendments #3 through 11, 13 through 15 and 17 have been adopted and Floor Amendment #18 has been adopted. No outstanding note requests."

Speaker Daniels: "Third Reading. House Bill 2518. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #2518, the Bill has been read a second time previously. Committee Amendment #1 was adopted. Floor Amendment #2 was adopted. Fiscal Note, State Mandates Note, Correctional Budget Impact Note, and Home Rule Note have all been filed on this Bill."

Speaker Daniels: "Third Reading. House Bill 2655. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #2655, the Bill has been read a second time previously. Committee Amendment #1 was adopted. Floor Amendment #2 has been referred to Rules.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Fiscal Note and State Mandates Note have been requested on the Bill as amended and have not been filed. Floor Amendment #2, offered by Representative Wennlund, is approved for consideration."

Speaker Daniels: "Representative Wennlund, Amendment #2."

Wennlund: "Thank you, Mr. Speaker. Amendment #2 guts the Bill so that the fire alarm people, the fire sprinkler people, and the insulation people, and the brick people can get together with the home builders and refine the language. This merely strips the Bill so that it's a vehicle until everybody comes together with some language they feel comfortable with. It's our intent to keep the Bill moving along in the process and I'd ask for the adoption of the Amendment."

Speaker Daniels: "Any discussion? Representative Granberg."

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

Speaker Daniels: "He indicates that he will."

Granberg: "Representative Wennlund, I apologize. I could not hear your explanation and I do not have the Amendment in front of me. Could you please briefly again explain the contents, Larry, and if there's any opposition from any group?"

Speaker Daniels: "Representative Wennlund."

Wennlund: "Thanks, Representative Granberg. What it does is it replaces everything after the enacting clause with a short title. It guts the Bill. The sprinkler system people who are part of the original Bill, the insulation people and the brick people are working with the home builders to craft some language that everybody's comfortable with. In the meantime we want to keep the Bill moving in the process until they can come together. It just guts the Bill is what it does and we want to keep it moving in the process.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Thank you."

Speaker Daniels: "Representative Granberg."

Granberg: "Thank you. Representative Wennlund, so I just wanted to understand and I appreciate your explanation. So there is no intention to move the Bill unless there is an agreement with the home builders? Would that be accurate to say?"

Speaker Daniels: "Representative Wennlund."

Wennlund: "Well, depending on at what point in time. I mean the Bill is not going to do anything until they all four come to an agreement on language, whether it's here or over in the Senate. That's the intention. But you know everybody's agreed not to do it and everybody's on board with the program."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative, thank you. I appreciate your explanation. Thank you."

Speaker Daniels: "The Gentleman moves for the adoption of Amendment #2. All those in favor signify by saying 'aye'; opposed 'no'. The 'ayes' have it. Amendment #2 is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Daniels: "Hold the Bill on Second Reading for the filing of the requested notes. House Bill 3141. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #3141. The Bill has been read a second time previously. Committee Amendment #1 was adopted. Floor Amendment #2, offered by Representative Cowlshaw has been approved for consideration."

Speaker Daniels: "Representative Cowlshaw, Amendment #2."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3141 came out of the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

committee with a 100% and unanimous vote in favor of this Bill. It applies only to DuPage County and has to do with separately electing the members of the County Board and the members of the Forest Preserve Commission. There were two somewhat minor details that the legislation, the original legislation, failed to address. One was, what kind of compensation or who was going to set the compensation for the President of the Board of Commissioners, and secondly, what happens now that we would have a six member body in the event of a tie. What this Amendment does is simply to address those two issues. First, it provides that that compensation for the President of the Board of Forest Preserve Commissioners shall be established by that board itself and that actions by that board shall require a majority vote of the commissioners. Which simply means that any motion that does not get four votes, fails. This is a local issue. It is a local means of addressing an issue of importance in my own county. I would appreciate your support."

Speaker Daniels: "Is there any discussion? The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker. Will the Lady yield?"

Speaker Daniels: "She indicates she will."

Granberg: "Representative, this affects DuPage County only, is that correct?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "That is correct."

Speaker Daniels: "Representative Granberg."

Granberg: "Has the Representative from DuPage seen this Amendment? Is he familiar with it?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Pardon me, Sir. There are many Representatives from

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

DuPage County. Which one did you have in mind?"

Speaker Daniels: "Representative Granberg."

Granberg: "I'm sorry, I'm referring to 'the' Representative from DuPage as we refer to him on this side of the aisle. The Speaker."

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Whereas, in nearly all situations, I am reluctant to speak in behalf of the Speaker of the House, in this situation I can say with a certainty, this Bill and this Amendment are supported by the Speaker of the House."

Speaker Daniels: "Representative Granberg."

Granberg: "And a question, Representative, you indicated that this deals with compensation. Does this provide for any pay raise for anyone on the board that is currently a member of that board?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "As much as anything, Sir, this is a technical Amendment because right now the county board establishes the compensation for whoever is elected President of the Forest Preserve Commission and that's because the county board members also serve as as Forest Preserve Commissioners. If you separate those two entities, then clearly you have to make some kind of provision for who is going to establish the compensation. Will the Gentlemen in the middle aisle please move? Gentlemen, could you move just a little because we can't...thank you very much. I'm sorry, Representative, it was difficult for you to see and I appreciate that. The fact is you simply have to have some entity designated as that which establishes that compensation level. In this case, we let those commissioners decide that for themselves."

Speaker Daniels: "Representative Granberg."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Granberg: "Well, thank you, Representative Cowlshaw, and when I referred to the 'the' Representative from DuPage, I apologize. And when I referred to the Speaker, I meant Representative Black. Because I know Representative Black is very much interested in becoming Speaker so I misspoke. So, thank you."

Speaker Daniels: "Further discussion. Representative Davis."

Davis: "Thank you, Mr. Speaker. Representative Cowlshaw, this is a local issue?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Yes."

Speaker Daniels: "Representative Davis."

Davis: "I'm sorry, because of the noise level, I couldn't hear what the Amendment actually is supposed to accomplish."

Speaker Daniels: "Ladies and Gentlemen. Representative Cowlshaw, would you explain the Amendment again for Representative Davis?"

Cowlshaw: "Certainly, Mr. Speaker, I will be glad to do that and I am truly sorry if there was someone who was prevented from listening the first time I presented this. This Amendment does two things. Since the underlying Bill separates and has separately elected the DuPage County Board and the DuPage County Board Commission...the DuPage County Forest Preserve Commissioners, this Bill simply establishes that those Forest Preserve Commissioners are responsible for establishing the compensation level for whoever they elect to be the president of that commission and also that actions by that board, which would be a six member board, would require a majority vote of the commissioners. Therefore if it is a tie, three to three, it loses. There was a necessity to establish something to resolve a tie."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Speaker Daniels: "Representative Davis."

Davis: "Representative, how do they currently resolve their issues when there's a tie?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Presently, the DuPage County Board and the DuPage County Forest Preserve Commissioners are exactly the same people. They are elected as county board members but they serve in both capacities. That entity has an uneven number so there is no question about what it requires to pass anything. If you have an uneven number of people, you will never have a tie. Under the new provisions there will be a six member Forest Preserve Commission. So in that situation, you have to determine how to resolve a tie."

Speaker Daniels: "Representative Davis."

Davis: "Representative, according to our analysis that you will never be able to have...according to this Bill, you will never be able to have more than eighteen members on your county board?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "That is correct."

Speaker Daniels: "Representative Davis."

Davis: "Well, Representative, currently if you can have eighteen members, it is possible to have a tie, but nine and nine."

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "The county board members are not the only people who serve on the county board. There is a chairman of the county board who is elected countywide. All the board members themselves are elected by districts. Consequently, because there is one more number to be added to that 18, you have a 19 member board. There would never be a tie."

Speaker Daniels: "Representative Davis."

Davis: "Representative, what happens, according to your

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Amendment, if there's a vacancy in the office of the commissioners? What will happen here?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "They will have to appoint someone to fill out the unexpired term just as we do in all other public elected bodies throughout Illinois."

Speaker Daniels: "Representative Davis."

Davis: "When you said they will have to appoint, are you referring to the president or the commission itself?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "As I said, this is exactly the same as it would be for all other elected public bodies in Illinois and of course, as we all perfectly well already know, that means that the entire public body would have to make that appointment. The mayor does not appoint replacements on the city council. The whole city council has to approve of that. The same thing would apply here."

Speaker Daniels: "Representative Davis."

Davis: "Representative, I see that according to the population requirements of your legislation, Chicago would not be affected or our Cook County Board, is that correct?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "As I said in my opening remarks, this legislation applies only to DuPage County. It does not apply to Cook. It does not apply to Will. It does not apply to Kane. It does not apply to Sangamon or any other county in Illinois. As I said before very..."

Speaker Daniels: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. I Move the previous question."

Speaker Daniels: "The question is, 'Shall the main question be put?' All in favor say 'aye'; opposed 'no'. The 'ayes'

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

have it. Representative Cowlshaw moves for the adoption of Amendment #2. All in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Amendment #2 adopted. Any further Amendments?"

Clerk McLennand: "No further Amendments. Fiscal note and State Mandates Note have been requested on Bills amended by Amendment #2."

Speaker Daniels: "Hold that Bill on Second Reading until the Notes arrive. House Bill 2655. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #2655 has been read a second time previously. It was held pending Fiscal Note and State Mandates Note requests. Both of those Notes have been filed."

Speaker Daniels: "Third Reading. House Bill 2794. Representative Kubik. Read the Bill, Mr. Clerk. Representative Kubik."

Clerk McLennand: "House Bill #2794. The Bill has been read a second time previously. Committee Amendment #1 was adopted. Floor Amendment #2, offered by Representative Kubik is approved for consideration."

Speaker Daniels: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 is an Amendment which I'm offering in response to some questions that were raised in the Committee. Essentially what Floor Amendment #2 does is three things. First of all, it would sunset this provision in five years. So this would be a five year program, so to speak. It would tighten the language significantly and just allow the donations to be made for computers and computer software. So we've taken out the technological and scientific equipment because there was some concern that that was a very broad definition. So we've taken that

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

out. And the final item is that we have put in a provision which requires that the entity, whether it be a public library or a public or private school must accept in writing, the donation. So that there is a paper trail, so to speak. That essentially is what Amendment #2 does. I would be happy to respond to questions and would urge your support of Floor Amendment #2."

Speaker Daniels: "Representative Dart."

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

Speaker Daniels: "He indicates he will."

Dart: "Representative, now does the provisions in here are very similar to the original Bill if I'm not correct. Is there not, is there a precedent for the donation of this equipment to private schools?"

Speaker Daniels: "Representative Kubik."

Kubik: "Representative Dart, I am not aware of one. What we did was, we felt that by allowing both public and private schools, you know, we felt that all students, whether they were in public or private schools should have the opportunity to participate in the new technology that we all want them to move into. So that was the reason we offered that provision."

Speaker Daniels: "Representative Dart."

Dart: "Do we have an estimate on the potential, as far as the potential loss in state revenue that this is going to cause?"

Speaker Daniels: "Representative Kubik."

Kubik: "The department cannot determine that amount."

Speaker Daniels: "Representative Dart."

Dart: "And secondly and finally, in regards to the language dealing with fair market value, who makes that determination?"

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Speaker Daniels: "Representative Kubik."

Kubik: "Repeat the question."

Speaker Daniels: "Can you restate that question again?"

Dart: "Who is going to make the determination as far as the fair market value of the equipment?"

Speaker Daniels: "Representative Kubik."

Kubik: "Well, Representative, as I indicated in Committee, as you know, once we hopefully pass this Bill, and it is signed into law, the Department of Revenue will promulgate rules on this subject. And I suspect that they will have a very...that they will be able to promulgate some rules and regulations as to what this should be. I don't frankly think it's going to be that difficult to determine. I think that most people in the market know what these computers and software are worth. While I know that's a concern, I don't think it's an overwhelming concern. I think we can reach some agreement as to what that is."

Speaker Daniels: "Representative Dart, does that complete your line of questioning? Further discussion? No further discussion. The Gentleman moves for the adoption of Floor Amendment #2. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Amendment #2 is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Daniels: "Third Reading. Mr. Clerk, House Bill 3047."

Clerk McLennand: "House Bill #3047. The Bill has been read a second time previously. Committee Amendments #1 and #2 were referred to Rules. Floor Amendment #3 has been referred to Rules. A land conveyance appraisal has been requested and has not been filed."

Speaker Daniels: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. I withdraw the request for

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

the land appraisal."

Speaker Daniels: "You made that request, Sir? You made that request?"

Granberg: "Yes."

Speaker Daniels: "Okay. Representative Granberg who had made the request for a land conveyance appraisal has now withdrawn that request. Are there any further Motions or requests, Mr. Clerk?"

Clerk McLennand: "No further requests."

Speaker Daniels: "Third Reading. Representative Leitch in the Chair."

Speaker Leitch: "Mr. Clerk, please read House Bill 3511. Representative Leitch in the Chair."

Clerk McLennand: "House Bill #3511. The Bill has been read a second time previously. No Committee Amendments. No Floor Amendments. Fiscal Note, Budget Impact Note, and Correctional Budget Impact Note have been filed on the Bill as requested."

Speaker Leitch: "Third Reading. We will now proceed to the Order of Third Reading and on that Order appears House Bill 2576. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill #2576, a Bill for an Act that amends the Election Code. Third Reading of this House Bill."

Speaker Leitch: "Representative Moore."

Moore A.: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. You will notice that this Bill is also sponsored by Representative Ronen and I think it is appropriate that we pass this as our first Bill today. We also say thank you for such good cooperation on removing that Fiscal Note last night. This is a very good Bill that amends the Election Code and permits absentee voters to cancel absentee votes and vote in person. It removes

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

requirements that election authorities publicly post the names of absentee voter applicants. Requires that the public posting of names of absentee voters include names of persons assisting them to vote. It prohibits candidates who appear on the ballot from assisting a physically incapacitated absentee voter from marking the ballot unless related to the voter, and it makes commanding or encouragement of unqualified absentee voter applicants and unqualified absentee voters a Class III Felony. It also increases the penalty for another absentee ballot offenses to Class III Felony. Mr. Speaker, I would be happy to answer any questions."

Speaker Leitch: "And on that question, the Lady from Cook, Representative Ronen. For what purpose do you rise, Ma'am?"

Ronen: "Thank you, Speaker. I rise in support of this Bill. I'd like to commend the Sponsor. As she stated, this is a Bill that will help us reduce any possibility or potential of fraud in relation to absentee ballots. This Bill was developed through a very strong bipartisan process, a task force that was instituted by the Independent Voters of Illinois, Independent Precinct Organization, and it has the support of a wide variety of elected officials on both sides of the aisle. I think we all know that the more fair our elections can be, the less fraud we have, the less cynicism we have in the public and the more likely people are to vote. I'm proud to be a Cosponsor of this Bill and I urge my colleagues to support it."

Speaker Leitch: "Thank you, Representative. Could we have some order in here, please? It's becoming very, very difficult. Ladies and Gentlemen, could we have some order? People are trying to present their Bills. Could we have some order,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

please? Representative Lang, for what purpose do you rise, Sir?"

Lang: "Thank you, will the Sponsor yield?"

Speaker Leitch: "She will."

Lang: "Representative, this is the same Bill that you added an Amendment on yesterday? Is that correct?"

Speaker Leitch: "Representative Moore."

Moore A.: "Yes, Representative, the same Bill."

Speaker Leitch: "Representative Lang."

Lang: "And I asked you at that time if you took the opportunity, as long as you were amending this Bill, to fix the problem, the debacle, that we all know as the Motor Voter problem. I asked you about that and you said that you hadn't availed yourself of that opportunity, correct?"

Speaker Leitch: "Representative Moore."

Moore A.: "No, that's not correct, actually. I said that this Bill deals with absentee ballot fraud."

Speaker Leitch: "Representative Lang."

Lang: "Well, nevertheless, you haven't done anything here about Motor Voter which is something that you were working on for sometime. I'd just like to indicate that although I'm going to vote for your Bill, I think this was an opportunity for a Representative such as yourself, that apparently really cares about this two-tier system, I know you wanted to take it to three-tiers. Go the wrong way but you wanted to do something to fix this system and this was an opportunity to do that. I'm going to support your Bill."

Speaker Leitch: "The Gentleman from Clinton, Representative Granberg. For what purpose do you rise, Sir?"

Granberg: "Will the Lady yield?"

Speaker Leitch: "She indicates she will."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Granberg: "Thank you. Representative Moore, would this also prohibit the request of receiving a list of people who vote by absentee ballot? So could I request that list of people who vote by absentee ballot?"

Speaker Leitch: "Representative Moore."

Moore A.: "No."

Speaker Leitch: "Representative Granberg."

Granberg: "Just say, no. No, that this would not prohibit that request or does it not make it a criminal offense? Is that correct or is that..."

Speaker Leitch: "Representative Moore."

Moore A.: "You are allowed to know who votes absentee. You are not allowed to...the list will no longer be provided for those people requesting an absentee ballot."

Speaker Leitch: "Representative Granberg."

Granberg: "How does that change from current law? So someone who votes by absentee, will no longer be able to request that list?"

Speaker Leitch: "Representative Moore."

Moore A.: "Currently, the election authorities are required to post a list for those people requesting an absentee ballot. That requirement will no longer be in effect."

Speaker Leitch: "Representative Granberg."

Granberg: "And what is the rationale behind that, Representative?"

Speaker Leitch: "Representative Moore."

Moore A.: "In the past there have been some abuses in the use of this list. Some people mail election information from this list. Some people use it to go and visit people who are proposing to vote absentee and try and influence votes with it. And so... and it's also very cumbersome for the clerks and so this will no longer be a requirement."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Speaker Leitch: "Representative Granberg."

Granberg: "So you would categorize that as an abuse of the process that people could send them campaign literature?"

Speaker Leitch: "Representative Moore."

Moore A.: "Well, I guess it would have to depend on the type of campaign literature that is sent. But, as I said before, there have been abuses to the point that the direction of the clerks was one that they did not feel that posting of this list should be a requirement."

Speaker Leitch: "Representative Granberg."

Granberg: "So, Representative, this is a initiative of the County Clerks Organization?"

Speaker Leitch: "Representative Moore."

Moore A.: "Actually, it is not one of their initiatives but they do support it. It was, however, an initiative of the Independent Voters. It also was supported by the Cook County State's Attorney."

Speaker Leitch: "Representative Granberg."

Granberg: "So the County Recorders did not initiate this legislation, although you indicated they do support it. This came out of the State's Attorney, Jack O'Malley and the IVI, is that right?"

Speaker Leitch: "Representative Moore."

Moore A.: "That's correct."

Speaker Leitch: "Representative Granberg."

Granberg: "So this came out of State's Attorney O'Malley's office who indicated he might run against Governor Edgar? Does he think that Governor Edgar might be abusing the process with absentee ballots?"

Speaker Leitch: "Representative Moore."

Moore A.: "This did not come from Jack O'Malley's office. It was the Independent Voters that have been working on this

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

legislation and other types of good government legislation to insure a fair election process."

Speaker Leitch: "Representative Granberg."

Granberg: "I hate to echo the sentiments of my seatmate, but if we wanted a fair election process we would do Motor Voter, and just put it all into one system. But let me ask you a question, Representative, about the Bill itself on page 18. You add the language on line 27 to line 32 that you would make it a Class III Felony for anyone who encourages another to vote by absentee ballot who is not legally qualified. Now, could you briefly explain to me and Members of the Body what 'encourages' means?"

Speaker Leitch: "Representative Moore."

Moore A.: "Actually, the Amendment that we supported yesterday..."

Speaker Leitch: "Proceed Representative."

Moore A.: "The Amendment that was supported yesterday, adds the word 'knowingly' and being qualified to vote absentee has some specific criteria attached to it. And knowingly trying to encourage someone to vote absentee, when you're not meeting the requirements is what is being referenced here."

Speaker Leitch: "Representative, your time has expired. Would you like to bring it to a close, please?"

Granberg: "Thank you, Mr. Speaker, I believe Representative Dart would like to yield his time to me, Sir."

Speaker Leitch: "Representative Dart."

Dart: "I'd like to yield my time to Representative Granberg."

Speaker Leitch: "Representative Granberg, proceed."

Granberg: "Thank you, Mr. Speaker. Representative, when we did that Amendment yesterday, we did clarify the language and I thought that was an improvement on the Bill. When we added

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

the Amendment, I believe you just said, 'knowingly encourages', so it would make it a Class III Felony to 'knowingly encourage' someone to vote by absentee ballot?"

Speaker Leitch: "Representative Moore."

Moore A.: "If you know that the individual is not qualified and you knowingly encourage them, then yes."

Speaker Leitch: "Representative Granberg."

Granberg: "So, if I encourage someone to vote by absentee because I think they should vote, and they're not qualified to vote, I could be guilty of a Class III Felony?"

Speaker Leitch: "Representative Moore."

Moore A.: "I would imagine only if you knew they were not qualified to vote."

Speaker Leitch: "Representative Granberg."

Granberg: "So, if I don't know this person, and I say to them, you should participate in the elections and this person is not registered to vote. Would 'knowingly' apply to me because I would not know if they were registered or not? I would say, 'You should vote. You should at least vote by absentee because you're ill and you should at least get involved in the process.' Could I then be subject to prison time?"

Speaker Leitch: "Representative Moore."

Moore A.: "I would not think so."

Speaker Leitch: "Representative Granberg."

Granberg: "Are we sure on this, Representative? I'm not trying to kill your legislation, but we have a lot of people out there who we actually encourage people to get involved in the process. And I don't want someone out there who says 'maybe we should vote' and get them involved and then they be subject and all of a sudden they're going to end up in Menard because they encouraged someone to get involved in

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

voting."

Speaker Leitch: "Representative Moore."

Moore A.: "Representative, I think it's always a good idea to encourage people to become part of the process that we're involved in and I think this makes it clear that if you are knowingly trying to break the law it provides not only the penalties but it provides the way that people can be prosecuted."

Speaker Leitch: "Representative Granberg."

Granberg: "Representative, I just want to clarify that for the record because I just want to make sure because we have people out there who try to get people to vote. I certainly don't want to make them subject to any criminal penalty for that type of encouragement. So you're indicating to me on the record that if I have no knowledge that that person is not registered to vote, then I would not be or should not be subject to any type of criminal penalty which is provided for in your legislation."

Speaker Leitch: "Representative Moore."

Moore A.: "I would think that fairly explains the intent of the legislation."

Speaker Leitch: "Representative Granberg."

Granberg: "Thank you, Representative Moore, thank you very much. I know you're well intentioned, as always. I just had some concerns that we are trying to limit the process, that we are sending this message out to people not to get involved and they shouldn't encourage people to vote by absentee because they're going to be subject to criminal penalties. And I don't think that is the message we should be sending out at any level of government. So I will respectfully vote 'no' but I appreciate your time. Thank you."

Speaker Leitch: "The Gentleman from Kankakee, Representative

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Novak. For what purpose do you rise, Sir?"

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

Speaker Leitch: "She indicates she will."

Novak: "Representative Moore, let's get back to this section about removing the list of names of people that applied to vote by absentee. Is that one of the provisions in this Bill that the public or a candidate will no longer have access to a list of people's names that wish to apply to vote absentee. Is that correct?"

Speaker Leitch: "Representative Moore."

Moore A.: "That's correct."

Speaker Leitch: "Representative Novak."

Novak: "Thank you. And you said this was not an initiative of the County Clerks' Association? It was an initiative of the IVI, the Independent Voters of Illinois? That was their initiative? To deny the public access to information about people who vote? State's Attorney O'Malley supported this, too? Do you realize what we're doing here? Every candidate in this Body here, every candidate in this Body usually goes to the County Clerk's Office about two weeks prior to the election and that also applies to someone running for office. They go to the Clerk's office and they say, 'Can I have a list of #1, newly registered voters?' It's freely accessible material and they send out a nice introductory letter asking these people, 'Welcome to the election process and how about voting for me and here are my qualifications.' They also provide a list of people who apply to vote absentee. And it's a good source of information for the public, as well as candidates. Because sometimes this process is abused because sometimes there may be more absentee voters in one particular precinct than in another particular precincts, especially if they have

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

historical patterns of many people voting by absentee. The provision in this legislation is going to say 'no', a candidate for state office or local office cannot have access to this information, thereby denying them the opportunity to send them a letter or even call them up and do phone polling or have any other democratic principle to have access to people to try to persuade them to vote for you. If this provision is correct what I'm saying, it's bad, it's wrong. And if it's correct, I can't support it and I think we all should pay attention to this. It may be a little provision in the Bill but it's just one more way to deny us information, rightfully ours whether we are a candidate or an incumbent or the public, for that matter to have access to voter rules. It's as simple as that. If that's the case, I'm against the Bill. Representative Moore, is that the case?"

Speaker Leitch: "Representative Moore."

Moore A.: "Right now the Election Authority must update and post everyday, daily, a list of those that have been issued absentee ballots. Posting of this leaves the ballot applicants vulnerable to harassment. So the list will no longer be required to be posted. I do not know why you could not get this information through Freedom of Information, however."

Speaker Leitch: "Representative Novak."

Novak: "Representative, I understand that what you're saying, but number one, what kind of harassment? Harassment from a phone call or a letter asking to persuade someone to vote this way or that way? I mean, my God, what's more American? What's more American than having access to the voters? On top of that, you want precinct workers. Again, whether you're a challenger or an incumbent, your precinct

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

workers would want to know how many people have applied to vote by absentee in this precinct, so they can check their list against how many people have voted? It's called, 'get out the vote.' That's what it is. It's a process we all use. We're impeding this process by that provision in this Bill. I don't think you will disagree with me, I think we are."

Speaker Leitch: "Representative Moore."

Moore A.: "Representative, I think you can still get the list. It's just not going to be posted every day and updated every single day in the clerk's office. I think if you wish to have the list, you can ask for it."

Speaker Leitch: "Representative Novak."

Novak: "You said it's not going to be posted and updated everyday, so what would the county clerk allow a person to do? They would have to say, 'Come in every ten days and get an updated list.' To me, that still seems wrong because the list would not be current. I really think there is a serious problem with this Bill. I mean, I think we should pay attention to this provision in this Bill."

Speaker Leitch: "Representative McAuliffe, for what purpose do you rise, Sir?"

McAuliffe: "Will the Lady yield for a question?"

Speaker Leitch: "She indicates she will."

McAuliffe: "Representative Hughes."

Speaker Leitch: "Representative Moore."

McAuliffe: "Moore, Representative Moore. I got her attention now. Representative Moore, let me ask you a question. Is it true? I know that downstate the precinct committeemen are elected, so they have to run on the ballot. Part of this Bill says, if a candidate who is on the ballot assists anyone in marking that ballot, they're guilty of a felony.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Now it is hard enough to recruit precinct committeemen as it is, but if you're going to make felons out of them and we're going to put them in jail, nobody will want to be a precinct committeeman. And nobody will want to run for office. I mean every election I have people that ask me to help them because either blind or they have the palsy or they have MS and they can't mark the ballot themselves. Why do we want to make felons out of people who are just helping people with their ballots?"

Speaker Leitch: "Representative Moore."

Moore A.: "Representative, the idea of this Bill is to assure a fair and objective process to protect people who are incapacitated from some undue influence that might occur. Now I know that you would never be a part of such a thing. However, that is what the Bill is for."

Speaker Leitch: "Representative McAuliffe."

McAuliffe: "Let's go a little further. I have people in my precinct that absolutely cannot punch a hole in the ballots. Now if I go around to their house, I'll have to bring somebody with me that isn't a candidate to punch the ballots for them. I mean that just makes it more work. I'll have to run around and find somebody, I'll have to hire somebody to go around the precinct with me to help these incapacitated people, because if I do it, I'll be guilty of a felony. And downstate every precinct committeeman who is running in a primary, whose name is on the ballot will have to do the same thing. It just complicates the process."

Speaker Leitch: "Representative Moore."

Moore A.: "What it is attempting to do, is assure a safe and fair process. If you are the candidate running for election, I might suggest that you should be out on the street meeting

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

voters while your assistants are there helping to get the ballots done."

Speaker Leitch: "Representative McAuliffe."

McAuliffe: "Make a further comment. Representative Novak said, talked about these lists of absentee ballots that are posted. I think they are very valuable. I have sometimes 50 or 60 people in my precinct that vote absentee. I don't want to go to the house of somebody who has already voted. I like to go downtown, see who's voted and save myself a trip to that house, because those people have already voted. When the list comes out early, we send everybody a letter with our literature in there and ask them to vote for us. So it only helps the candidates. And it certainly is reasonable to be able to go down to the Board of Election Commissioners and ask them to see the list of how many people have voted absentee, and where they voted. And certainly those people are going to vote for sure. Those are 100% certain voters. So when you're mailing a piece of literature out to the average voter, maybe 30 or 35% of the pieces of literature you get are effective because only 30 or 35% of the people vote. But if you send a piece of literature to someone who is going to vote absentee, you're 100% certain that those people are going to vote and you're not wasting your money. You're 100% on target and you're making 100% use of your money and your postage. So I think it is not that much of a burden on the county clerks or the election commissioner's office. They do it in Chicago and it's not a problem. So, in the current form of this Bill, I'm going to be opposed to it."

Speaker Leitch: "Representative Moore."

Moore A.: "In some cases, I would say it is absolutely true. It isn't a problem at all. But as we all know the greatest

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

area of abuse in the election process is the absentee ballot process and these measures are here to try and ensure a safe and fair election process. This list will be available if you request it through the clerk's office. It just isn't posted out in front for the public to pick up everyday."

Speaker Leitch: "The Gentleman from Madison, Representative Stephens. For what purpose do you rise, Sir?"

Stephens: "Thank you, Mr. Speaker. To the Bill. It's absolutely incredible to me that we would be asked to judge this Bill because it would be economically wise to your campaign to not have the legislation passed. We are not here in order to make it easier to campaign. We are here to assure honest and real elections. Now the Lady is trying to address a problem and there is further legislation to come dealing with voter fraud, dealing with honest elections, and full disclosure of records. I can't that we're trying to look at this from your economic viability issue of your campaign. It's cheaper, we're going to waste money because we don't know whether that person voted yet or not, it's absolutely ridiculous. How can you go back to the voters of your district and say I beat that Bill so that I won't be wasting any campaign money or any of my precious campaign time going to a house, a household that's already voted. That's ridiculous. The Lady has a Bill before us that sends a strong message about honest elections and starting to deal with the issue of voter fraud. I will tell you in St. Clair County in last weeks election, there's a particular street in Canteen Township that happened to vote 62 consecutive addresses absentee. Well, I'm sorry, but if you were running for State Representative in that area, and you had to walk those 62 households and

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

regrettably found out they already voted absentee, too bad. That's not what election law is about, it's not about making your campaign easier. It's about making elections honest. Stand in support of the Lady's motion and vote 'yes' on the Bill."

Speaker Leitch: "Representative Skinner, for what purpose do you rise, Sir?"

Skinner: "I oppose this Bill. Well, maybe I'll change my mind. I am waiting for justification for this Bill. I'm waiting to hear the Sponsor say where the fraud is. What are the egregious acts that have taken place as a result of some elected official, someone on the ballot doing something nasty and rotten. Unless I hear it, I'm not going to vote for it."

Speaker Leitch: "Representative Moore to close."

Moore A.: "Thank you, Mr. Speaker. Some of these issues that have been brought forward, are not serious issues when you are trying to legislate for the entire state. If people are going out to the individual precincts, they shouldn't be assisting incapacitated people and marking ballots. This is to protect people and to assure that there is a fair process. The list is available. The questions that were relating to the list. The list is available through the clerk's office. This is also to protect people from harassment and trying to hustle votes through the absentee ballot process. This is a good government Bill that we all will fairly live with. It will apply to all of us in the same way. I would respectfully ask for an 'aye' vote."

Speaker Leitch: "The question is, 'Shall House Bill 2576 pass?' All those in favor shall vote 'aye'; all those opposed shall vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish?"

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Have all voted who wish? Mr. Clerk, take the record.
Representative Moore, for what purpose do you rise?"

Moore A.: "I would respectfully request that this Bill be placed
on Postponed Consideration."

Speaker Leitch: "Mr. Clerk, put the Lady's Bill on the Order of
Postponed Consideration. Mr. Clerk, please read House Bill
2518. The Lady from Cook, Representative Erwin, for what
purpose do you rise?"

Erwin: "Thank you, Mr. Speaker. I rise on a point of personal
privilege. I would appreciate it if my colleagues in the
House would help me welcome to Springfield, two groups from
my district. The first is the Junior Girl Scouts from the
Menomonee Club in Lincoln Park, Troop #1141, and the second
group is the eighth grade students from one of Chicago's
finest public schools, I'm proud to say, the Lincoln School
in Lincoln Park. If you would help me welcome these two
groups."

Speaker Leitch: "Thank you, Representative. On the Order of
Third Reading is House Bill 2518. Mr. Clerk, please read
the Bill."

Clerk McLennand: "House Bill #2518, a Bill for an Act amending
the Code of Criminal Procedure of 1963. Third Reading of
this House Bill."

Speaker Leitch: "Representative Zickus."

Zickus: "Thank you, Mr. Speaker, Members of the House. House
Bill 2518 provides that when a person for whom bail has
been set is charged with first degree murder, the court is
to require the defendant to deposit 100% of the bail. I
have before me the state mandates note from the Department
of Commerce and Community Affairs. This does not pre-empt
home rule. It does not meet the definition of a State
Mandate and the Department of Corrections states that it

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

will have no fiscal impact and I ask for your 'aye' vote."

Speaker Leitch: "On this motion, is there any discussion? The Gentleman from Cook, Representative Dart. For what purpose do you rise, Sir?"

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

Speaker Leitch: "She indicates she will."

Dart: "Representative, how many defendants will this take in?"

Speaker Leitch: "Representative Zickus."

Zickus: "Only persons accused of first degree murder."

Speaker Leitch: "Representative Dart."

Dart: "How many, number?"

Speaker Leitch: "Representative Zickus."

Zickus: "I don't have that number."

Speaker Leitch: "Representative Dart."

Dart: "Did you happen to inquire with maybe probably the largest, well the largest area where we're going to have this impact in Cook County where you're from, to find out how many defendants in Cook County this would affect?"

Speaker Leitch: "Representative Zickus."

Zickus: "Representative, we all know that many of the horrendous crimes that are committed are committed by people who have already committed crimes such as murder and have been out already. So even one is too many if it's going to save a life."

Speaker Leitch: "Representative Dart."

Dart: "Well, Representative, I think it would only do us all justice in this Assembly if we had a clue. I'm not asking you for a precise number. Just a clue, maybe, on how many people this is going to affect. It cannot be very difficult to pick up the phone, Representative, and call the Sheriff of Cook County and say, 'Sheriff, how many defendants did you have last year who were charged with the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

offense of murder? Because I have a Bill here dealing with that.' He could give you that number. The Clerk of the Court could give you that number. Either of them can. Did you bother to do either of those?"

Speaker Leitch: "Representative Zickus."

Zickus: "I'm concerned that people who have committed murder in the past are out on the street to do it again."

Speaker Leitch: "Representative Dart."

Dart: "Can you then tell me how many of those people who are out on bond for murder committed subsequent murders? Do you have that number?"

Speaker Leitch: "Representative Zickus."

Zickus: "If it prevents one, that's all that matters. We had an incident in my own district where the guy was out on 10%. Ended up to commit another murder. We hear of it everyday. One is too many."

Speaker Leitch: "Representative Dart."

Dart: "Representative, we all know that. We're all tough on crime here. This is going to get 100 and some votes. That's not the question here. But it would be unique and really cute for once to be at least concerned, somewhat, with the fiscal impact on something around this place. As you're probably aware of, I used to be a state's attorney. I used to deal with murderers on a regular basis. I used to stand up in bond court and try to get no bail or \$1 billion bail on a regular basis because I didn't want one of these people on the streets either. Now, I guarantee if you do a show of hands in the room today, you won't get anybody saying we want murderers running around on the street. But I do think, Representative, it would behoove us all around this place if we had a clue what our Bills did, if we had an idea what the fiscal impact was. Because

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

let me just mention to you now, this may impact next to nobody. Namely most murderers already have bond levels that will never let them out of jail or there may be a handful that it would impact. My experience has been that most murderers are given a bond where they aren't getting on the streets anyways. But once again, as I said, 'No one is disagreeing with what you're saying here.' But boy it would be really neat to have a couple numbers here, especially from the people who are getting stuck with this. Has the County of Cook, have you talked with them at all about the expense, if any, that was going to be involved with this?"

Speaker Leitch: "Representative Zickus."

Zickus: "The issue here is keeping murderers off the street, however, I do have a note that the fiscal impact is none, n-o-n-e, none."

Speaker Leitch: "Representative Dart."

Dart: "Who was the Fiscal Note from, Representative?"

Speaker Leitch: "Representative Zickus."

Zickus: "The Department of Corrections."

Speaker Leitch: "Representative Dart."

Dart: "Representative, tell me where these people who are going to be waiting on bond, where are they going to be held? In what facilities?"

Speaker Leitch: "Representative Zickus."

Zickus: "They will be held in the county jail."

Speaker Leitch: "Representative Dart."

Dart: "Exactly, Representative. A Fiscal Note from the Department of Corrections means nothing for a Bill like this because these people are not going to be being held in Department of Correction facilities. So they will have no impact on them at all. I could have told you that without

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

the note. It's the counties. The counties now are going to have these people in their jails, which as I said, we all agree they should be in the jails but we should be getting some impact down from the counties about how much it's going to cost. We have everyone running around here with their 'No Mandate' buttons on today, we should be at least concerned in asking the county, 'How much is this going to cost? County are you going to need property tax increase to pay for this? Do you know where the money is coming from? How many bodies is this going to be?' I think it's only responsible, Representative, if in the future when you bring a Bill in front of us, you have an idea of how much it's going to cost and where the money's coming from."

Speaker Leitch: "The Lady from Cook, Representative Monique Davis. For what purpose do you rise?"

Davis M.: "Will the Sponsor yield?"

Speaker Leitch: "She indicates she will."

Davis M.: "Representative, currently, I believe state law says that people can pay 10% of that bail. Is that correct?"

Speaker Leitch: "Representative Zickus."

Zickus: "Yes."

Speaker Leitch: "Representative Davis."

Davis M.: "And currently, the court who has the grand jury hearing, makes the determination of how much that bail will be, is that correct? They set the amount."

Speaker Leitch: "Representative Davis, Zickus. Excuse me."

Zickus: "My understanding is that they will determine bond before the grand jury hearing."

Speaker Leitch: "Representative Davis."

Davis M.: "So the grand jury or the court does set the amount of bail? For example, if they think this person is fairly

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

guilty or they have reasonable cause to bring this thing to trial, then they might say your bail is 15 thousand or your bail is 25 hundred, based upon what the crime may be and how secure they think that person might be in remaining where they are and coming to court. So once the court has set that bail, the defendant has an opportunity to raise that money to be out on bail, is that correct?"

Speaker Leitch: "Representative Zickus."

Zickus: "Yes."

Speaker Leitch: "Representative Davis."

Davis M.: "So, what you're saying is, instead of the 10% that they now can pay and get out on bail, you want to make it 100%. Is your objective to keep people who are charged in jail while their case is being determined? Is that your objective? To keep them imprisoned even though they have not been found guilty? Is that your objective?"

Speaker Leitch: "Representative Zickus."

Zickus: "The objective is to keep the public safe. This is 'truth-in-bail' and the public should be very aware that when a bail is set for \$500 thousand and they only have to pay 10% of it, that that's all they are paying."

Speaker Leitch: "Representative Davis."

Davis M.: "You're operating under an assumption, Representative Zickus, that all of those accused are guilty. So these are guilty people. We are going to keep them off the street by raising or increasing the bail amount. But according to the Constitution, I don't know which Amendment, but one of those Amendments, says that 'anybody charged has a right to reasonable bail'."

Speaker Leitch: "Representative Zickus."

Zickus: "The bail would be reasonable. They would just have to pay 100% of it, not 10%."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Speaker Leitch: "Representative Davis."

Davis M.: "Representative, would this apply to juveniles who are being transferred as adults?"

Speaker Leitch: "Representative Zickus."

Zickus: "Yes."

Speaker Leitch: "Representative Davis."

Davis M.: "If you have a very what 16, 17 year old who is housed in a juvenile facility, he is not evenailable. He can't even post any bail, he's just there. So once the judge says, 'Well, you will be tried as an adult, then he too must come up with 100% of bail?"

Speaker Leitch: "Representative Zickus."

Zickus: "Yes, you are talking about 'probable cause' and you're talking about first degree murder. Perhaps, Representative, if that minor who just committed first degree murder, a very violent crime, or accused of committing it, maybe he would think twice before he would do it."

Speaker Leitch: "Representative Davis."

Zickus: "Maybe we could cut down on some of the violent crime that's going on in our communities all around us, especially with minors and we know how that's escalating."

Speaker Leitch: "Representative Davis."

Davis M.: "This would apply to a very small number of minors. A very small number of minors would be involved in this. But are you aware of the fact that when people are accused, they are not all guilty? And that is why we have courts. That is why we have juries."

Speaker Leitch: "Representative Zickus."

Zickus: "Yes, Representative, but there is 'probable cause' and that's why they were charged by the state's attorney's office. Maybe people will think twice."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Speaker Leitch: "Representative Davis."

Davis M.: "Who would they pay this bail money to and how much of it will they get to keep?"

Speaker Leitch: "Representative Zickus."

Zickus: "The sheriff's office I believe collects the bail."

Speaker Leitch: "Representative Davis. Your time is nearly expired, Ma'am. I'll give you another minute to finish."

Davis M.: "Does the sheriff get to keep a portion of the bail he collects?"

Speaker Leitch: "Representative Zickus."

Zickus: "Yes, he does."

Speaker Leitch: "Representative Davis."

Davis M.: "I'm going to wind this up. Thank you, Representative Zickus. First of all, I think this is a very expensive piece of legislation. That our jails, Cook County Jail and others are totally overcrowded already. There are federal laws that have to be adhered to in reference to how many people you can keep in so much space. And I think it's so important that we realize that people who are accused are not necessarily found guilty yet and that the punishment begins once you're found guilty. Punishment does not begin because you are charged. And we all realize that we don't want juveniles or adults continuing to commit crimes but nor do we want to commit one by denying people a reasonable..."

Speaker Leitch: "The Gentleman from Cook, Representative Pugh, Coy Pugh. For what reason do you rise, Sir?"

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

Speaker Leitch: "She indicates she will."

Pugh: "Representative, are you familiar with the eighth, Article 8, of the Constitution which provides for equal protection

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

under the law?"

Speaker Leitch: "Representative Zickus."

Zickus: "I believe that's the the 14th Amendment, Representative."

Speaker Leitch: "Representative Pugh."

Pugh: "So I'd be safe in assuming that you are aware of that Article. Is this Bill contradictory to that?"

Speaker Leitch: "Representative Zickus."

Zickus: "Reasonable bail does not violate the Equal Protection Amendment and I believe too, that the people that live in the communities have to have some safety as well."

Speaker Leitch: "Representative Pugh."

Pugh: "So if this legislation is singling out certain crimes then therefore it's not providing equal protection under the law. If we're going to provide for equal protection, why don't we make it truth-in-bail across the board? Why don't we just charge just one flat fee? Instead of having 10%, why don't we just charge one fee and let the judge determine if it's aailable offense or not?"

Speaker Leitch: "Representative Zickus."

Zickus: "Representative, we all know that some crimes are far more serious than others and it is equal because everybody who is charged with first degree murder, which is a very serious crime, will be treated equally. If they don't want to pay 100% of the bail, then they shouldn't be committing the crime."

Speaker Leitch: "Representative Pugh."

Pugh: "Representative, everyone that is arrested or presumed guilty of a crime, is not guilty until he has an opportunity to be proven guilty. Now are we assuming that everyone that is arrested, is guilty of committing the crime?"

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Speaker Leitch: "Representative Zickus."

Zickus: "Reasonable bail does not interfere with the presumption of innocence."

Speaker Leitch: "Representative Pugh."

Pugh: "This Bill flies in the face of reasonable bail because you are taking away the discretion from the judge. We are charged with the duty of legislating. The judges are charged with the judiciary process. We are subjecting the judge to our legislative demands and taking away the discretion which he was entitled to under the Constitution."

Speaker Leitch: "Representative Zickus."

Zickus: "The judge can set the bond at whatever he wants to. If the judge wishes to set the bond at 10 thousand instead of 100 thousand he'll do so, but at least the public will know that that person is out on a 10 thousand bond instead of 100 thousand."

Speaker Leitch: "Representative Pugh."

Pugh: "So my question is, why don't you amend the legislation so it applies to all crime, so that we'll have truth-in-bail for every crime, so that there won't be any discrepancy and we won't be flying in the face of the Constitution and jeopardizing the 14th Amendment to the Constitution which provides for equal protection under the law."

Speaker Leitch: "Representative Zickus."

Zickus: "Murder is the most serious offense. When a person takes another person's life, we are dealing with serious offenses. We are dealing just with the murder."

Speaker Leitch: "Representative Pugh."

Pugh: "My synopsis, Representative, states that other Class X felonies are included in this legislation."

Speaker Leitch: "Representative Zickus."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Zickus: "That was changed with the Amendments, Representative."

Speaker Leitch: "Representative Pugh."

Pugh: "So, Representative, if we are going to use this Bill to deter or curb crime, why doesn't this apply to child molesters who have the largest recidivism rate in the State of Illinois?"

Speaker Leitch: "Representative Zickus."

Zickus: "This Bill is dealing with one issue, that child molesters is another issue. We can't put every single issue in one Bill. You know that very well."

Speaker Leitch: "Representative Pugh."

Pugh: "What about Senate Bill 721? That's a very conclusive Bill. But in closing, Representative, it's important to know that we're getting into a classiest society and that this Bill would discriminate."

Speaker Leitch: "Please bring your remarks to a close, Sir."

Pugh: "Thank you, Sir. This Bill discriminates along the base of class. And if we're going to as Legislators be responsible and tough on crime as we should be, then we should be tough on all criminals and not just specific crimes."

Speaker Leitch: "No one seeking recognition, Representative Zickus to close."

Zickus: "I urge your 'aye' vote."

Speaker Leitch: "The question is, 'Shall House Bill 2518 pass?' All those in favor shall vote 'aye'; all those opposed shall vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on this question there are 96 voting 'aye', 14 voting 'nay', 2 voting 'present' and House Bill 2518 having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, please read House Bill 2579."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Representative Burke."

Clerk Rossi: "House Bill 2579, a Bill for an Act amending the Civil Administrative Code of Illinois. Third Reading of this House Bill."

Speaker Leitch: "Representative Burke."

Burke: "Thank you, Mr. Speaker. This Bill in its current form would simply put a Preventative Health Test System on the map with respect to being eligible for the Wellness Grant Program that the state provides. It is not a very well funded program, but indeed it would place the Quality Stress-Analysis Preventative Health Test on the list of approved grants, recipients and I would ask for the Body's favorable consideration."

Speaker Leitch: "On this question, is there any discussion? The Lady from Cook, Representative Schakowsky, for what purpose do you rise?"

Schakowsky: "Thank you, Mr. Speaker. I rise in strong support of this legislation and I'm really kind of a living example, I think, of why it's so important. Thanks to Representative Burke and the people from Mercy Hospital who came down to demonstrate a Stress Screening Test for high blood pressure, I was able to identify a condition I had absolutely no idea that I had, which was the beginnings of high blood pressure which is a killing disease if not controlled. There are no symptoms to high blood pressure and I would recommend actually in this stressful time that people actually take advantage of the nurse's station and go over and have your blood pressure checked. But the value of preventive medicine to us as a state is enormous in terms of dollars and in terms of human life and so I would strongly recommend that we begin with this Bill to put much more focus on preventive health. So I urge an

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

'aye' vote."

Speaker Leitch: "Representative Burke to close."

Burke: "Thank you again, Speaker. What was a tragic irony in this situation, when we presented the Bill in Committee, our Minority Spokesman, David Phelps, happened to be very, very interested in this particular computer-based test. And why I say tragic irony, is that just shortly after the Bill was presented in Committee, David had to undergo open-heart surgery. And we certainly all in this body wish him continuing health as he recovers from that by-pass surgery. It was again, very interesting to note that David was so interested and I might recommend that he had undergone this test, possibly, he may not have had the unnecessary surgery. So I would ask all in this Body to consider, not only this particular test, but all others that would identify health problems early and be able to address them without major surgery and so forth. So again I would ask the Body for its favorable consideration of this House Bill 2579."

Speaker Leitch: "Thank you very much, Representative. The question is, 'Shall House Bill 2579 pass?' All those in favor shall vote 'aye'; all those opposed shall vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on this question there are 115 voting 'aye', 0 voting 'nay', 0 voting 'present'. And House Bill 2579, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 2693?"

Clerk McLennand: "House Bill 2693 is on the Order of Third Reading."

Speaker Leitch: "Return the Bill to Second Reading. Continuing

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

on the Order of House Bills Third Reading, Mr. Clerk,
please read 2592. Representative O'Connor."

Clerk McLennand: "House Bill #2592, a Bill for an Act that amends
the Criminal Code of 1961. Third Reading of this House
Bill."

Speaker Leitch: "Representative O'Connor."

O'Connor: "Thank you, Mr. Speaker. House Bill 2592 as amended,
amends the Criminal Code. It creates the Class III Felony
offense of gang activity by a peace officer or a
correctional officer. And I would be happy to answer any
questions."

Speaker Leitch: "The Gentleman from Cook, Representative Dart,
for what purpose do you rise, Sir?"

Dart: "Will the Sponsor yield?"

Speaker Leitch: "He indicates he will."

Dart: "Representative, how many people would this affect?"

Speaker Leitch: "Representative O'Connor."

O'Connor: "Approximately 32,000 people."

Speaker Leitch: "Representative Dart."

Dart: "I guess I'll be more precise. How many people have been
either charged or convicted of gang activity as police
officers?"

Speaker Leitch: "Representative O'Connor."

O'Connor: "Representative, just recently there was an incident in
Chicago, I believe in the 14th police district, that is
pertinent to this legislation."

Speaker Leitch: "Representative Dart."

Dart: "If I'm not mistaken Representative was that the one I
think she was just convicted about two weeks ago, in the
whole, the trials with the Gangster Disciples, I think, if
that was the same one?"

Speaker Leitch: "Representative O'Connor."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

O'Connor: "Yes, it was Representative."

Speaker Leitch: "Representative Dart."

Dart: "Now, you have any statistics or numbers on other ones? I understand the correctional impact was vague on this one. Do we have any ideas how many people have been charged or do they even have statistics, put it that way police officers, or correctional officers who have been charged in gang related activity?"

Speaker Leitch: "Representative O'Connor."

O'Connor: "No, there are no statistics available on that Representative."

Speaker Leitch: "Representative Dart."

Dart: "Are there presently any prohibitions against this? I guess internally by rule with the Police Department and if so what are those...the penalties that they have?"

Speaker Leitch: "Representative O'Connor."

O'Connor: "Most of the peace officers and the correctional officers have the conduct unbecoming their stature and things of that nature. So, I would say that there are some provisions that would generalize this, yes."

Speaker Leitch: "Representative Dart."

Dart: "There's no criminal implications with any of those. If for any police officer, right now, who's involved in gang activity they could be obviously charged with any felony they commit presently right now. So if a police officer is involved in a gang in the selling of drugs, he obviously could be charged with a drug offense. But as far as just the act of doing something in furtherance of a gang, the only sanction right now would be an internal one, via his own or her own police department which contains no criminal offenses. Is that accurate?"

Speaker Leitch: "Representative O'Connor."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

O'Connor: "There'd be a possibility of official misconduct charges being brought forth which would entail criminal offenses."

Speaker Leitch: "Representative Dart."

Dart: "What's the penalty for criminal, for official misconduct?"

Speaker Leitch: "Representative O'Connor."

O'Connor: "It's a Class III with a two to five sentencing, Representative."

Speaker Leitch: "Representative Dart."

Dart: "So that would be the same penalty as this then? So it would be very similar. It would be an additional charge that they would be able to add to it."

Speaker Leitch: "Representative O'Connor."

O'Connor: "It would be an additional charge. Yes."

Speaker Leitch: "Representative Dart."

Dart: "And then finally, the topic that we talked about earlier. I found a great deal of merit in the Bills that originally stood with just the fact that someone is a gang member. As the Bill is amended, it is no longer a criminal offense to be a police officer who is a gang member, as such. Correct?"

Speaker Leitch: "Representative O'Connor."

O'Connor: "Representative, the reason we've made the change is we did not want to interfere with the Constitutional Rights of peace officers and correctional officers. And that's why the change was made."

Speaker Leitch: "Representative Dart."

Dart: "Would not being a member of a gang would that not be grounds for official misconduct?"

Speaker Leitch: "Representative O'Connor."

O'Connor: "It could be Representative. That would be up to the local prosecution to make that determination on what they

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

deemed official misconduct."

Speaker Leitch: "Representative Dart."

Dart: "So then just for a point of clarification then. As the Bill presently exist now, there is no penalties in this Bill here if a police officer is a gang member. That police officer has to do some type of activity that is in furtherance of a gang, correct?"

Speaker Leitch: "Representative O'Connor."

O'Connor: "That is correct. That he would have to do something in furtherance of the gang."

Speaker Leitch: "Representative Dart."

Speaker Leitch: "Representative O'Connor to close."

O'Connor: "Thank you Mr. Speaker. I would ask for an 'aye' vote on House Bill 2592."

Speaker Leitch: "The question is, 'Shall House Bill 2592 pass?' All those in favor shall vote 'aye'; all those opposed shall vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'aye'; none voting 'nay', and House Bill 2592 having received a Constitutional Majority is hereby declared passed. Mr. Clerk, Committee Report."

Clerk McLennand: "Committee Report. Committee Report from Representative Mulligan, Chairman from the Committee on Appropriations for Human Services, to which the following Bills were referred, action taken on March 28, 1996, reported the same back with the following recommendation: 'do pass as amended' House Bill 1080."

Speaker Leitch: "On the Order of Third Reading appears House Bill 2612. Representative Woolard. Read the Bill Mr. Clerk."

Clerk McLennand: "House Bill #2612. A Bill for an Act that

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

amends the Wildlife Code. Third Reading of this House Bill."

Speaker Leitch: "You wish the Bill out of the record Representative? The Bill, Mr. Clerk, please take the Bill out of the record. Mr. Clerk, please read House Bill 2655. Representative Wennlund. Read the Bill Mr. Clerk."

Clerk McLennand: "House Bill #2655. A Bill for an Act concerning fire resistant compartmentalization of units in multi-family dwellings. Third reading of this House Bill."

Speaker Leitch: "Representative Wennlund."

Wennlund: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. What the Bill did originally and Danny Burke, Representative Burke will remember the Bill. The Bill was designed to give an incentive to people who build multi-family houses and single family dwellings to make them safer from a fire standpoint by installing fire walls, that have at least a '2-R' rating, by installing sprinkler systems, which are expensive, about a buck and a half a square foot. And by adding extra insulation to increase the efficiency and energy reduction in their use. Now the reason that I had put an Amendment on stripping the language out is because all three of those groups are working together with the home builders to decide what the best method of an incentive is to encourage home builders and builders of multi-family dwellings to do that. The original Bill, it was a five year assessment freeze. It would just freeze their assessment at its value. A second method to do that, was to not include the cost of a sprinkler system in it's valuation. The groups are working together with the home builders. They want to continue to do that. They want to move the Bill over to the Senate and continue to work on that. It would come back here on

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Concurrence, if they, in fact, reach an agreement. And I'd ask for your favorable consideration. Thank you."

Speaker Leitch: "The Gentleman from Cook, Representative Lang. For what purpose do you rise, Sir?"

Lang: "Thank you, Mr. Speaker. I rise in strong opposition to this Bill. Please listen carefully. This is a Shell Bill. There is nothing in it. So, I would request that Members on my side of the aisle vote 'no' or 'present'. And all of you folks on Mr. Wennlund's side of the aisle that keep talking about 'good government, which we've heard about several times today. I think it's not particularly good government to be sending Shell Bills over to the Senate, so they can do any number of things with it. They may put the Governor's Constitutional Amendment for education on it. They may fix 'Motor Voter,' that would be a good thing but I don't think they're going to do that. So I would recommend 'no' or 'present' vote. This Bill should not leave this Chamber."

Speaker Leitch: "Representative Wennlund to close."

Wennlund: "Thank you, Mr. Speaker. Again, the whole purpose of the Bill is that is if they can't reach an agreement they are not going to do anything. But they want to work together to provide safer multi-family housing with sprinkler units and extended fire walls. And they want to make houses more energy efficient and this Vehicle will allow them to carry on their discussions in the Senate and hopefully reach some agreement. In the event they do not reach an agreement, on the method to accomplish that then the Bill will simply get dumped. I appreciate your favorable consideration. Thank you."

Speaker Leitch: "The question is, 'shall House Bill 2655 pass?' All those in favor shall vote 'aye'; all those opposed

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

shall vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on this question the Gentleman from Cook, Representative Lang, for what purpose do you rise?"

Lang: "Thank you Mr. Speaker. If you declare that this has received the requisite number, we would ask for a verification."

Speaker Leitch: "This Bill having received a requisite number a verification has been requested and is in order. Members please be in their Chairs. Mr. Clerk, call the Affirmative Roll."

Clerk Rossi: "Poll of those voting in the affirmative. Representatives Ackerman. Balthis. Biggert. Biggins. Black. Bost. Brady. Churchill. Ciarlo. Clayton. Cowlishaw. Cross. Deuchler. Doody. Durkin. Goslin. Hassert. Hoeft. Hughes. Johnson, Tim. Johnson, Tom. Jones, John. Krause. Kubik. Lachner. Lawfer. Leitch. Lindner. Lyons. McAuliffe. Meyer. Mitchell. Moffitt. Moore, Andrea. Mulligan. Murphy, Maureen. Myers. Noland. O'Connor. Pankau. Parke. Pedersen. Persico. Poe. Roskam. Rutherford. Ryder. Salvi. Saviano. Skinner. Spangler. Stephens. Tenhouse. Turner, John. Wait. Wennlund. Winkel. Winters. Wirsing. Zickus, and Mr. Speaker."

Speaker Leitch: "Representative Lang."

Lang: "Representative Klingler. Oh, wait a minute, she's voting with us on this one. Thank you Representative Klingler. Representative Tim Johnson."

Speaker Leitch: "Representative Tim Johnson? Is the Gentleman in the Chamber? Representative Tim Johnson? Tim Johnson? Remove him from the Roll. Any further?"

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Lang: "Representative Spangler."

Speaker Leitch: "Representative Spangler?"

Lang: "I'm sorry. I don't know how I could miss Representative Spangler."

Speaker Leitch: "In his Chair. Representative Ryder has leave. Representative Lang."

Lang: "Representative Goslin."

Speaker Leitch: "The Gentleman is in his seat, Sir. Add...Representative Johnson has returned to the Floor. Mr. Clerk, please restore him to the Roll."

Lang: "Representative Krause."

Speaker Leitch: "Representative Krause? The Lady is in the aisle, Representative."

Lang: "Representative Andrea Moore."

Speaker Leitch: "Representative Andrea Moore? Is the Lady in the Chamber? Representative Moore? Representative Andrea Moore? Is the Lady in the Chamber? Remove her from the Roll, Mr. Clerk."

Lang: "Representative Skinner."

Speaker Leitch: "Representative Skinner? Cal Skinner? Is the Gentleman in the Chamber? The Gentleman is here by the door, Representative."

Lang: "Representative Meyer."

Speaker Leitch: "Representative Meyer? Is Representative Meyer in the Chamber? Representative Meyer? Representative Meyer? Is the Gentleman in the Chamber? He's on the Democratic side of the aisle standing only feet away from you."

Lang: "Well, no wonder we couldn't find him, Speaker. He's on our side of the aisle. You got people voting with us on this Bill. We're confused here."

Speaker Leitch: "So are we. So are we. What is he doing over

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

there? Any further Sir?" Lang: "Representative Moffitt?"

Speaker Leitch: "Representative Moffitt is in his chair."

Lang: "Representative Saviano."

Speaker Leitch: "The Gentleman's at the rear of the Chamber, Sir."

Lang: "Representative Mulligan."

Speaker Leitch: "Representative Mulligan? Representative Rosemary Mulligan? Is the Lady in the Chamber? She's at the rear of the Chamber near the doors. Any further?"

Lang: "Representative Biggins?"

Speaker Leitch: "Representative Biggins? Representative Bob Biggins? Representative Black has requested leave. Representative Biggins? Is the Gentleman in the Chamber? Representative Biggins?"

Lang: "Take him off, Mr. Speaker. Take him off. Mr. Speaker, let's move this process along."

Speaker Leitch: "Is that Representative Biggins? Is Representative Bob Biggins in the Chamber?"

Lang: "It's very unlikely that he's on our side of the aisle, Sir. Speaker, how long are we going to give them? Mr. Speaker. Mr. Speaker. How about it? If he's not here and it goes down you can put it on Postponed Consideration and do it later. You're wasting the taxpayers money, Sir. The man is not here, take him off."

Speaker Leitch: "Remove the Gentleman from the Roll. On this question there are 59 voting 'aye'; 49 voting 'nay'; 5 voting 'present'. Representative Wennlund, for what purpose do you rise, Sir?"

Wennlund: "Thank you, Mr. Speaker. Request that this Bill be put on Postponed Consideration."

Speaker Leitch: "Mr. Clerk, please put the Bill on Postponed Consideration. The Gentleman from Cook, Representative

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Morrow, for what purpose do you rise, Sir?"

Morrow: "Thank you, Mr. Speaker. Ladies and Gentleman of the House. I rise on a point of order. I don't know if it's written in the Rules as to how much time that we can give a Member who has been verified to allow them to get into the Chambers. But in fairness, and this is not to degrade you in the Chair, because I have a high regards for you. But when we were in power, when we were in charge, we were in the Majority, when you verified our Members after a certain amount of time we took our Members off the Roll Call. Maybe Leadership on both sides of the aisle, if it's not in the House Rules, need to come up with a limit of time that when a Member has been verified that they have a certain amount of time to get to the Floor. Maybe it should be a minute, two minutes but there should be a time limit given. In a matter of fairness, as much time as we gave Representative Biggins, I could have drove back to the City of Chicago."

Speaker Leitch: "Thank you, Representative. I recall that used to be defined as the amount of time it took our dear friend Monroe Flynn to come over from Sam's."

Speaker Leitch: "Representative Morrow."

Morrow: "Repeat that again, Mr. Speaker."

Speaker Leitch: "Well, we all had a dear friend here. He used to serve. He was everybody's friend here in this Chamber by the name of Monroe Flynn. And as I recall it was your Leadership Rule to time that according to the length of time it took the Gentleman to come over here from Sam's. Representative Morrow."

Morrow: "That's why, Mr. Speaker, I was, would have voted for a Bill to put an intercom over at Sam's."

Speaker Leitch: "I would have, too. I would have joined you on

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

the sponsorship of that Bill, it's a fine idea. On the Order of House Bills Third Reading is House Bill 2794. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill #2794. House Bill #2794. A Bill for an Act to amend the Illinois Income Tax Act, Third Reading of this House Bill."

Speaker Leitch: "The Gentleman from Cook, Representative Kubik, we're on House Bill #2794."

Kubik: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. House Bill 2794 is a Bill which I believe will assist schools and libraries throughout this state in moving into the computer age. We talk about the Internet. We talk about how we want our children to learn about the new technology and computers. This Bill, I think, will help us move in that direction. What the Bill does, is it allows for businesses and individuals to make, to deduct the fair market value of a computer or software from their taxable income tax. The Bill will, I think, encourage businesses who have used equipment, used computer equipment or used software, which they may want to upgrade to another type of computer system. They will make those donations to local library and school districts. Let me point out that, a couple of things. As I had stated earlier in the day we have adopted an Amendment on this Bill. The Amendment would limit this to a five year program. The Amendment would require that upon donation, the school district or the library district would have to accept it in writing. And finally, it would be limited strictly to computers and computer software. I think this is a way we can compliment the Governor's program, which is to get people onto the Internet. This is an alternative way, this is a way to encourage businesses to develop partnership with our

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

schools and libraries in bringing in new technology and new equipment into the classroom and into libraries. So, I would be more than happy to respond to your questions and would urge your support of House Bill 2794."

Speaker Leitch: "And on that question, the Gentleman from Cook, Representative Lang. For what purpose do you rise, Sir?"

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

Speaker Leitch: "Yeah."

Lang: "Representative, the credit to be given to these businesses is for the fair market value. Who is going to determine that? And under what criteria will that be determined?"

Speaker Leitch: "Representative Kubik."

Kubik: "Representative Lang, as you know, should this Bill pass and end up on the Governor's desk and is signed. The Department of Revenue would promulgate rules surrounding this Bill. They could take a variety of ways to adopt it. They could adopt the Internal Revenue Services definition of fair market value. I, frankly, don't think that's going to be that difficult. Just by way of explanation, the Internal Revenue Service's definition is, 'what a willing buyer and willing seller will agree upon' and in this marketplace I don't think that it's going to be that difficult to figure out what the fair market value of this equipment and the software will be."

Speaker Leitch: "Representative Lang."

Lang: "Will these companies that are donating this equipment, do they already get a federal tax deduction for doing this?"

Speaker Leitch: "Representative Kubik."

Kubik: "I don't believe so."

Speaker Leitch: "Representative Lang."

Lang: "Well, if I, as an individual, wrap up old clothes and give it to Goodwill Industries, I get a tax deduction. I assume

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

if I gave a non-profit corporation, a charitable organization, an old computer I owned I would get a federal tax deduction. So wouldn't these businesses also get a federal tax deduction?"

Speaker Leitch: "Representative Kubik."

Kubik: "Representative, you could be right. Quite honestly, I don't know. I'm not aware that they do, but you could be right."

Speaker Leitch: "Representative Lang."

Lang: "Don't you think, Representative, that that's a significant enough issue to take this back to the drawing board and find out? It seems to me that what you're trying to do is encourage these companies to give these computers to the schools, to advance technology in the schools and we're all for that. But we also don't want to be involved with the business of corporate welfare. So I think it's a very relevant question. If they're already getting a Federal tax break which, as you know, would be much more substantial than any state tax break you would give them. And perhaps we ought to know that, before we move along on this Bill. Perhaps they shouldn't get a double deduction for the same donation of the same single piece of equipment."

Speaker Leitch: "Representative Kubik."

Kubik: "Well, Representative, I understand what you're saying. I would, however, say we don't have the ability to impact the Federal Tax Code in the State of Illinois. We do have the ability to impact the State Tax Code. And frankly, if a company in Illinois or an individual, if this would encourage them to provide this kind of technology to schools and libraries, I don't know why we should stand in the way of that. I would further point out that the fact

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

is that most of this equipment, as you may know, once it's been purchased and been used, depreciates extremely rapidly. We're not talking about a whole lot of money. But if it's any incentive at all, to move this type of technology into the classroom or into libraries, I don't see why one would be against it."

Speaker Leitch: "Representative, proceed."

Lang: "Under the Federal Tax Code if an item, if a piece of equipment is fully depreciated before you donate it to someone, you cannot take a tax deduction, as a charitable donation because it's already been fully depreciated. Under your Bill it's entirely possible that a piece of equipment that cannot be used as a deduction under the Federal Tax Code because it's been fully depreciated could still be used as a deduction under the State Tax Code because you used the term 'fair market value'. Shouldn't you have some consideration in this Bill for items that have already been fully depreciated under the Federal Tax Code?"

Speaker Leitch: "Representative Kubik."

Kubik: "Representative, I think that that is an area that the Department of Revenue in their regulation process will address. So I would think that that's an appropriate area for them to address."

Speaker Leitch: "Representative Lang, you want to bring your remarks to a close please?"

Lang: "Thank you. Well, I just have one additional question. I'll be brief, Mr. Speaker. Is anybody, any business or an individual or any partnership or any corporation that wants to give equipment to a school under these circumstance, entitled to the deduction you're talking about?"

Speaker Leitch: "Representative Kubik."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Kubik: "If the donation is accepted in writing we amended the Bill to include that the donation must be given and accepted by the school district or the library in writing. So they can't just donate it and say that they've made a deduction. It's got to be accepted by someone in writing."

Speaker Leitch: "The Gentleman from Whiteside, Representative Mitchell. For what purpose do you rise, Sir?"

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

Speaker Leitch: "He indicates he will."

Mitchell: "Representative Kubik, is this legislation modeled after any other law in any of the states around us?"

Speaker Leitch: "Representative Kubik."

Kubik: "Representative Mitchell, this is modeled after a law in the State of Idaho, which has done this to try and encourage the movement of technology into their classrooms and into their libraries. So we simply thought that was an excellent idea and followed through on it."

Speaker Leitch: "Representative Mitchell."

Mitchell: "Thank you and who are the proponents for this piece of legislation?"

Speaker Leitch: "Representative Kubik."

Kubik: "Well, we have a rather substantial list of proponents, including the Statewide School Management Alliance, the State Board of Education, the South Cook Organization for Public Education, the Illinois Library Association, the Illinois Large Unit School District Association and a number of others. But they see this as an opportunity to bring computers and software into the school systems and into our library systems. And they believe that anything we can do to move that sort of technology into those facilities is laudable."

Speaker Leitch: "Representative Mitchell."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Mitchell: "Thank you, Representative. Mr. Speaker, to the Bill.

I don't know how anyone in this Chamber can do anything other than support this piece of legislation. I have seen many, many school districts struggle with the need for technology, with a need for keyboarding skills, with a need for the use of computers. Certainly, industry is not going to give up computers that have a tremendous amount of value to their industry. But those same computers that they put on shelves and collect dust can be extremely valuable instruments within the confines of a small school district that's struggling to keep up with the technology in this fast moving world. If you just think for a minute about the number of kids that are out there everyday trying to share one computer per classroom and realize that you could put a half-dozen to a dozen in the same classroom. You'll vote for this piece of legislation. The cost is going to be negligible, but the value is going to be insurmountable. I recommend an 'aye' vote. Thank you."

Speaker Leitch: "The Lady from Cook, Representative Erwin. For what purpose do you rise?"

Erwin: "To the Bill Mr. Speaker. Thank you. I'm proud to rise in support of House Bill 2794. And I'm also proud to be a Cosponsor of this Bill. For my colleagues in Chicago I would just like to add that in viewing this, let's keep in mind that the Chicago Public Schools are struggling as we speak, with how to bring every public school in Chicago up to speed. How to wire each of the buildings so that our students in Chicago will not be left behind, in terms of accessing the Internet and using other computer and technological advances, as tools of learning. I think that it is absolutely incumbent upon the Legislature to do everything we can to move our students in this direction.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

I, for one, wish that we were doing a lot more and that, in fact, we were dedicating more state dollars to this. This is an innovative way to do it. I think that Representative Kubik has mentioned that in the private sector they do upgrade very frequently and so there is a equipment that with a little bit of an incentive, I think that the schools could reap the benefit. So, particularly, for my colleagues in Chicago I would urge an 'aye' vote."

Speaker Leitch: "The Gentleman from Rock Island, Representative Boland. For what purpose do you rise Sir?"

Boland: "Thank you, Mr. Speaker. I rise in strong support of this Bill. I think that we've all heard the need for technology in the classroom and the need to get really a computer on every kid's desk in the State of Illinois, so they can learn these very valuable skills and they're not computer illiterate, like some of us in the older generation. We know how crucial this is for our children's future. It's also an excellent way of getting updated computerized equipment, modern equipment into the public schools and of course, into the libraries without having to ask the taxpayers to pay for a tax increase, which of course, we've just been asked to do and nobody has found any enthusiasm to do. So this would seem to me to be a step to move toward what the Governor was talking about in getting technology into the schools. It's an excellent way of getting the private sector and the public sector working together. And I very strongly urge a 'yes' vote. Thank you."

Speaker Leitch: "The Gentleman from Cook, Representative Dart. For what purpose do you rise, Sir?"

Dart: "Will the Sponsor yield?"

Speaker Leitch: "He indicates he will."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Dart: "Representative, how much is this going to cost? Do we have a price tag on this yet?"

Speaker Leitch: "Representative Kubik."

Kubik: "The Department of Revenue, as I understand it, does not have, has not assigned a value. The Fiscal Note says it's undeterminable."

Speaker Leitch: "Representative Dart."

Dart: "People have talked about the minimal, nominal cost. I mean do we have a ballpark figure? Is it going to cost us a dime? Is it going to cost us \$1 million?"

Speaker Leitch: "Representative Kubik."

Kubik: "Well, I don't know. But what I can tell you is that the program in Idaho cost about \$30 to \$40 thousand. So now Idaho, obviously, has probably has a sixth or an eighth of our population. I don't think this is going to be a budget-busting amount. Because frankly, as I said earlier, Representative, most of this stuff has depreciated to the point where it's not that valuable. But with technology being what it is now and getting on the Internet, what we need is the hardware and the software to get on the Internet. And that's what I'm trying to do. I know there are schools that don't have money in their budgets for computers. And this will be a way to get them. It won't be, you know, the Cadillac equipment. But it will be equipment that will allow them to get into the computer age."

Speaker Leitch: "Representative Dart."

Dart: "I agree with a lot of what you are saying but wouldn't it be more effective to fund education properly? So they could buy these things and buy new ones instead of outdated, broken down ones?"

Speaker Leitch: "Representative Kubik."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Kubik: "Well, of course, you know that the Governor has set aside money for the technology. And, Representative, you know what these machines cost. I mean we've all gotten our little slips saying that if you want another one it's over \$5 thousand. It's a lot of money. And you know if you keep up with the technology it's an enormous expense. I agree with you. If every kid could have a new computer, I'd be a happy man. But it's not going to work that way. So why not allow them the technology to get on the Internet and use the Internet to feed in the information. You know, what you find now is you don't need the real powerful computers as much as you need access to get to the Internet and then you can pull in the program. So I think that's one of the reasons why this is a valuable program. So, in a perfect world I'd love more money but you know we're dealing in an era of limits."

Speaker Leitch: "Representative Dart."

Dart: "I constantly hear about how conscientious big business is and how they want to help people. Is not this something they should be doing anyway? If this is depreciated it's no longer any good to them. Shouldn't they be giving this to schools, libraries anyway? I mean, why is it we as government have to give them incentive to do the right thing? Why?"

Speaker Leitch: "Representative Kubik."

Kubik: "Representative, I wish I lived in a perfect world and I wish that we had that kind of incentive for businesses just to hand this equipment over. But we don't. And so we've got to figure out ways to develop incentives. And I think this might be one way to develop incentives. Again, you know, I see partnership between businesses and schools and libraries developing. And, again it's not going to be a

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

whole lot of money. But if it's any incentive to move some of these businesses forward, let me make one point. I know you may have another question. This may be particularly valuable to a small business. You know a large corporation, it doesn't mean that much. But for a small business they may be able to do the right thing rather than sell it and get a small tax deduction and get new equipment. So this particularly may be helpful to small business."

Speaker Leitch: "Representative Dart."

Dart: "Where will the money, whatever the figure is for this incentive, where does that money come out of? Where are we cutting money out of?"

Speaker Leitch: "Representative Kubik."

Kubik: "I'm not sure that I understand your question. In other words, if we reduced the amount of, could you restate your question?"

Speaker Leitch: "Representative Dart."

Dart: "Well, this Bill does not have an Appropriation Bill that follows it that setting aside money to pay for lost revenue that will be coming in by giving this tax incentive. Does your Bill specify or can you tell us where the money is going to come from to pay for this tax incentive. Cause we know it's not going to fall out of the skies here. So I'm just trying to get an idea because people have been talking about how great this is. Yeah, it is a good idea to give schools computers. But the reality of it is, this will mean less money for education and things like that."

Speaker Leitch: "Representative Kubik."

Kubik: "Representative, again I don't have a figure. But and I think that's one of the reasons we did a five year end to this program. We wanted to see what kind of dollars are

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

involved here. I don't know how much money it is and as a result, we didn't talk about what fund would lose money. I just don't think it's going to be that large of a sum of money. But it will be enough to get people to donate equipment. And to be honest with you, if we're going to spend education dollars to buy new equipment which is much, much more expensive, doesn't this seem to be a better way that we can get more equipment out to people at less cost? And nobody is forcing this stuff on anybody. They have to accept it in writing. So they know what kind of equipment their going to get. And I think they're going to get some pretty decent equipment and we're going to get a better 'bang for our buck' out of this kind of a program than spending a lot of money on new equipment that's going to be out of date rather rapidly."

Speaker Leitch: "Representative Dart, are you finished? Representative Kubik to close."

Kubik: "I think the Bill has been throughly debated. Ladies and Gentlemen, again this is not going to solve all problems. But I think particularly for those districts that don't have large sums of money to buy capital equipment, computers, software, et cetera, this could be a very, very helpful tool for those districts. The goal here is to put more technology in the classroom, to put more technology in libraries and do it at the most cost effective way. I think that this is a program that we can be proud of and I would hope that you would support me in House Bill 2794."

Speaker Leitch: "The question is, 'Shall House Bill 2794 pass?' All those in favor shall vote 'aye'; all those opposed shall vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

House Bill 2794 having received, with a 112 voting 'aye'; 2 voting 'nay'; 1 voting 'present' is here by declared passed. Mr. Clerk, what is the status of House Bill 2617?"

Clerk Rossi: "House Bill 2617. This Bill has been read a second time previously. Amendment #1 has been adopted to the Bill. No Motions have been filed. No Floor Amendments approved for consideration. The notes that have been requested on the Bill, as amended, have been filed."

Speaker Leitch: "Third reading. On the Order of House Bills Third Reading, Mr. Clerk, please read House Bill 3395. Representative Youngue. Representative Wyvetter Youngue."

Clerk Rossi: "House Bill 3395. A Bill for an Act to provide for the establishment of Pilot Enterprise High Schools and Work Study Programs. Third reading of this House Bill."

Speaker Leitch: "Representative Youngue."

Youngue: "Thank you, Mr. Speaker. I appreciate your waiting for me. House Bill 3395 would establish the enterprise high school, which would have a pilot project in School District 188 and 189 in the East St. Louis area. And one half of the curriculum, one half of the students' day would be taken up in learning how to operate and form a business. And then the other half of the day would be in academic studies. This Bill is supported by the State Superintendent of Schools and the Institute for Entrepreneurial Studies. The Institute for Entrepreneurial Education of Northern University is going to come down and help us establish this school. The school will be financed through the average daily attendance, plus grants from private industries plus the help of the State Superintendent and the Institute for Entrepreneurial Education. We have a terrible drop-out rate in my district involving my students. And I believe that this study of

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

running businesses and the discipline, a scientific method of business planning and mathematics, as learned through organizing a business will be a great boost to the educational achievement and opportunity of the students of my district. And I ask for your support of this matter."

Speaker Leitch: "The Lady has moved for the passage of House Bill 3395. And on that, is there any discussion? Seeing none, Representative Younger to close."

Younger: "Thank you, Mr. Speaker. I ask for the passage of this Bill."

Speaker Leitch: "The question is, 'Shall House Bill 3395 pass?' All those in favor shall vote 'aye'; all those opposed shall 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on this question there are 115 voting 'aye'; 0 voting 'nay'; 0 voting 'present'. And House Bill 3395, having received a Constitutional Majority, is hereby declared passed. Mr Clerk, please read House Bill 3510."

Clerk Rossi: House Bill 3510. A Bill for an Act amending the Unified Code of Corrections. Third reading of this House Bill."

Speaker Leitch: "Representative O'Connor."

O'Connor: "Thank you, Mr. Speaker. House Bill 3510 allows the courts to deport illegal aliens convicted of non 'truth in sentencing' criminal offenses. And I'd be happy to answer any questions."

Speaker Leitch: "The Gentleman from Cook, Representative Dart, for what purpose do you rise, Sir?"

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

Speaker Leitch: "He indicates he will."

Dart: "Representative, the heart of this Bill is to take

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

criminals who are illegal aliens, who have committed crimes in our state and to send them back to their country where they came from, is that correct?"

Speaker Leitch: "Representative O'Connor."

O'Connor: "Yes, that is correct."

Speaker Leitch: "Representative Dart."

Dart: "What provisions do we have in this Bill that will ensure that this person when sent to the other country serves their time?"

Speaker Leitch: "Representative O'Connor."

O'Connor: "If they are deported after going through the procedures here and they are sent back to their other country, there would be no assurances that they would serve their time."

Speaker Leitch: "Representative Dart."

Dart: "I'm all for getting these folks out of the country. I'm all for getting them off of our taxpayer rolls. But I have a real serious problem with people who come in and kill people in our state, the State of Illinois, and then we ship them off to wherever they came from, where they can go and sit on the beach. They can do whatever the heck they want. People who come into our country, and commit second degree murder. People who come into our country and kidnap people. People that come into our country and who are child pornographers, who as opposed to spending a day behind bars, as opposed to having some retribution for what they've done to the people of the State of Illinois, are being sent away to sit on a beach to go wherever they want. That's a serious problem, Representative. There is something to be said about getting these people out of here. But when I talk to people, when I talk to victims of crime, which I have done on numerous occasions, they want

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

justice. They want to know that that person who did that offense is going to serve some time. Under your Bill we cannot give them any assurance of that. As far as we can tell, under your Bill, the only thing we can assure them is that they will be out of the country. Doing whatever, whenever, serving next to nothing. Is there any guarantee we can have under this Bill that someone who commits second degree murder is going to serve a day of time when they are sent to their other country they came from?"

Speaker Leitch: "Representative O'Connor."

O'Connor: "The stop gaps...relative to what you just mentioned, Representative, this is in no way going to reward the more violent offenders that have broken the law in this country. The criteria for this is the judges have to have a finding for deportation. The State's Attorney has to make a motion in the County of conviction in order for the deportation proceedings to start. And the Attorney General of the United States in conjunction with the Immigration and Naturalization would have to make a determination for deportation. So, the crimes that you kind of made reference to, in no way would people be sitting on the beaches sunning themselves for serious offenses that were committed in this country. And I think that if you looked at the Bill very close you would realize that."

Speaker Leitch: "Representative Dart."

Dart: "Well, Representative, I'm very aware of that. But the hearing that you're talking about is going to be held by these different officials here now, is a question about the person's naturalization, whether or not they're a citizen or not. And whether or not they should be sent out of the country. They could get assurances from another country that this person is going to serve time, but there is no

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

way we can enforce that. Is there any way under your Bill that we can enforce it? That once this person is deported for those crimes that are enumerated because these are the ones that are under your Bill. Is there any assurance that we can have that these people are going to serve their time? I mean, cause seriously, when we are talking about aggravated arsons, juvenile pimps, vehicular hijacking, stalking, ritualized abuse. We're talking about kidnaping. We are talking about major, serious things. Can we assure people of the State of Illinois that as a victim, once they've been victimized by an illegal alien that once they are deported they are going to serve time? Is there anything that we can do to tell them they will serve time?"

Speaker Leitch: "Representative O'Connor."

O'Connor: "Representative, again the crimes that you are making mention to this Bill assures us that those individuals, if found guilty, would serve their time in this country, in our state, in our prison system. If the three criteria, that I mentioned earlier, felt as though these individuals would be better off being deported in the best interest in the State of Illinois, then, and only then, would the deportation take place."

Speaker Leitch: "Representative Dart."

Dart: "So you are saying for the offenses that I listed they will serve their time here first and then be shipped out?"

Speaker Leitch: "Representative O'Connor."

O'Connor: "No, just the 'truth-in-sentencing' offenses."

Speaker Leitch: "Representative Dart. Your time is nearly expired, Sir."

Dart: "For all the crimes that I listed they will not be."

Speaker Leitch: "We will give you one more minute to wrap it up."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Dart: "Thank you. For all the crimes that I listed then, they were all non truth-in-sentencing crimes that I ran off there. For those crimes they won't necessarily serve any time here and then can be shipped out. Isn't that correct?"

Speaker Leitch: "Representative O'Connor."

O'Connor: "No. That's incorrect. Again the stopgap here is the local State's Attorney in the county of conviction would have to authorize or implement the deportation proceedings. On the crimes that you are mentioning I am relatively safe in saying, and I am assuring you, that the local State's Attorney would not ask for deportation in those crimes. What the spirit of this law is trying to do, is we're trying to alleviate some of the burden in our Department of Corrections for the people that are in there relative to related minor criminal offenses, drug offenses. The people that are clogging up our Department of Corrections, we are the ones paying for them. And this law very strongly and explicitly states, 'We want them deported sent back to their own country.'"

Speaker Leitch: "The Gentleman from Cook, Representative Lang. For what purpose do you rise, Sir?"

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

Speaker Leitch: "He indicates he will."

Lang: "Thank you. Let me see if I can understand this Bill a little more clearly. With these illegal aliens that are...the staff's already laughing over there. With these illegal aliens that are in prison, as I understand it, you want to keep the murderers and arsonists and rapists here in this country in the prison but you want to send the drunk DUI guys that went to prison and the burglars and breakers and enters, you want to send them back to their

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

country. Is that what you want to do?"

Speaker Leitch: "Representative O'Connor."

O'Connor: "Based on the seriousness, of some of the examples you used, we want those type of individuals to get justice from our Department of Corrections, here in the State of Illinois, which will be much more, much more severe than they would receive anywhere else. In regards to the other minor offenses that you made reference to, yes, those are the type of people that we are trying to alleviate the burden on our prison system with."

Speaker Leitch: "Representative Lang."

Lang: "Well, I'm not sure a DUI and drug trafficking and things like that are minor offenses, but let's go on. What you're saying to me is you want to get these bad guys out of here but you want to keep the worst of the bad guys in the prison and send the least of the bad guys back to their country. That's what this Bill does. Now, if you're serious about emptying the prisons of people we shouldn't be paying for, then why don't we get the worst of the bad guys out of here and send them back to their country? Why do we keep the worst guys here?"

Speaker Johnson, Tim: "Representative Johnson in the Chair. Representative O'Connor."

O'Connor: "In answer to that question, we want to keep, as you say, the worst guys here for one reason and very simple reason. So they get the most severe punishment that they could possibly receive for the type of crimes you mentioned."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Then why don't you require in here when this deal is cut between the U.S. Department of Corrections and the Illinois Department of Corrections that there be a requirement

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

before any of these people are released that the country we're sending them to, will incarcerate them. If that was in the Bill it would make sense. If you said, 'Let's get them all out of here and send them back to their country of origin, with a promise that they'll go to prison.' That should satisfy the people of the of State of Illinois. If your goal is to not have our tax dollars pay for these folks, if you only want to pay the prison cost of our own bad guys, then send them back to their country. But how about a guarantee in here that the deal you want to cut will require that these people go to prison in their country."

Speaker Johnson, Tim: "Proceed with you response, Representative O'Connor."

O'Connor: "I disagree with that statement, Representative. I think this Bill addresses that problem very, very well."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well, you've said that a couple of times. But how does it address that problem?"

Speaker Johnson, Tim: "Representative O'Connor."

Lang: "You've said, you've said that the reason that you want to keep the murderers and the Class X guys here is that you're sure that way they will continue to be punished. If you're really serious about this Bill, why don't you get all of them out of here? Why don't you get all the illegal aliens that are in our prisons out of here? So, long as there is a promise from the country you're deporting them to that they will incarcerate them. Why not do that?"

Speaker Johnson, Tim: "Representative O'Connor."

O'Connor: "Representative, I am extremely serious about this Bill and I think that the protections are there and I've mentioned them before, relative to the presiding judge, the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

local state's attorneys, the United States Attorney General, Immigration and Naturalization. Every stopgap measure is there. Personally, I think you're exaggerating a point by saying that we're going to let felons back to their country to not be punished. We are going to keep them here and we are going to punish them according to our rules."

Speaker Johnson, Tim: "Representative Lang."

Lang: "But you're not going to keep people here who have been involved in sexual abuse of children, who have been involved in controlled substance violations, who have been involved in second degree murder, juvenile pimping, solicitation for juvenile prostitute, aggravated kidnapping, aggravated robbery, residential burglary, aggravated discharge of a firearm. These people, you are going to send back to their country with no promise, whatsoever, that they are going to jail. Now don't the people in this state have a right to make sure that the people that have committed crimes against the state go to prison?"

Speaker Johnson, Tim: "Give Representative Lang your attention. Representative Lang. You deserve another minute because of the volume. So I'll give you another minute. Go ahead."

Lang: "Now there's a question pending? Can I get an answer to my question?"

Speaker Johnson, Tim: "Yes, you can. Representative O'Connor."

O'Connor: "Representative, in my opinion and again in looking at this Bill, your last statement was just not a true and accurate statement. I've said now four times that those people, for the most part, that you are mentioning, are going to stay here in our prisons, are going to be punished here in our prisons. The only ones that are going to be

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

sent back are the ones that have gone through the process that I have mentioned on two or three occasions."

Speaker Johnson, Tim: "Representative Lang, your time is growing short, so proceed."

Lang: "Well, you said 'For the most part,' which is ludicrous, this is legislation. Nothing should be 'for the most part.' But let me just remind you that last week you voted for a Bill on your side of the aisle to make tampering with a two dollar lottery ticket a Class IV Felony. These people you want to send to prison. But pimps you want to send back somewhere where they won't go to prison. Does that make sense to you?"

Speaker Johnson, Tim: "Representative O'Connor, do you wish to respond? He indicates he doesn't. The Chair recognizes the Gentleman from Cook, Representative Morrow. Proceed, Representative Morrow."

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to oppose House Bill 3510. And I rise to oppose this Bill because several years ago our government spent millions of dollars to put, probably one of the worst drug dealers in the world, behind bars. Juan Noriega. In fact, we had to send U.S. troops to Panama to get justice because the country of Panama, well they didn't have the backbone or the means to arrest probably one of the most hated men in the world. If House Bill 3510 was to pass and Juan Noriega happened to be in jail in the State of Illinois he could be released and sent back to Panama under the provisions of this Bill. And I'm quite sure Juan Noriega would not serve another day in jail in Panama. This Bill is ludicrous. And that's just one example I can think of. And we'll probably pay for his plane ride back to Panama. I have high respect for the Representative

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

carrying this Bill. But I will say this, this so-called war-on-crime, that's been perpetrated by the other side of the aisle is getting ridiculous. Instead of having a war on crime let's have a war on education. Instead of having a war-on-crime, let's have a war-on-poverty. Instead of having a war-on-crime, let's have a war-on-racism. Instead of having a war-on-crime, let's have a war for the disadvantaged and the disenfranchised in this country. I mean it looks big and it feels big that we can get up here on the House floor and say, 'I'm a real big, bad guy.' But I'll tell you what, many of us wouldn't last a day in jail. Wouldn't last a day in jail. Because we're not that tough. I'm five-seven, a hundred and forty pounds. I wouldn't last a day in jail. So, I'm not going to be hypocritical and say, 'Oh, I'm tough on crime.' But I will say, I'm going to be tough on education, because most of the people wouldn't be in jail if they had an education and had a job. I could talk to many young men in my area, in the Englewood area that are in illegal activities. And they say 'Representative, if I could make the money that the rich riverboat owners make I wouldn't have to sell drugs. If I could make money that the rich building contractors, that built the McDome's and build the White Sox Park make, I wouldn't have to rob somebody. If I was a bond lawyer and could receive the bond contracts that the State of Illinois issues at a \$11 billion, I wouldn't have to break in your house.' Let's get real serious. We need to be debating and voting on the budget of the State of Illinois, which is at \$35 billion. Because I don't want to hear in May that, 'Oh, we do not have adequate time to discuss the budget because we have a deadline.' We've got a deadline because after that deadline we won't get paid a per diem. Let's

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

get serious. Let's defeat these Bills and get to the real issue because let's be real. Pate Phillips in the Senate isn't going to call any of these Bills to a vote. This is all election campaign posturing. But yet, on May, whatever the last day in May is, I'm going to be given an 800 budget page Bill and I'm supposed to adequately dissect, analyze, and vote on the Bill. That we ought to be discussing the Amendment that your Governor has proposed on education. An educated person is not a criminal, in most cases, in most cases. Maybe the jails need to be filled with some of these educated criminals. But they're yet to get a way, to finagle themselves out of it. My time is up."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Livingston, Representative Rutherford. Representative Rutherford, proceed."

Rutherford: "Mr. Speaker, Ladies and Gentlemen of the House. I've been listening to this bunk from the other side of the aisle. Last year when the bonding authority came up, you had the opportunity to go out and bring in more bricks and mortar, to bring in the electric fences, to bring in the resources to keep the prisoners behind bars. But no, you guys on the other side of the aisle voted 'no'. You were not there to fight crime and help when the time was right. You're sitting here telling me that when the men and women, who are in this country illegally, you want our taxpayers to feed them, to cloth them, to heat them, to give them the things that make them feel comfortable in prison. That is wrong. Ladies and Gentlemen, you're going to have another chance, right now. Listen, you're going to have another chance to bring in the stuff we need for the Bonding Authority, cause you were out there touting truth-in-sentencing. You were out there saying, 'Get tough

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

on crime.' Well, now here's a chance. We need those bed spaces. We need those cells to put the people that have violated society and, lock them up. If we get the people from coming outside, outside these boarders, they're not supposed to be here to begin with. Get them out of here. Why have them in our country? Get them out. Send them home. Don't take up bed space from ours. You guys are going to have another chance. Let me tell you. You're going to have another chance to bring help bring the brick and mortar that's necessary for the prisoners. But until you get the guts to go out there and stand up for what's right for prisoners, I back Representative O'Connor. He just said he going to have the chance to let the bed space available and get those illegal immigrants out of here. I strongly encourage an 'aye' vote for this piece of legislation."

Speaker Johnson, Tim: "I appreciate that there are strong feelings on this issue. But we've given both sides a chance to articulate their positions and if both sides could give an equal opportunity to for the spokesman to be heard, it would be appreciated by the Chair. The Chair recognizes the Gentleman from Madison, Representative Hoffman. Proceed, Representative Hoffman."

Hoffman: "Yes, I yield my time to Representative Dart."

Speaker Johnson, Tim: "Representative Dart. Proceed."

Dart: "Will the Sponsor yield?"

Speaker Johnson, Tim: "Indicates he will."

Dart: "Representative, I've been looking over this Bill more and more since we have talked now. And there it is much worse than I thought. There is absolutely no assurance, whatsoever, that this defendant, and I hate to differ with you, but I really feel that second degree murder, attempt

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

to commit first degree murder, solicitation, aggravated battery of a child, those are serious offenses. There is no assurance whatsoever that once this person leaves this country they are going to serve one day of the sentence. There is nothing here. Absolutely nothing. Absolutely nothing. Can you tell me, give me any assurance, whatsoever, that any of these countries that we're talking about, and we're talking about some countries that are quite backward, that this person is going to serve a day?"

Speaker Johnson, Tim: "Proceed, Representative O'Connor."

O'Connor: "Representative, I disagree with you on the premise of saying that I said, 'Those were not serious offenses.' I view those as extremely serious offenses. Those type of individuals, if they were prosecuted here in the State of Illinois, if they were found guilty, and if they served a sentence of say, eight to 12 years of prison time, this Bill has the assurances that those individuals would serve their time here in the prisons in the State of Illinois."

Speaker Johnson, Tim: "Proceed, Representative Dart."

Dart: "Representative, that is absolutely incorrect. That is wrong. Your Bill does not say it. Your Bill talks about the non truth-in-sentencing offenses are ones that the State's Attorney can then petition the court to get this person out of the county. Those are non truth-in-sentencing offenses, that I just rattled off. So, they can be sent out of the country with no assurance, whatsoever, that this person is going to serve one day of this sentence. Now, you were saying the thrust of this Bill is to allow for us to work on our overcrowded jails and prisons and the like. Representative, let me throw this one out to you. Have you ever thought of a better incentive out there for these offenders to be sent to these

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

other countries than a State's Attorney who has jails that are loaded with people, that that is a built-in incentive to get these people out of there. There is absolutely not one single way that we can be assured that this person is going to serve a day of this sentence. Not one. And as I said before, these are some of the most serious offenses that you could ever imagine. And in my course of serving as a State's Attorney in Cook County, I'll tell you one thing that I learned and I learned it real well, is that every single victim I came across they wanted this person to be brought to justice. And justice is not taking this person putting them on a plane and sending them to the Bahamas, Representative. That's not justice. These people that you're talking about are committing some of the most serious offenses we have. And now we have no assurance whatsoever. We have countries whose government's change like revolving doors, as well as their justice system. We have countries who, let's put it lightly, their police departments or governments are less than scrupulous. Who we are now going to entrust that they're going to take our child molesters, our pimps and our murderers and they're going to make them serve a day in the prison system. That's just not true. That's a fantasy, to think that Representative. There's no assurances in this Bill whatsoever they're going to serve any time. I know that the people from my district want the people that are raping and murdering and the people that are selling drugs, they want them to serve time. They want them to serve time in a state where they know they're going to be behind bars and not out wandering around the streets of another country and on the beach, Representative. They want justice and this Bill is not justice."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Speaker Johnson, Tim: "Are you concluded, Representative Dart?"

The Chair recognizes the Gentleman from Clinton, Representative Granberg. Representative Granberg, proceed."

Granberg: "Thank you, Mr. Speaker. I heard Representative Rutherford's remarks and I think they're very accurate because I admire the new direction of the Republican Party, increased taxes and more borrowing. I think it's a great direction. Your Governor and your Party have advocated a 33% increase in the income tax and now you want to borrow another \$500 million. I think it's a great direction for your Party. I'm sure Senator Salvi is in the accordance with that philosophy. Right? So, if you guys want to do that, you Ladies and Gentlemen, that's fine. Great new direction for the State of Illinois. A great new direction for the Republican Party and we're for you 'Because we'll be back in the Majority. And I yield the balance of my time to Representative Morrow."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman, Lady from Cook, Representative Monique Davis. If I could have your attention. The Gentleman made his comments with respect to the Bill. He used his time appropriately. And now the Chair recognizes the Lady from Cook, Representative Monique Davis."

Davis, M.: "Charles, excuse me. I yield my time to that great State Legislator, Mr. Charles Morrow."

Speaker Johnson, Tim: "That is entirely appropriate and the Chair will recognize that. The Chair recognizes the Gentleman from Cook, Representative Morrow. Proceed."

Morrow: "Yes, thank you, Mr. Speaker. I've been around here 10 years, even though I'm still relatively young. But I heard a comment from one of my colleagues on the other side of the aisle, that hasn't been here long enough. I forgot

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

more about politics than he's learned. The reason why, the reason why I won't vote to increase the Bond Authority in the State of Illinois because minorities and women, which serve in this General Assembly, do not get fair representation and fair opportunity to get into the bond business of the State of Illinois. The bond business in the State of Illinois is 'pin-striped patronage'. And any minority and any female serving in the General Assembly should be appalled at the lack of participation of minorities and women in the bond business in the State of Illinois. I don't care. I don't care if you are a Democrat or a Republican. Maybe the freshman Legislator on the other side of the aisle needs to come to my office and see the bond hearing book that I had, that shows that only three black lawyers in the State of Illinois received bond work from this state. One of them happens to be dead now. So, don't tell me about why didn't we vote to increase Bond Authority. Why should I vote to give you 'pin-striped patronage'? Get your act together. You know sometimes we joke and we kid on the House Floor."

Speaker Johnson, Tim: "Give Representative Morrow your attention. Representative Morrow deserves your attention. Please give Representative Morrow your attention. Proceed, Representative Morrow."

Morrow: "Thank you, Mr. Speaker. More than I deserve your attention, the minorities and the women of this State of Illinois deserves your attention. Several years ago, you threw many working women and many working minorities off of welfare and said, 'Get a job.' When there's jobs out here but yet you take them. You take them because you get the bond work. Come to my office and see what females and what minorities get bond work. And as my colleague,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Representative Granberg, said, 'You're the anti-tax. You're the more...for down sizing government.' Well, you don't pay Peter to pay Paul, or rob Peter to pay Paul. This is ridiculous, the statements that I hear from that freshman Legislator. He thinks he's cute. He's not cute. This Bill should be defeated and we should be going about the business of discussing the budget. Thirty five billion dollars is serious. And I will not vote for an 800 page, one budget bill. I will vote 'no' and I will hurt my friends, like I did last year. But I can explain it."

Speaker Johnson, Tim: "Thank you, Representative Morrow. The Gentleman from Vermillion, Representative Black. Proceed."

Black: "Excuse me, Mr. Speaker. My microphone's caught up in my computer here. Hang on."

Speaker Johnson, Tim: "Your time is running, Representative Black."

Black: "Oh, that's alright. I, you know, alright. It's caught up in that computer. Mr. Speaker, and Ladies and Gentlemen of the House. I'm shocked and appalled at the tone and tenor of the debate. Truly, my heavens. There have been many, many issues that I think are sidebars to the issue at hand. Once again, many of you have looked toward the State of New York, that bastion of great thinking, they have this program. And a few years ago they deported a plane load of 86 drug pushers to the nation of Columbia. And at that time the press reported that was about five percent of the prison population in New York is made up of illegal aliens. I dare say the population of the Illinois prison population is probably five percent, maybe more. So, we're going to talk about the budget? Why do you want the Illinois taxpayers to pay for somebody that could more easily serve a sentence in Columbia. Not to pick on that country or any

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

country that they go to. And I've heard some of these amazing statements that we're going to send them back to sit on a beach. When was the last time you saw anybody in this country get in a leaky rowboat and try to get to Cuba or Haiti because their judicial system is so much better than ours? Come on. Remember some of the outrage you had when that person was spanked in Singapore? Oh my goodness. Some of you got up and ranted and raved, 'How could that nation be so backward, as to take a switch?' You want to really have me believe that you believe that foreign countries are going to welcome these people, give them a medal and stick them out on the beach with a pina coloda? Come on, you know better than that. Why do you think most of these people get up and say, 'Judge, judge do whatever you want with me. Judge put me in Attica, put me in Menard. But God don't send me home. Oh don't send me back there.' They're mean and cruel back there, I think you just ought to take a look at the Bill and then vote your conscience. Do what the Bill says. I don't know why you want to stick Illinois taxpayers with the Bill, when somebody from a foreign country who sure as heck doesn't want to go back to that foreign country and serve time in those enlightened criminal justice systems. As long as we're on the issue of taxes and bonds, my heavens, up until two years ago and I mean this in the greatest respect to my colleagues on the other side of the aisle, you never met a tax issue you didn't like. You came in here about four years ago in the dark of night and passed Operation Cobra, an income tax increase that you kept secret until you sprang it upon this Body. We had 20 minutes to look at it and then you foisted it off on the taxpayers of Illinois. And a bond issue? Now we're going to argue bond issues?

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

You never met a bond issue you didn't like until two years ago. I assume none of you have a mortgage on your house because you ought to be sincere about this. You shouldn't borrow any money to build your house or buy your house. I assume you all paid cash for your houses and cars. Come on, get off that old dead horse. Do you want to really get serious? Just read the Bill. Vote your conscience. Go back home and explain your 'no' vote or your 'yes' vote. We don't need to bring up all these side issues. You know as well as I do how many 'yes' votes this Bill is going to get. So, let's get back to the issue at hand. Let's adjourn. Let's adjourn on time. Let's go out and have a little dinner. Lou and I can go out and play a round of pool or something. Come on. Let's vote 'aye'. Let's get on with the business at hand. Now you're working yourselves all up in lather over there again. Now settle down, do the right thing."

Speaker Johnson, Tim: "The Chair recognizes the Lady from Cook, Representative Shirley Jones. Proceed."

Jones, S.: "Mr. Speaker. I just wanted to make, somebody lost a valuable ring. Left it in the ladies washroom and I do have it. Okay, it's a silver ring. Somebody left it in the ladies washroom. It's very valuable. So, it's Larry Woolard's. Okay."

Speaker Johnson, Tim: "It's mine. Thank you, Representative Jones. The Chair recognizes the Gentleman from Logan, Representative Turner."

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

Speaker Johnson, Tim: "The question is, 'Should the main question be put?' Those in favor say 'aye'; those opposed say 'nay'. The 'ayes' have it. The main question is put. The Gentleman from Cook, Representative O'Connor to close.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Proceed, Representative O'Connor."

O'Connor: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is neither a Democratic nor a Republican issue. We've gotten off on tangents here. This Bill deals exclusively with illegal aliens that are in our prison system. This is good legislation for the State of Illinois. I strongly encourage a 'yes' vote. Thank you."

Speaker Johnson, Tim: "The Gentleman has moved for the passage of House Bill 3510. The question is, 'Shall House Bill 3510 pass?' Those in favor vote 'aye'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 63 voting 'yes'; 49 voting 'no'. The Chair recognizes the Gentleman from Cook, Representative Lang."

Lang: "Thank you. I'll ignore the fact that my name was used in debate. Just simply so I could ask for a verification, if you announce that this has the requisite number."

Speaker Johnson, Tim: "It does have the requisite numbers and your request will be recognized. There are 63 voting 'yes'; 49 voting 'no' and 3 voting 'present'. A verification has been requested. The request is granted. The Members please be in their chairs and the Clerk will verify the affirmative vote."

Clerk McLennand: "Those Members voting in the Affirmative: Representatives Ackerman. Balthis. Biggert. Black. Bost. Brady. Capparelli. Churchill. Ciarlo. Clayton. Cowlishaw. Cross. Deuchler. Doody. Durkin. Goslin. Hassert. Hoeft. Hughes. Johnson, Tim. Johnson, Tom. Jones, John. Klingler. Krause. Kubik. Lachner. Lawfer. Leitch. Lindner. Lyons. McAuliffe. Meyer. Mitchell. Moffitt. Moore, Andrea. Mulligan. Murphy, Maureen.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Myers. Noland. O'Connor. Pankau. Parke. Pedersen.
Persico. Poe. Roskam. Rutherford. Ryder. Saviano.
Skinner. Spangler. Stephens. Tenhouse. Turner, John.
Wait. Weaver. Wennlund. Winkel. Winters. Wirsing.
Wojcik. Zickus, and Mr. Speaker."

Speaker Johnson, Tim: "Representative Lang are there challenges to the 'aye' votes?"

Lang: "Yes, Mr. Speaker. Thank you. Representative Klingler?"

Speaker Johnson, Tim: "Representative Klingler is in her chair."

Lang: "Representative Klingler. She's in her chair."

Lang: "Okay. Representative, Senator Salvi. Oh we, Representative, Senator Salvi voted with our side. This is why this man wins elections Mr. Speaker. He's bright. He's articulate and he knows his issues. And he's not afraid to buck his side of the aisle when they are wrong. No further, Sir."

Speaker Johnson, Tim: "No further questions of the affirmative? And on this question there are 63 voting 'yes'; 49 voting 'no'; 3 voting 'present'. And this Bill, having received a Constitutional Majority is hereby declared passed. Mr. Clerk, please read House Bill 2413. House Bill 2413. "

Clerk McLennand: "House Bill #2413. A Bill for an Act that amends the Metropolitan Water Reclamation District Act. Third Reading of this House Bill."

Speaker Johnson, Tim: " The Chair recognizes the Gentleman from Cook, Representative Balthis. Proceed."

Balthis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2413, as amended, allows the Metropolitan Water Reclamation District to borrow 100% rather than 90% of the sum of tax levy, an estimated personal property replacement tax entitlement from working cash funds. Currently they're restricted to only 90% of a

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

levy that's already in place with the late returns of tax dollars in Cook County, this puts them at risk at not being able to complete projects. And it seems foolish to have money in the bank that they cannot use to complete projects that have already been approved. The second portion of this Bill or the Amendment, regarding the late filing of an industrial report. Current law states that the Board of Commissioners may establish late fees for late filing. But the process, in which they collect that fee is flawed and this would allow them to continue that process and be able to file a lien. I'd be happy to try and answer any questions."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Cook, Representative Lang. Proceed."

Lang: "Anything about early release in this Bill, Sir?"

Speaker Johnson, Tim: "The question is, will the Gentleman yield? He indicates he will. Representative Balthis."

Lang: "Thank you."

Balthis: "Of sewer gas. Yes."

Speaker Johnson, Tim: "Representative Lang."

Lang: "But I don't think we're interested in early releases of sewer gases. I think both sides of the aisle can agree on that. May I ask you, Representative, this is a measure proposed by the Cook County Water Reclamation District, is that correct?"

Speaker Johnson, Tim: "Representative Balthis."

Balthis: "Yes."

Speaker Johnson, Tim: "Representative Lang."

Lang: "And there's something in this amendment about late fees. A 30 day time limit. Why 30 days and are there any exemptions, if a person wants to have this conference but is ill or can't get in under that 30 day time limit, for

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

some reason beyond their control."

Speaker Johnson, Tim: "Representative Balthis."

Balthis: "Representative, the 30 days is already in this statute.

This 30 day process is for them to respond when the department notifies them that they're in default. They then have 30 days to respond, to request a conference. So, that's already in the statute."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Was there any opposition to this Bill or this Amendment in committee, Sir?"

Speaker Johnson, Tim: "Representative Balthis."

Balthis: "No."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well, I think you have a really good Bill here. I'm going to support it."

Speaker Johnson, Tim: "Hearing and seeing no further debate. The Chair recognizes the Gentleman from Cook, Representative Balthis, to close."

Balthis: "Thank you, Mr. Speaker. I would just ask for a favorable vote."

Speaker Johnson, Tim: "The question is, 'Shall House Bill 2413 pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'yes', 0 voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 2617."

Clerk McLennand: "House Bill #2617. A Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of this House Bill."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Dekalb, the Sponsor, Representative Wirsing. Proceed."

Wirsing: "Thank you, Mr. Speaker, Members of the House. House Bill 2617 has three entities to it. One is, that is does amend the Civil Administrative Code in respect to the Task Force on Organ Transplantation. It allows the director of the Public Health to add additional members to the task force, extends the date of the final report of the date to January 1 of 1999 and authorizes the Director to recommend the need to continue the task force after January 1, 1999. And I would take any questions."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Cook, Representative Dart."

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

Speaker Johnson, Tim: "Indicates he will."

Dart: "Representative, can you explain to me what Amendment #2 to your Bill, how that changed the Bill?"

Speaker Johnson, Tim: "Representative Wirsing."

Wirsing: "Yes. We did not put Amendment #2 on."

Speaker Johnson, Tim: "Representative, proceed with further questions."

Dart: "Thank you. So then just for clarification then, it's just the original Bill with Amendment 1?"

Speaker Johnson, Tim: "Representative Wirsing."

Wirsing: "Yes, that is correct."

Speaker Johnson, Tim: "Representative Dart."

Dart: "How long has this task force been going?"

Speaker Johnson, Tim: "Representative Wirsing."

Wirsing: "It started in '95. So it's a little over a year. What happened was, it was put in place legislatively for one year. Serving as a member of that task force, determined that the scope of the whole organ transplantation arena is

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

such a new area of health care, if you will, that there really needed to be a need to extend the length of time out that far to allow the task force the opportunity to really investigate and look at those things charged to the task force. In addition to that, as Amendment #1 dealt with, it was a feeling that there needed to be representation from other areas on the task force as well. And from my involvement in it, it certainly was an area that I would have no knowledge of and it is extremely important that we do look at this whole area. There's a variety of unanswered questions from gathering organs, to who they go to and that whole realm."

Speaker Johnson, Tim: "Representative Dart."

Dart: "Was there a reporting date and if so, has there been a report? And if not, why?"

Speaker Johnson, Tim: "Representative Wirsing."

Wirsing: "Yes, there was a reporting date, January 1, '96 and there was a report submitted."

Speaker Johnson, Tim: "Representative Dart."

Dart: "So the report was submitted but was it not a final report as far as in bringing everything to a conclusion?"

Speaker Johnson, Tim: "Representative Wirsing."

Wirsing: "Yes. It was not final. What happened in '95, we wanted to extend the length of the task force in the Fall Veto Session. Because of the time element, we went with a Resolution which only allows for no more than one year of extension. So, it actually ended on December 31 of '95. The Resolution got caught up between the House and the Senate. I think it's now passed the Senate I think, and to extend for that one year. This then propels it out to that 1999 period of time. So it was in flux as far as a report because we really wanted the task force to continue. My

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

input as a Legislator on that task force is that I would like to see us perhaps come back a year from now with perhaps some proposal even though it's not the end of the year. I don't believe that a task force should just meet and then wait until some date out here in the future if there's some, something that the Legislature ought to deal with. If it's a departmental issue, then we ought to be making that recommendation from the task force at that point in time."

Speaker Johnson, Tim: "Representative Dart, further questions?"

Dart: "Has there been any cost associated with the task force to date and if so, how much?"

Speaker Johnson, Tim: "Representative Wirsing."

Wirsing: "No, there's no per diem. There's no mileage to any of the members of the task force which would be the minimal costs and that's not even there."

Speaker Johnson, Tim: "Representative Dart."

Dart: "And then from here until 1999 then it will stay that way? There is going to be no cost to the state for the continuation of the task force?"

Speaker Johnson, Tim: "Representative Wirsing."

Wirsing: "Yes. That's correct."

Speaker Johnson, Tim: "Representative Dart."

Dart: "And then a final question then. Is it expected that either by the 1999 date or prior to that, the task force is going to conclude its work and come up with a one report? Or is this going to be annual reports between now and then?"

Speaker Johnson, Tim: "Representative Wirsing, if you could answer this final question."

Wirsing: "Yeah. There is to be a progress report on an annual basis and so my energy is that a task force shouldn't just

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

go on and on and on."

Speaker Johnson, Tim: "Thank you. Further questions? The Chair recognizes the Lady from Cook, Representative Schakowsky. Representative Schakowsky, proceed."

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

Speaker Johnson, Tim: "Indicates he will."

Schakowsky: "I'm sorry. I didn't hear your response to the question regarding Amendment 2 that dealt with Wisconsin. Is that still on the Bill?"

Speaker Johnson, Tim: "Representative Wirsing."

Wirsing: "Amendment 2 was not put on the Bill and we really don't want it on the Bill."

Speaker Johnson, Tim: "Representative Schakowsky."

Schakowsky: "So this legislation is mainly kind of technical, dealing with the task force itself?"

Speaker Johnson, Tim: "Representative Wirsing."

Wirsing: "Yeah. It basically does two things as the Bill is now with Amendment #1 on it. It continues the task force until January 1, 1999, and also allows the ability to add membership from certain entities onto the task force, to the existing task force."

Speaker Johnson, Tim: "Representative Schakowsky."

Schakowsky: "How many consumer members are on the task force, public members, consumer members?"

Speaker Johnson, Tim: "Representative Wirsing."

Wirsing: "There are two currently on the task force."

Speaker Johnson, Tim: "Representative Schakowsky."

Schakowsky: "And that's out of how many?"

Speaker Johnson, Tim: "Representative Wirsing."

Wirsing: "With this Bill it would be 21."

Speaker Johnson, Tim: "Representative Schakowsky."

Schakowsky: "The others are mainly in a professional category?"

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Could you tell us who gets added?"

Speaker Johnson, Tim: "Representative Wirsing."

Wirsing: "Yes. The representation would be added would be from the Illinois State Medical Society, the Illinois State Coroners Association, Illinois Hospital and Health Systems Association, Mid-American Transplantation Services, the Illinois Department of Public Aid, the Illinois Eye Bank Community, and that would be the list. I would make a comment to you that if there were civilian members if you will. The two that serve on there, one is a transplant recipient, and one is an organ donor."

Speaker Johnson, Tim: "Representative Schakowsky."

Schakowsky: "Does this task force relate at all to the Secretary of State's advertising program regarding organ transplants?"

Speaker Johnson, Tim: "Representative Wirsing."

Wirsing: "No. That's a separate situation completely."

Speaker Johnson, Tim: "Representative Schakowsky."

Schakowsky: "No further questions."

Speaker Johnson, Tim: "Seeing and hearing no further questions, the Chair recognizes the Gentleman from DeKalb, Representative Wirsing to close."

Wirsing: "Well, I would certainly appreciate an 'aye' vote on this. This, as I said earlier, is a task force that since I've been serving on it from the beginning, it is an area of health that is so new and there are so many unknown aspects of it that I think this moving forward with extending the time of this task force is extremely important, and I would ask for an 'aye' vote."

Speaker Johnson, Tim: "The question is, 'Shall House Bill 2617 pass?' Those in favor vote 'aye'; opposed vote 'no'. The voting is open. This is final action. Have all voted who

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

wish? Have all voted who wish? Have all voted who wish?
Mr. Clerk, take the record. On this question, there are
115 voting 'yes', 0 voting 'no' or 'present'. And this
Bill, having received a Constitutional Majority, is hereby
declared passed. Mr. Clerk, read House Bill 3047. Prior
to the reading of that Bill, Mr. Clerk, Introductions."

Clerk McLennand: "Introduction of Resolutions. Senate Joint
Resolution #87, offered by Representative Churchill, the
Adjournment Resolution. Assigned to the Rules Committee."

Speaker Johnson, Tim: "Proceeding on the Order of House Bills -
Third Reading, the Chair recognizes the Gentleman from
Peoria, Representative Leitch with respect to House Bill
3047. Proceed."

Clerk McLennand: "House Bill #3047. A Bill for an Act in
relation to the transfer of an interest in real property.
Third Reading of this House Bill."

Speaker Johnson, Tim: "Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker, Ladies and Gentlemen
of the House. Representative Saltsman and I have been
working together with our local park district and with the
local IDOT district office in Peoria to secure for our park
district an irregular piece of property which is adjacent
to Donovan Golf Course in Peoria located on Route 40
otherwise known as Knoxville Avenue. For several weeks now
we've been working, for several months we've been working
on this project. As you may know, the Illinois Department
of Transportation has relocated out of that headquarters
and it is a property where the Illinois Department of
Transportation does not want to see any commercial purpose
because of the severe traffic situation as that property
rests in that site. It is indeed an ideal location for the
park district. There are a number of out buildings which

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

will be able to house the vehicles of the park district to work in connection with the park properties. And the district needs administrative space and will realize some cost savings in that regard. I don't know of any opponents to this and I would recommend it to you for passage."

Speaker Johnson, Tim: "On the Bill, the Chair recognizes the Gentleman from Peoria, Representative Saltsman. Proceed."

Saltsman: "Yes. Mr. Leitch pretty much explained the program here. The amount of asbestos that is in this building is the amount of the assessed valuation of the property. So the state is really not giving anything away. If the state would remove this asbestos themselves, they could put the property up for sale. They have moved the agency that currently was there into my district in downtown Peoria and with the beautiful sight, with the park district there, I don't want to see a shopping center there. I'd rather see the park district have this property. They need it for all their maintenance to be combined and put under one roof for the equipment and the programs to keep the park district and the golf courses running. This is not a program where we're asking the state to give us something of value and nothing in return. All that this amounts to is an even trade of our park district accepting the amount of money that is needed to pay for the asbestos removal and in return, they'll return it, they will receive this property. So there is no monetary value toward a property. For the park district it is a 'break even' deal and I ask for everyone to vote for this piece of legislation."

Speaker Johnson, Tim: "Seeing no further discussion, the Chair recognizes the Gentleman from Peoria, Representative Leitch, to close."

Leitch: "I would just simply ask for a favorable Roll Call.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Thank you."

Speaker Johnson, Tim: "The question is, 'Shall House Bill 3047 pass?' Those in favor vote 'aye'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', 0 voting 'no', 2 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 3511."

Clerk McLennand: "House Bill #3511. A Bill for an Act amending the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Johnson, Tim: "Proceed Representative Wait."

Wait: "Thank you, Mr. Speaker. House Bill 3511 simply permits the Department of Corrections to institute chain gangs in the State of Illinois. Basically, this would just provide a 'carrot and stick' approach to rehabilitation for our prisoners. Other states that currently have this are: Arizona, Alabama, Florida, Iowa, and Wisconsin, that are around us. What they have found in these other states, that it does save money, cuts down on the numbers of guards that it takes to watch these prisoners. Also, it cuts down on the recidivism rate because you don't have the type of a 'country club' atmosphere that we see with watching TV and lifting weights. And also it sends a good message to our young people that crime does not pay. A lot of people talk about this as cruel and unusual punishment. This certainly is not. All we're asking the prisoners to do would be pick up along the side of the road similar to what Girl Scouts are doing in our 'Adopt A Road Program'. Simply here, we're trying to break the recidivism rate and cut down on

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

revolving door for prisoners in our prison system. Be happy to answer any questions."

Speaker Johnson, Tim: "On this Bill, the Chair recognizes the Lady from Cook, Representative Flowers. Proceed."

Flowers: "Mr. Speaker, will the Gentleman please yield?"

Speaker Johnson, Tim: "Pardon?"

Flowers: "Will he yield?"

Speaker Johnson, Tim: "He indicates he will yield. Would you give Representative Flowers your attention and Representative Wait."

Flowers: "Representative Wait, I am really curious about this one. But how in the world did you equate chain gangs and Girl Scouts? Would you please explain that one to me?"

Speaker Johnson, Tim: "Representative Wait, in response."

Wait: "Yes. What we would do on these chain gangs is simply ask the prisoners to go out and work along the side of the road, pick up along the side of the road similar to what Girl Scouts are doing in our 'Adopt A Road Program'."

Speaker Johnson, Tim: "Representative Flowers."

Flowers: "Excuse me, Representative Wait, do the Girl Scouts have chains on their legs?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "No, we don't have to worry about them running away. But they are out there working hard, picking up, trying to keep our roads clean."

Speaker Johnson, Tim: "Representative Flowers."

Flowers: "Representative Wait, can those prisoners sell cookies?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "If they join the Girl Scouts, they probably can."

Speaker Johnson, Tim: "Representative Flowers."

Flowers: "Representative Wait, this is a very serious matter here. And for you to equate chain gangs with Girl Scouts,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

I think you owe the Girl Scouts of the State of Illinois an apology, number one. Number two, Sir, you said something about them watching TV's and VCR's. Would you please repeat that?"

Speaker Johnson, Tim: "Proceed."

Wait: "Well, as we know now, a lot of time is spent in prison by the prisoners watching TV and lifting weights is what they do. And the general public thinks that we ought to get some work out of these people. And one way that they can contribute back to society for all the money that we pay to incarcerate them, is to have them go out and pick up along the side of the road, parks and conservation areas."

Speaker Johnson, Tim: "Representative Flowers."

Flowers: "Representative Wait, what about education? Do you think if we were to educate them, considering the fact that we are not locking them up for life, would you think that if we try to educate them, maybe we can cut down the recidivism rate?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "Well, I'm all for education. But I think one of the biggest educations is what you call, is to learn discipline and hard work, and this is one of the things that they would learn. I'm also for educating them in school. They could go out, they could work, you know, eight hours a day like you and I did. I was teaching school, working eight hours a day coaching and then I went to night school. So, certainly the prisoners could do the same thing as you and I probably did."

Speaker Johnson, Tim: "Representative Flowers."

Flowers: "Representative Wait, what studies have you read to show that such a program would work? I'm not talking about what you think or your theory or what someone else has said."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Show me in writing where is it that you've seen a study that a program such as this has 'chain' or changed people's minds."

Speaker Johnson, Tim: "Representative Wait."

Wait: "Well, a lot of these programs have just been instituted the last couple of years. So, there's not too much of a track record. Although, I will mention that Alabama has only a 27% recidivism rate, where our recidivism rate is 42%."

Speaker Johnson, Tim: "Representative Flowers."

Flowers: "Representative Wait, what about the program, well what about in the 50's when they had the chain gangs? What did we learn then? And why is it that we stopped?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "Well, they stopped the program back there because I think, especially in the South, some of those, maybe the white guards were a little over zealous on some of the prisoners. But what we're talking about now is entirely different than what they had back during the 30's and the 40's."

Speaker Johnson, Tim: "Representative Flowers."

Flowers: "Different kinds of chains, I would assume. Representative Wait, what does the Department of Corrections have to say about this Bill?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "I've talked to a number of guards and they're wholeheartedly in favor of it."

Speaker Johnson, Tim: "Representative Flowers."

Flowers: "What does the Department of Corrections have to say about this particular Bill?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "The Director currently says he does not favor it. That's why we're making this permissive. It's strictly

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

permissive."

Speaker Johnson, Tim: "Representative Flowers, your time is drawing to a close. Proceed."

Flowers: "Thank you. Don't you think or did they not tell you that they would prefer to educate these people because the studies have found that if you educate them, chances are they will not come back to prison? And that they will be able to get a job and to sustain themselves. Is that not what you've been told?"

Speaker Johnson, Tim: "Representative Wait, you have 10 seconds to respond."

Wait: "I might just mention you talked about Department of Corrections. I talked with Gail Franzen who was Head of Corrections for three years, and he is..."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Madison, Representative Stephens. Representative Stephens, proceed."

Stephens: "It's hard for me to imagine why someone would oppose this Bill. I can tell you driving back and forth to Springfield, I can't think of anything more refreshing than to see a bunch of prisoners who have violated society, chained together, trying to do a decent day's work which may be the first bit of work they've done in their entire life. You know, 'experience teaches a dear school, but a fool will learn in no other,' are words of wisdom and this kind of experience is real. And that's the sort of education, the basic education that many people in this society unfortunately are in need of. So I stand in support of the Bill. And the scenery in Illinois will get just a little bit better because there will be a little bit more hope from the taxpayers point of view when they see people who have violated us, actually paying a price for

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

their sins."

Speaker Johnson, Tim: "Thank you, Representative. The Chair recognizes the Gentleman from Cook, Representative Pugh. Proceed."

Pugh: "Thank you, Mr. Chairman. Will the Sponsor yield?"

Speaker Johnson, Tim: "Indicates he will."

Pugh: "Representative, were you in consultation with any correctional professionals when you developed this piece of legislation? Were you in concert with the Department of Corrections of the State of Illinois who currently opposes this Bill? Were you in concert with the American Correctional Association when you developed this Bill? Or were you in concert with the North American Association of Wardens when you developed this legislation? Were there any professional correctional people at the table when you developed this concept?"

Speaker Johnson, Tim: "Representative Wait, if you could respond to that multifaceted question. Proceed."

Wait: "Yes. Like I say, I talked with Gail Franzen, former Director of our prison system who is very familiar with our prison system, what works and what doesn't work in prison, and he is wholeheartedly in support of chain gangs."

Speaker Johnson, Tim: "Representative Pugh."

Pugh: "Representative, I respectfully submit to you that if Gail Franzen had a clue about solving the problem that we're having with the crisis in Corrections, that we would not be facing a crisis in Corrections. But, to the Bill."

Speaker Johnson, Tim: "To the Bill."

Pugh: "Because, and I quote this from the American Correctional Association, 'Because of ignorance on the whole subject of a crime and especially ignorance of what the criminal is really like, fear and hysteria have characterized the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

public's approach to the problem more often than a rational thinking and constructive action.' We have taken an approach to being tough on crime and not being smart on crime. We're talking about creating prisons or creating chain gangs and in effect, we're going to be endangering the public safety. When we think about these people that we are going to have in chain gangs, these are gang members. Gang members do drive-by shootings. When you have gang members on the highway picking up litter, an opposing gang can come by and do a drive-by shooting. I heard one Representative say that that's a pleasant sight. What kind of individual thinks it's a pleasant sight to see a drive-by shooting on a highway? What kind of individual thinks that it's a pleasant sight to see men in chains on the highway picking up litter? I submit to you, Sir, that this piece of legislation is flawed. In Alabama, they are just realizing that this piece of legislation is flawed. This piece of Legislation flies in the face of the Constitution. The purpose of chain gangs was to provide a humane program to serve as opportunities for the accused and adjudicated offenders which will enhance their community integration and economic self-sufficiency. What, in picking up litter on a highway, is going to allow an individual to be infused back into the community?"

Speaker Johnson, Tim: "Representative Wait, I assume that was a question. Do you wish to respond?"

Wait: "Well, like I say, one thing it teaches, it teaches discipline and it teaches the work ethic, that there's no 'free lunch' out there. And if you, you know, as the saying goes, 'if you commit the crime, you pay the time'."

Speaker Johnson, Tim: "Representative Pugh."

Pugh: "Representative, once again, I submit to you that during

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

the 60's and the 70's chain gangs were abolished because there were Constitutional flaws in the legislation which went against 'cruel and unusual punishment'. The purpose of the Department of Corrections is to provide humane treatment, so the prisoner can respond to any maladjustments that might result in his character. This, Sir, I submit to you, is going to further deteriorate the character of any individual. Whenever you subject an individual to this kind of circumstances, you're creating a monster. These individuals and these, I submit to you, are second time offenders. These individuals are individuals who we think are redeemable and are going to be reinstated back into our society. So, what are we doing to these individuals? Are we making a better criminal or are we preparing these individuals to become productive citizens within society?"

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Jackson, Representative Bost. Representative Bost, proceed."

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

Speaker Johnson, Tim: "Representative Pugh, the time is expired. We all comply by the same rules. The time has expired, Representative Pugh. I'm sure somebody else will yield you time. But the rules apply equally to both sides. If we could have your attention, although your time has expired, we will let Representative Wait respond to that question prior to recognizing the Gentleman from Jackson. Representative Wait in response."

Wait: "Yes, Representative, would you repeat the question? It was a little noisy. I couldn't hear it."

Speaker Johnson, Tim: "Representative Pugh, do you want to repeat the question?"

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Pugh: "Yes, Sir. My question has to do with the purpose of the Bill. If the intent of the legislation is to provide humane treatment while a prisoner is developing a response to his maladjusted character, what, in picking up garbage and being dehumanized on a highway in chains and shackles will lend to him adjusting to society, and reentering into society?"

Speaker Johnson, Tim: "Your answer, Representative Wait."

Wait: "Yes. You bring up the word 'dehumanizing'. I'd like to quote to you, this was in the Springfield paper. It says here, a cartoon, 'nothing could be more dehumanizing...'"

Speaker Johnson, Tim: "Representative."

Wait: "than being in a chain gang'."

Speaker Johnson, Tim: "If we could have your attention please?"

Wait: "And it shows the victim unfortunately is the one who's..."

Speaker Johnson, Tim: "Representative Pugh, Representative Pugh, you requested that the Gentleman answer your question. He's attempting to do that. We've given you two extra minutes and Representative Wait is simply responding to your question. Representative Wait, do you want to respond to the question?"

Wait: "Yes, what I was saying was, there was a cartoon here that shows exactly who is really the one that's dehumanized. It says here, 'nothing can be more dehumanizing than being in the chain gang'. These are the prisoners talking and we see the victim next door here and she is the one dehumanized. The only thing, it should show bars on her windows to keep the criminals out. That's the only difference."

Speaker Johnson, Tim: "Okay, thank you. The Chair recognizes the Gentleman from Jackson, that we recognized previously, Representative Bost, proceed."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

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

Speaker Johnson, Tim: "He indicates he will."

Bost: "Representative Wait, when doing the research on this particular Bill, and the way this Bill is written, will this allow the individual wardens an opportunity to see if they have the staffing available and if they can provide the guards necessary to handle these chain gangs and keep them safe?"

Speaker Johnson: "Representative Wait."

Wait: "Yes it will. This is strictly permissive language that will allow the Department of Corrections to see what works with their capabilities, their guards, et cetera. And hopefully, they will come up with at least a pilot project and try it here in the State of Illinois."

Speaker Johnson, Tim: "Representative Bost."

Bost: "That's all."

Speaker Johnson, Tim: "No further questions. The Chair recognizes the Gentleman from Cook, Representative Turner. Proceed. Representative Turner."

Turner, A: "Thank you, Mr. Speaker. I yield my time to Representative Pugh."

Speaker Johnson, Tim: "Representative Pugh, proceed."

Pugh: "Thank you, Mr. Speaker. Representative, who makes up the majority of the penal system? Who are these individuals that we are targeting with these chain gangs?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "They are criminals. These are people who have violated society's rules and regulations."

Speaker Johnson, Tim: "Representative Pugh."

Pugh: "Were these the same individuals whose ancestors were brought over here in chains?"

Speaker Johnson, Tim: "Representative Wait."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Wait: "I don't know. All I know is these people violated society's rules and regulations and they are put behind bars to take away their freedom because they have violated somebody else's rights."

Speaker Johnson, Tim: "Representative Pugh."

Pugh: "Maybe one of the aides can you give you another cartoon to answer that question. But the Bill, is it intended to send an anti-crime message or a slavery message?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "We aren't punishing people for their past or their ancestry. We're punishing people who have currently violated society's rules and regulations and have broken the laws and are putting society into fear."

Speaker Johnson, Tim: "Representative Pugh."

Pugh: "Representative, then if we're attempting to correct the behavior of individuals and past history reflects that this process, the chain gang process, was not successful, then what comes to mind is a quote that, 'Those who cannot remember the past are doomed to repeat it'. If they found, in the 1960's and '70's that this was a violation, was in violation of the Constitution, what gives you the impetus to reinstitute or to make the same mistake over again?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "Well, what we have found in the '60's and '70's are liberal, social ideas always letting the criminal try to blame society for their ills. We have found that doesn't work. Now, let's go back the other way and try something else, at least on a pilot project to see if something else is, what we have 42% recidivism rate, so apparently what we have currently is not working."

Speaker Johnson, Tim: "Representative Pugh."

Pugh: "Representative, where exactly do we plan to institute this

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

program or this piece of legislation? And what will be the cost? Keeping in mind, Sir, that currently the same inmates that you're attempting to shackle, are the same inmates that we used to bag sand in the great flood, when the great flood was taking place in most of the downstate communities. These are the same individuals that are currently on the highways picking up litter. These are the same individuals that are currently building houses for the Jaycees and working in programs in downstate communities, and to the tune of more than \$3 million. So, by shackling these individuals, will we be reducing the productivity or will we be increasing the productivity? Will we be costing the state money, or will we be losing the state money in implementing this program?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "Well, they have found out in other states where they have implemented this, for example, Alabama got a three quarter of a million dollar grant from the Federal Government to institute this program, plus it cuts down on the number of guards that you need to watch the prisoners. So they found that it actually saves money. Plus, Representative Pugh, I don't know if you're aware, but of our 38,000 prisoners we have currently, we have less than 2000 that are permitted to go outside the walls to help society."

Speaker Johnson, Tim: "Representative, your time is drawing to a close. Proceed."

Pugh: "So, I submit to you, that currently we have one guard for every three inmates. I read something about the chain gang in Florida that stated that these individuals had a high propensity to escapes. So, if your legislation is not going to save us money, it's not going to increase the amount of income that comes into the state, then why are we

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

instituting legislation that could result in the public's safety...?"

Speaker Johnson, Tim: "Representative Wait, your time is expired and so is Representative Pugh's, but in courtesy to both you, if you could just briefly respond to the question."

Wait: "Well, first of all, as I stated is it actually costs less when you have them in chains because you can have fewer guards watching them. That's a common fact there, that you don't need as many because they aren't going to run away, because they're shackled. That's just common sense."

Speaker Johnson, Tim: "The Chair recognizes then, the Gentleman from Vermilion, Representative Black, on the Bill. Representative Black, proceed. Representative Black."

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

Speaker Johnson, Tim: "He indicates he will."

Black: "Representative, you have indicated and made it quite clear that your Bill is permissive. Let me ask you, if the Department is to initiate this piece of legislation, would they have to do so by rule, and if so would the rule have to go to JCAR?"

Speaker Johnson, Tim: "Proceed."

Wait: "It would be up to the Department, they would have to develop the program and I'm not quite sure whether they would have to go to JCAR or not."

Speaker Johnson, Tim: "Representative, further questions?"

Black: "All right. Let me ask you another question that you've brought up and some people have alluded to, that these chain gangs are going to be out cleaning up along the roadsides. I ask you, under current contractual arrangements that we have with IDOT employees in the State of Illinois, are chain gangs allowed or any other group of

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

involuntary workers allowed to go up alongside highways and clean it up without the express permission of IDOT or meeting the express requirements of the Litter Bill that we passed? Are you sure chain gangs can go out and work along highways in the State of Illinois?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "Well, currently we do have the Department of Corrections, we have prisoners that do if you recall coming down here, a lot of times I've seen that prisoners along the side of the road currently doing the same thing."

Speaker Johnson, Tim: "Representative Black, further questions?"

Black: "Is it your intent that the correctional officers guarding the chain gang be armed or unarmed?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "Well, what seems to work in other areas, they usually have three correction people for like 40 prisoners, so usually one is unarmed and two are armed."

Speaker Johnson, Tim: "Representative Black."

Black: "I happen to have one correctional center in my district and one work camp in my district. I can assure you that these inmates work. Almost every festival and event in my district is set up, torn down, and the trash picked up by inmate work crews. And it works very well. Everybody is very happy with that. So let me ask you this question, will those inmates that are currently eligible for placement in a work camp be allowed to go out and continue public service work or will they have to be chained if they go outside to do such work?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "No, this would not change any of the rules or regulations the Department of Corrections currently has. But, like I say, there's less than 2000 prisoners that we currently

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

allow to go outside the prison walls without chains. This would only allow additional prisoners to go out a little higher level. Although still, I would not recommend that any of them be what you'd call 'violent prisoners'. There's a lot of nonviolent prisoners that we could use."

Speaker Johnson, Tim: "Representative Black."

Black: "Thank you very much, Representative, Mr. Speaker, and Ladies and Gentlemen of the House. To the Bill."

Speaker Johnson, Tim: "To the Bill."

Black: "I have some serious concerns about this. It's one of those Bills, that I suppose you vote for and you feel good, you're doing something for crime. I find it somewhat incredulous that in a district where I do have correctional facilities, I haven't had one call from a guard, a correctional officer, telling me that this is a good idea. On the contrary, I've had some calls saying that they're not sure that it is a good idea. I have a lot of respect for the Sponsor and I'm still not sure how I'm going to vote on this Bill. I think it needs a lot of work before this would end up on the Governor's desk. I know what you're trying to do, and I know the message that you're trying to send. And you may be right. It may send that message. I don't know. But I just have some concerns that if this isn't done very, very carefully, we will endanger the safety and the lives of correctional officers rather than enhance the safety of correctional officers. My fear is that we may get less work performed by inmate work crews rather than more. And those are legitimate concerns. It doesn't mean I'm any less tough on crime or punishment than anybody else in the chamber. But this Bill can be, if not altered in some respects, I think it might have just the opposite effect. I have a lot of confidence in the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Sponsor, that he will work to make it as fair and as equitable a Bill as possible. We all are concerned about crime and punishment. I just hope this is a move in the right direction, and not a move in the wrong direction."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Washington, Representative Deering. Proceed."

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

Speaker Johnson, Tim: "Indicates he will."

Deering: "Representative, I might have missed this line of questioning in some of the recent or the previous questions. This chain gang proposal, would this be for inmates who are in work camps who are the least aggressive inmates or can the most aggressive, rapists, murders, multi-murderers, be afforded the opportunity to come out in a chain gang and work along the highways?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "Like I say, this would be for nonviolent prisoners. We would leave it up to the Department of Corrections to decide which prisoners would go on this, but I would suggest that it be nonviolent prisoners that would be on it. Also, in talking with the Department of Corrections, they said that sometimes they need additional form of discipline and this would be a way to have additional form of discipline. If you act up, then you would be put on a chain gang. So you no longer could, you know, watch TV and just lift weights."

Speaker Johnson, Tim: "Proceed, Representative Deering."

Deering: "Since it would be up to the discretion of the wardens, is there any language in the Bill that says that inmates who are a high escape risk or who are prior escapees are ineligible to work on the chain gangs?"

Speaker Johnson, Tim: "Proceed."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Wait: "Well, certainly I would expect the Department of Corrections to use common sense in interpreting this law. It's strictly permissive, lets them decide who would be the proper ones to put out there, and I feel that they would not be putting anybody that, in any way, would endanger society."

Speaker Johnson, Tim: "Proceed."

Deering: "Can these chain gangs work only on state 'right-of-ways', or what about local municipal streets, county or township roads? Are they limited to state highways or state projects?"

Speaker Johnson, Tim: "Proceed, Representative."

Wait: "They would be allowed to work any place that they're currently working on. The one's now, they're working alongside the river, parks, conservation, any place where they're requested. I understand that we have a lot more requests than we currently have prisoners available for."

Speaker Johnson, Tim: "Proceed. Further questions?"

Deering: "In a final question, is there anything in the Bill that guarantees that local jobs, local maintenance jobs will not be lost to these prisoners?"

Speaker Johnson, Tim: "Proceed, Representative."

Wait: "They will only go where they're requested. Usually it's where there's not adequate manpower, whether it be IDOT or whatever it is to do the current things now."

Speaker Johnson, Tim: "Proceed. Anything further? Nothing further. The Chair recognizes the Lady from Cook, Representative Lou Jones. Proceed, Representative Jones."

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

Speaker Johnson, Tim: "Indicates he will."

Jones, Lou: "Representative Wait."

Speaker Johnson, Tim: "If we could have your indulgence, the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Clerk has an announcement and we'll certainly give you your time back, Representative Jones. Just one moment. The Clerk. Mr. Clerk."

Clerk McLennand: "Attention Members. Rules Committee will meet immediately in the Speaker's Conference Room. Rule Committee, immediately in the Speaker's Conference Room."

Speaker Johnson, Tim: "Representative Jones, we'll reset the time clock, and you may proceed."

Jones, Lou: "Thank you, Mr. Speaker. Representative Wait, does your Bill call for women prisoners to be out on the public highways, the state highways, shackled, picking up paper or whatever?"

Speaker Johnson, Tim: "Proceed, Representative."

Wait: "It simply permits the Department of Corrections to decide what prisoners would go out, does not discriminate or not say they can or can't go out."

Speaker Johnson, Tim: "Representative Jones."

Jones, Lou: "Your Bill does not spell that out, so women could also be shackled out on I-55 picking up debris like the men prisoners?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "Well, first of all like I say, what we'd be asking them do is basically what Girl Scouts are doing. And certainly if the girl scouts can do it, certainly women ought to be able to do it. But that would be strictly up to the Department of Corrections."

Speaker Johnson, Tim: "Representative, proceed with further questions."

Jones, Lou: "Representative, you know, I have two grandchildren which are Girl Scouts and at no time are they out there doing hard labor. Selling girl scout cookies is not hard labor. So, I really wish you would stop referring to this

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Bill in comparing the inmates in the prisons with the Girl Scouts. Now, the prisoners that are out there now, are there prisoners out there now doing just what you say these prisoners will be doing? Like Representative Black said that there's prisoners in his district that come out and pick up debris or do whatever. Though there are prisoners out there doing that now, am I correct?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "Yes, like I say, although now, unfortunately, we have more demands and requests for prisoners to do things than we have currently prisoners available. If we had them with chains, that would provide us additional prisoners to do that."

Speaker Johnson, Tim: "Representative, proceed with further questions."

Jones, Lou: "Representative, please don't editorialize on my time. If they're out there now picking up the paper, and doing what your Bill said they were doing, so all your Bill does is says continue to let them do that but to shackle them. Now, I just want to know, what is the reason for putting the irons around their ankles if they're doing that anyhow? So all your Bill is doing is just shackling them?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "Well, it would allow a convict that maybe had a longer time to serve in prison, one that they might be a little more concerned about, you know, and make sure that they didn't flee."

Speaker Johnson, Tim: "Representative, proceed. Further questions?"

Jones, Lou: "What you're saying is that all the prisoners will not be shackled. Am I correct? Just some of them will be shackled?"

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Speaker Johnson, Tim: "Representative Wait."

Wait: "Like I say, the current ones that the current criteria that the Department of Corrections uses, they do not shackle. That would not change that program whatsoever. This would allow a little more flexibility for Department of Corrections, especially those who were acting up in prison in a little behavior problem. But they would not allow the nonviolent type prisoners, I would not recommend that."

Speaker Johnson, Tim: "Further questions, Representative?"

Jones, Lou: "Right now, Representative, if the Department of Corrections wanted to, could they shackle the ones that are out there now?"

Speaker Johnson, Tim: "Representative, in response."

Wait: "I don't believe they have the authority to do this. This would grant them the authority to do this."

Speaker Johnson, Tim: "Representative, proceed with further questions."

Jones, Lou: "So, what your Bill says is just what I said a few minutes ago. You want a Bill to pass the State of Illinois that permits to shackle prisoners. Because if you're telling me that there's some out there now doing the exact work that you say they'll be doing with this Bill without shackles, this Bill allows them to be shackled. Am I correct?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "Like I say, not the ones that are currently out there. They would not change that program. They would not put shackles around those. This would only allow a different criteria to be established for those that they feel needed shackles. It's strictly permissive. It's strictly left up to the Department of Corrections to set the criteria."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Speaker Johnson, Tim: "Further questions? Your time is drawing to a close, Representative Jones."

Jones, Lou: "Representative, I've been here long enough to know what is permissive and what is not permissive. I think what your Bill does and what your Bill is saying, you are taking, I guess you are trying to make a name for yourself, maybe like the previous Gentleman before you, a couple times before, you said that he thought it was great to see people out on the highways and the byways in the State of Illinois with shackles."

Speaker Johnson, Tim: "The Chair recognizes the Lady from Cook, Representative Monique Davis."

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

Speaker Johnson, Tim: "Indicates he will."

Davis, M.: "What is the cost to taxpayers of this Bill?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "Like I say, there should be no additional cost. In Alabama, in fact, they got a three quarter million dollar grant from the Federal Government. And it showed that they can save money because you need fewer guards out there to watch them. So it actually saves money."

Speaker Johnson, Tim: "Representative Davis."

Davis, M.: "You've estimated that you're saving money but you're buying chains, you're buying the balls. And we also have to ask the question about health care. When you put people under balls and chain, their health is affected. Have you factored this into the cost? Because the taxpayers of Illinois will have to pay the cost for ill prisoners, prisoners who are ill because they have had a ball and chain on them. And how many hours? Is there a limit in the number of hours they can be ball and chained out there to work?"

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Speaker Johnson, Tim: "Representative Wait."

Wait: "First of all, nobody mentioned anything about any balls. And they currently have chains. You know, when they move prisoners from one prison to the next, they have handcuffs and chains. So, to go out and spend much more on that, they would not have to do that."

Speaker Johnson, Tim: "Proceed, Representative Davis."

Davis, M.: "Which offenses, what people, what prisoners would be under the 'Ball and Chain Law'? Which prisoners would go out and work free labor with a ball and chain? What offenses have they committed and how long are their prison terms?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "Like I repeat, there's going to be no balls out there. It would strictly be left up to Department of Corrections to decide what prisoners should be out there, and which ones can properly be served. And if there's in any shape, harm to their health, they would not be out there."

Speaker Johnson, Tim: "Representative Davis."

Davis, M.: "Whose jobs will they be taking? Whose job will they take? I see, according to your Bill, they can work on bridges, they can work on highways, they can work on roads. Whose jobs will they be taking?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "Like I say, currently there's an excess of the requests for Department of Correction people to assist and they do not have the adequate amount. So it's not taking anybody's jobs. It's just work that is not currently getting done."

Speaker Johnson, Tim: "Proceed, Representative."

Davis, M.: "What jobs are not being done that they will do? Tell me what jobs are not being done in the State of Illinois that they will now do."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Speaker Johnson, Tim: "Representative Wait."

Wait: "Well, for example, have you looked at cleaning the highway? Why do you think we have so many 'Adopt A Road' people go out? Because the roads were not getting cleaned before. So these people volunteered to go out and clean the highways. We're only asking the prisoners to do what the general public is willing to do, whether it's the Girl Scouts, Boy Scouts, or whoever."

Speaker Johnson, Tim: "Representative Davis."

Davis, M.: "Are you familiar with the most recent findings in reference to chain gangs? In one state they found that they were being leased out to private industry by unsavory prison personnel. And this group was receiving a financial gain from allowing these chained prisoners to do the work that people should employ people to do."

Speaker Johnson, Tim: "Representative Wait."

Wait: "Well, I'm sure our Department of Correction would not allow that to happen, if that was happening."

Speaker Johnson, Tim: "Proceed, Representative."

Davis, M.: "Excuse me, will they be allowed to use the restroom? Will they have coffee breaks? Will they have an opportunity to rest? Will their lunches be brought to them? Exactly how will you handle a man's eight hour workday?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "The way it works in other states, yes, they're brought out a bag lunch. They're allowed to go to the restroom just like anybody else would be out there working. They're treated in a humane way. Like I say, they are not mistreated."

Speaker Johnson, Tim: "Representative Davis, your time is drawing to a close."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Davis, M.: "If they're on a ball and a chain, or if they're in ball and chain, how are they going to go to the washroom? You know, you've got those mobile units. This smacks, can I tell you what it smacks of? It smacks of racism and it smacks, that's exactly what it is. Because you know most African-Americans..."

Speaker Johnson, Tim: "Give the Lady your attention."

Davis, M.: "...are in those prisons. And you want to put them back in chains to provide free labor. You once again, are seeking free labor by people of color, and I reject that. I reject it and you should be ashamed in an election year, in a year of an election, where you are attempting to reverse..."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Cook, Representative Giles. Proceed."

Giles: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield?"

Speaker Johnson, Tim: "He indicates that he will."

Giles: "Representative, could you please explain... I have been sitting here. Could you please explain to me the purpose of this Legislation?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "The purpose simply is to allow Illinois to do what five other states are currently doing. Like I say, Iowa and Wisconsin, around us are currently doing it. So, it's not just Southern states, to permit the Department of Corrections, if they choose to, to go out and establish hard work and allow to put them in chains."

Speaker Johnson, Tim: "Representative Giles."

Giles: "Representative, in all respect, you still have not explained to me the purpose of this Legislation. This Legislation states that an individual who..."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Speaker Johnson, Tim: "If you could give the Gentleman your attention? Please give the Gentleman your attention. Proceed, Representative Giles."

Giles: "This Legislation states that an individual who has committed a crime, you have not stressed the degree of that crime, or what type of crime. But this Legislation says that an individual should be in chains. So, now I can't understand what a armed guard or any security or a police or a Cook County police officer cannot replace having chains. Thus far, we have had numerous situations in which we have had armed guards have watched these criminals, maybe clean the highways or particular areas that you're talking about and have not successfully escaped. So, I'm trying to help you out because I don't understand the purpose of individuals in chains."

Speaker Johnson, Tim: "Representative Wait, do you wish to respond?"

Wait: "Well, like I say, other states are currently doing this. They find out that it works effectively in other states. This provides an additional tool for Department of Corrections to discipline the prisoners if they act up. It also gets additional work out of people. After all, remember these people have violated the laws. We are paying \$20 thousand a year to keep these people in prison. I don't think it's too much to ask of them to go out and help pick up along the side of the road and work the things that volunteers are willing to do."

Speaker Johnson, Tim: "Representative Giles."

Giles: "Representative, once again, I understand that criminals should, as you just lastly stated, that they should go out and clean the highways. But you still have not told me why in chains. You have stressed to me that other states do

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

have particular Legislation or certain Legislation similar to this. But you still haven't told me the purpose of this. To me, this is very offensive. We have a system, this is 1996. We have a system where there is armed guards to protect individuals or to make sure that individuals do not escape and harm someone while they are serving their time. And I just can't see, why does individual have to be put in chains in order to do this? You stated to me that we're doing this because other states. Will you jump in the lake or water because someone else has jumped in the lake? I just can't see the purpose of this Legislation. I would urge all of my colleagues if they do not want to go back into 1946, or even prior, if they want to go back to vote for this 19 or 1863, I'm sort of young, so I can't get my history straight. But, please colleagues, listen to this and do not vote for this Legislation."

Speaker Johnson, Tim: "If the Chair could have the attention of Members of both sides of the aisle. It is fully the intention of the Chair to allow full debate on this issue. From the number of lights that have been on so far and the number in the future, we have a long debate. But in order to be able to hear the debate, we're going to have to break up some of the caucuses on the Floor. And we're going to have to bring some order to the chamber so that the questioner and the respondent can properly address the question and have all the Members of the chamber hear. So, I am not directing this to anyone, but if we could have the courtesy of quiet when the question is asked and the response is given and all unauthorized personnel remove themselves from the House Floor, it would be much more expeditious. Thank you for your cooperation. The Chair recognizes the Gentleman from Cook, Representative Harold

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Murphy. Proceed."

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

Speaker Johnson, Tim: "He indicates that he will."

Murphy, H: "Representative, this is a terrible Bill. It makes no sense. I have yet to have you answer a question that all of these Representatives asked you. All you have referred to is other states. And that's incorrect because we only have two states. Are you trying to revert back to people to put them in chains? Are you trying to clean the highways? I would remind you, Representative, that the way in business the highways are today, with people in shackles, if we have a runaway car or a runaway truck, all of them will be killed. This is not productive. This is counterproductive. Because in chains you can't work as fast or as hard as without chains, that's number one. Point number two would be, point number two would be, if we're not having problems with people on the highway now, why would we chain them? Answer that question for me."

Speaker Johnson, Tim: "Representative Wait."

Wait: "Like I say, with chains, the Department of Corrections could have more prisoners out there that have a little higher degree of offenses that they have committed. And like I say, there's plenty of demand out there, and the Department of Corrections is not able to fill that demand."

Speaker Johnson, Tim: "Representative Murphy."

Murphy, H.: "Is the Department of Corrections, do they support this Bill?"

Speaker Johnson, Tim: "Representative Wait, I believe that question has been answered but if you want to asked, but if you want to respond again. Proceed."

Wait: "Like I say, former Director Gail Franzen, he's in strong support and a number of the guards are in support of it."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

The current Director currently is not in support."

Speaker Johnson, Tim: "Representative Murphy."

Murphy, H.: "So, the answer to that question is, 'no'."

Speaker Johnson, Tim: "Representative Wait."

Murphy, H.: "And if the answer to that question is 'no', and you already said that we are not going to put violent offenders out there. So that means if they're not violent and they're not a threat to run away, why put them in chains?"

Speaker Johnson, Tim: "Proceed in response, Representative."

Wait: "Would you please repeat it? There is a little noise over here. I couldn't hear that."

Speaker Johnson, Tim: "Representative Murphy. Give the Gentlemen your attention. Representative Murphy, proceed."

Murphy, H.: "I said it is my understanding that you said that there would not be violent criminals in chain gangs on the highways. Was that your response?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "Yes, that's what I said. There are a number of prisoners we could put out there that are nonviolent prisoners. The ones they put out there now, I understand, they only have, you know, 3, 4, 6 months left. We could put ones out there that have 6 to 12 months, for example, or less to serve. They're still nonviolent prisoners."

Speaker Johnson, Tim: "Representative Murphy."

Murphy, H.: "And that's fine. Whatever time you put them out there, I have no problems with that. I have problems with you putting them in chains. They're not in chains now. We're not having any problems. It seems to me that you're trying to create a problem. That's the way it seems."

Speaker Johnson, Tim: "Is that a question, Representative Murphy? You wish it responded to?"

Murphy, H.: "It was a statement and a question. Yes, if we're

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

not having problems now, and we're not going to put out violent criminals, and they're out there now, why would we put them in chains? You have not explained why we would put them in chains. The Department of Corrections is against this Bill and it's nothing but politics as usual to go back to your districts, and say 'yeah, we'll put them in chains where they belong.' Please answer the question that I asked you, and the rest of these Representatives have been asking you all evening. Why chains?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "'Cause we can put a lot more prisoners out there than we currently have, ones that have a longer time to serve and with chains you don't have to worry about them running away. It's that simple."

Speaker Johnson, Tim: "Representative Murphy."

Murphy, H.: "But they haven't been running away so far, without chains. I mean it might make some sense if they're running away, but they're not running away. So what sense does this make?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "The ones they currently have have a short time to serve, say two or three months, so of course somebody's not going to flee if they've only got to two or three months to serve and plus they would be you know, lesser offenses. This would allow us to elevate it to have those with longer time and a little more serious offense, although still they would be nonviolent prisoners."

Speaker Johnson, Tim: "Representative Murphy, your time is drawing to a close. Proceed."

Murphy, H.: "To the Bill. To the Bill."

Speaker Johnson, Tim: "To the Bill. You have 10 seconds."

Murphy, H.: "Listen, this Bill, and this kind of Bill is going to

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

do nothing but cause problems. I will not stand still and let someone pass something through this jealous..."

Speaker Johnson, Tim: "The Chair recognizes the Lady from St. Clair, Representative Younge. Proceed. Representative Younge."

Younge: "Thank you, Mr. Speaker. I yield half of my time to Representative Murphy."

Speaker Johnson, Tim: "No. You yield all your time or none of it. That's what the Rules provide. You yield all of your time to whom?"

Younge: "Representative Kenner is going to yield his time. Go on."

Speaker Johnson, Tim: "I still didn't understand. You yield your time to whom?"

Younge: "I'm going to use my time, Mr. Speaker. Representative Kenner is going to yield his time to Representative."

Speaker Johnson, Tim: "I don't know what anybody else is going to do. If you wish to address the Bill, go ahead and proceed."

Younge: "Yes, I do. I'd like to ask the Sponsor a question."

Speaker Johnson, Tim: "He indicates he'll yield."

Younge: "Representative Wait, has the Department of Corrections indicated to you that it does not want this authority?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "Well, I think I've answered that one a couple of times."

Speaker Johnson, Tim: "Representative Younge."

Younge: "Has the Department of Corrections indicated to you that it does not want this authority?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "Well, it's our job here to set policy and direction for the Departments. What this would do is send a direction and policy for our Department. And again, it's strictly

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

permissive. It's up to them to decide what and if they want to do with this Bill."

Speaker Johnson, Tim: "Representative Younge."

Younge: "Representative, you did not answer my question. But in a way you did. Because it's very clear that what this Bill would do will be to interfere with the operations of the prisons. We here in Illinois are blessed by having well run prisons and to come in with a Bill like this that interferes with the operation they've already said they didn't want. They didn't want this authority. It makes you have to look much more carefully as to why this Bill is coming before this House. First of all, I agree totally that this Bill is highly offensive to any citizen of the State of Illinois. To even believe for one moment that there is any similarity between the State of Illinois and the State of Alabama is an insult to the intelligence of each of us here. Alabama was a slave state, and why we would want to do anything that would look like Alabama is beyond me. This is totally offensive to the sensibilities of any civilized group of people. And I want to stand here and tell you that I am surprised at you. I am disappointed with you, that you would have the audacity to bring such a totally reprehensible, dehumanizing thought, like this Bill. I really am deeply offended. I know what the cause is and we must examine our hearts. I believe that hatred, hate is the mother of this invention. And we have to watch that if we have some need. Now what is the evidence before this Body? That there would be, there are men and women, there are men out there now picking up the trash. So what you want is you want this symbol of the chains and the balls. What is your need for that? You have to examine your heart. That is what's wrong with this Bill. It is

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

heartless. It is mean-spirited. It is cruel. It is ungodly. It is undiplomatic. It is against democracy. It is against everything that we've been taught to believe in. And I am personally offended by it, and I wanted you to know that."

Speaker Johnson, Tim: "Thank you, Representative. The Chair recognizes the Gentleman from Winnebago, Representative Scott. Give Representative Scott your attention please. Proceed."

Scott: "Thank you, Mr. Speaker. I'm not even going to bother trying to ask the Sponsor questions because it's obvious we just get the same answers for a couple hours for the same non answers. Let's be real clear what this all about."

Speaker Johnson, Tim: "To the Bill."

Scott: "This is a stunt. It's a cheap, political stunt in an election year. That's all it is. And it's a mean-spirited, cheap, political stunt to boot. It's shackling, it's shackling for the sake..."

Speaker Johnson, Tim: "If we could give Representative Scott your attention, it would be greatly appreciated. Representative Scott."

Scott: "Thank you, Mr. Speaker. It is shackling for the sake of shackling. Now, I don't know if the Sponsor recently saw Cool Hand Luke one too many times. You know, I don't know whether he wants to refresh another Member of the House, but it's clear he's doing something that he knows is never going to be implemented because the Department that he is giving permissive authority to has already been very clear that they don't want any part of it. So he knows it's not going to happen. And if he really was serious about this Bill, if he was really serious about this particular Bill actually coming into effect, why not work with Corrections?"

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Why not work with them to firm up this language? Why not just leave it 'may assign committed persons to hard labor' and then not be able to tell us who those persons are, why they'd be assigned, what particular Classes of crimes they have committed, where they are in terms of their sentences. He doesn't know any of that because he doesn't care about any of that. The whole purpose of this is just to be able to go back and tell people like the earlier Bill where 'we're not going to prosecute, we're going to deport', is be able to tell people we're 'tough on crime'. Well, it's nonsense. It's not 'tough on crime'. This has severe implications for correctional officers' safety. For all of you guys that don't like to spend any money on anything, don't like to give courts any authority. Think of what happens if some car goes out of control on one of these highways and hits a group of these prisoners, who are chained together. Do you think our liability increases a lot because we put them in that position? You're darn right it does. But it doesn't matter. Again, it doesn't matter because it's not going to happen. You know, there was a task force last year that went to all the prisons, talked to correctional officers, talked to prison officials, talked to prisoners, talked to people that were involved in the system. They talked about recidivism, overcrowding, things that will work. We know the kinds of things that will bring recidivism down, because we see it in other states. But this doesn't attempt to do anything like that. The Sponsor can't even tell you that he thinks it will help on recidivist rates because he doesn't know that for sure. And again, he doesn't care about that. Let's not get tough. Let's get tough and smart at the same time. Most of these prisoners, whether they're going to

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

work on chain gangs or not, are eventually going to get out of prison. That's a fact of life in Illinois and every other state in this Union. Let's make sure when they get out of prison that we put them in a position for our own self-interest if nothing else, aside from how we want to treat people. Let's do it in our own self-interest. Because the more we prepare people for some kind of life when they get back out of prison, the better off every one of us is going to be in terms of recidivist rates. That means preparing people educationally. That means preparing people through work preparation. That means preparing people through having parole officers on board, not 69 to cover 30 thousand parolees throughout the State. That's what we've got right now. This doesn't do anything to try to address the major problems that are facing this state in terms of corrections right now. What we talk about now is, well maybe it will help with recidivist rates. You know what happened to our crime rate since we've instituted the death penalty again? It's gone through the roof. Now, I'm not suggesting that you do away with the death penalty. But what I am suggesting is, that this is nonsense if we say that this is going to stop repeat offenders, because it's not going to happen. I have respect for a lot of the comments that were made by Representative Black because he hits on a couple of very practical issues involved here, both the correctional officers' safety and in terms of the liability that we may face. Let's not buy into this. Let's be a little bit better than this. I just heard a very telling comment from a person that doesn't have any connection with the Corrections Department here, doesn't have any connection with any of us, who is just a mother who simply said, 'You know, I don't want to drive down the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

highway and see human beings in shackles.' And let's not especially do that when we don't know if it's going to solve any purpose at all other than possibly to refresh another Member of the House who likes to see that kind of thing. I urge a strong 'no' vote."

Speaker Johnson, Tim: "The Chair recognizes the Lady from Cook, Representative Shirley Jones."

Jones, Shirley: "Mr. Speaker, I yield my time to Representative Harold Murphy."

Speaker Johnson, Tim: "Your request is granted. Representative Murphy, proceed."

Murphy, H.: "Thank you, Mr. Speaker. Our problem here, and this is a very serious problem, when I see people on the other side of the aisle laughing, it's not funny. It's not funny. And if it is funny, we know why it's funny. All this money that we spent on an additional tool and to have and house people in penitentiaries, if we took that money and provided for jobs, most of those people wouldn't be there in the first place. It's all about jobs. And it's not funny. I have no intentions of sitting here myself and listening to this nonsense, and to be insulted by people. The next thing it'll be in a 4 X 4 box. And it's not funny. It's not funny. And personally, myself, I'm insulted and I won't tolerate it. I won't tolerate it. And if I have to go from newspaper to news conference to news conference, that's what I'm going to do. It's racist and you know it's racist based on the people that's in the penalty institutions. And that's the only reason you're doing that, and that's the only reason it's funny. And when someone bring up the fact that it is the fact that it's funny, well it's not funny. And I won't even trust the people that will be administrating this themselves

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

saying, 'Well, I'll make that decision.' Because some of these same people sitting in here laughing, would make that decision on us. We believe that people do a crime, they'll have to pay the time. But no nonsense, we're not back in the 1800's. It's an insult and it's an insult to black people, it's an insult to white people, anybody that's progressive thinkers. We don't do that. Why would we do that? Would it cause problems? I see it. It's very clear. Why would you want to start a problem? Why would you want to fix something that's not broke or broken. What we need to do is to provide for jobs, take care of this goal, provide for education. Most of the people in there is drug related anyway, on drugs. Let's deal with these people that's bringing these damn drugs in here. That's where the problem is, and that's not funny. How are they getting in here? Let's put these people in chains. Those are the ones who are being chained, not people who have not done violent crimes. And most of the people who are laughing, they ought to be in chains. We should vote 'no', and I will not sit here myself personally and take it. Thank you."

Speaker Johnson, Tim: "The Chair recognizes the Lady from Kane, Representative Deuchler. Proceed."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House, to the Bill."

Speaker Johnson, Tim: "To the Bill."

Deuchler: "I intend to cast a very, very strong 'no' vote on this piece of Legislation. I have been in the chamber here since 1980 and I have never seen a piece of social engineering and experiment in a time-warp of this nature. I really think the divisions and the strong feelings that have been stirred up in this chamber through the debate

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

that we have witnessed so far, would indicate that the best thing that the Sponsor could do, and I would certainly ask Representative Wait to do so, is to take this Bill from the record and to leave it alone. Our own Department of Corrections has stated that they do not favor this Bill. It is not good social engineering, and I ask Representative Wait to please take this from the record. I believe that it is absolutely an idea that is not timely. It never was timely, and let's all vote 'no'. Thank you."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Cook, Representative Kenner. Proceed, Representative Kenner."

Kenner: "Mr. Speaker, I yield to Representative Coy Pugh."

Speaker Johnson, Tim: "Your request is granted. Representative Pugh, proceed."

Pugh: "Thank you, Mr. Speaker. To the Bill."

Speaker Johnson, Tim: "To the Bill."

Pugh: "Historically speaking, for those of you who are not aware of, why we as African-Americans, find this piece of Legislation so very, very offensive, it's because our foreparents were brought across the middle passage, the Atlantic Ocean, in chains. Our foreparents were placed in slave castles, stacked on top of each other where they had to go to the bathroom on top of each other, where they defecated on top of each other, and they died on top of each other, in chains. Our foreparents who helped build this country, built this country in chains. We find this piece of Legislation particularly offensive because of the contributions that we have made to this society and because of the purpose of this Legislation. It is mean-spirited. It serves no constructive purpose. And I respectfully request that the Sponsor take this piece of Legislation out

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day
of the record."

March 28, 1996

Speaker Johnson, Tim: "Okay. The Chair recognizes the Gentleman from Cook, Representative Dart. Oh, you have a question? I'm sorry. Representative Wait, I thought you were done concluding. Proceed. Representative Dart, you'll be next. Representative Wait, was that a question?"

Wait: "What was the question?"

Speaker Johnson, Tim: "I thought you were concluded, Representative Pugh. Was there a question?"

Pugh: "Would you take the Bill out of the record?"

Wait: "No. This is not a racist Bill in any way, shape or form. This is a Bill for people who have violated other people's rights. And we are simply allowing the Department of Corrections a different alternative."

Speaker Johnson, Tim: "Please give Representative Wait your attention, just as we've given every other Member their attention. Representative Wait, proceed. He says, 'No he will not.' Are you concluded, Representative Pugh?"

Pugh: "Maybe I can add a little more history to the history of Africans here in America. The prison system which predominantly consists of Africans here in America, back in 1878 when they created prison reform, they had what was called a leasing system. Now, 1878, this was right after the Emancipation Proclamation where blacks in America were proclaimed to be free. But for some reason we were subjected to prisons, and we were then, our ancestors were leased out as prisoners and they called it a leasing system then. Later on, prisoners were placed in what's called 'sweat boxes'. I'm submitting to you, Sir, that this piece of Legislation is a step backwards and not a step forward. I think that if we are and we profess to be a humane society, I think America, for the most part, looks down

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

upon all of the atrocities that are inflicted upon people in other countries, in China, the other countries that use prison labor in place of high wages. So, if we are an humane society that lives in accordance with the Constitution of the United States, the Constitution of the United States has once outlawed this kind of Legislation. Why in the world are we attempting to reintroduce something that our Constitution which we are governed by has once already ruled to be in noncompliance?"

Speaker Johnson, Tim: "Representative Wait, your time is drawing to a close. Do you wish to respond in conclusion?"

Wait: "Yes, Representative, I happen to be more concerned about the crime victim than the criminal, is what this Bill is all about. It's the victim who I'm concerned about."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Cook, Representative Dart. Representative Dart."

Dart: "Thank you, Mr. Speaker. Representative Wait, if you would yield for a question?"

Speaker Johnson, Tim: "He indicates he'll yield."

Dart: "Representative, did you get anything back, what does the North American Association of Wardens and Superintendents feel about chain gangs?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "I have no idea."

Speaker Johnson, Tim: "Representative Dart."

Dart: "Well, let me read it to you. They oppose the shackling of inmates together for the purpose of working because, and then they list a group of reasons: 'It's a risk to the public safety to place inmates who require such a high degree of security in the community,' there is one good reason. 'It's a risk to correctional staff,' there's another good one. And then they talk about utilization of

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

chain gangs for completion of work in the community is notoriously inefficient in terms of productive work accomplishments. And then they talk about the shackling of inmates as counterproductive to the security of a prison system. So, for those reasons these people who have maybe just a tad bit more of a wealth of information in this process are against this. They are adamantly against this. To say as the previous speakers have said, 'This Bill makes no sense,' is the understatement of the year. Representative, we have had capital punishment on the books for quite awhile now. Has the crime gone up or down since we put that on the books?"

Speaker Johnson, Tim: "Representative Wait."

Wait: "Well, capital punishment has nothing to do with this Bill."

Speaker Johnson, Tim: "Representative, proceed."

Dart: "Thank you. It's fruitless to ask you even one question because either you don't know it or you refuse to answer. This is not a shocker. Believe it. Capital punishment, I'll give you a news flash, Representative. Since capital punishment was instituted, which I fully agree with by the way, crime has gone up not down. So, you are trying to tell this Body today, by your efforts, with chains on people's legs, that's going to deter crime where capital punishment has not. That is as silly as I've ever heard. You have a Bill in front of us that gives no limits to the type of person that is going to be put out onto the side of the road, and you say, 'Well, we'll rely on the prison, we'll rely on the prison.' You're allowing people, murderers, rapists to be out in the world, that's what your Bill does. You also are allowing people who have previously escaped from institutions out on the streets.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

That's a real smart move. The prisons are opposed to this. So, even if you were to pass this, they aren't going to institute it. So like my colleague mentioned before, this is nothing but a cheap political stunt on your part. And contrary to what you said, the Department of Corrections said this is going to cost more, not less. And you've also talked about studies and the like. Those are all fabrications, things that are made up in your mind, Representative. There are no studies that show that. In all of the other states where they have had this, this is a new creature. There are no studies that show this reduces recidivism. None, that's not true, Representative. I hate to burst your bubble. And you're talking about your concern for the victim here, Representative. You're going to endanger more people by putting these folks out on the streets, put them out there and chained up. All the people that know a lot more about corrections than you know that as well, Representative. And finally, Representative, in my background as a state's attorney, I tell you what, I've come across one heck of a lot of defendants. And I tell you what, there is not one single defendant who I ever came across, Representative, who said, 'You know what, I'm not going to stick up this store, I'm not going to rape that person, I'm not going to murder that person because I might be put in chains. I don't want that. I'm not going to do it.' There is not one single one. If you were to ask any defendant, ask any criminal in jail, 'Would your conduct have been changed by the fact that you could wear chains and be working along the side of the road? Would you change that conduct?' I guarantee you not one would do it. This is nothing more than a cheap, cheap political stunt trying to get you some headlines for reelection,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Representative. It's going to serve no purpose. And it just highlights how this idea has no merit, whatsoever, makes no sense, like yourself."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Cook, Representative Lang. Proceed."

Lang: "Thank you, Mr. Speaker. To the Bill."

Speaker Johnson, Tim: "To the Bill."

Lang: "I've heard some very interesting things in the last couple of hours. I first heard about two Bills ago I think, that we're going to send the aliens that are in our prisons somewhere else. We're going to give aliens early release to get them out of our prisons. So apparently the only people Representative Wait wants on our chain gangs, are good old American citizens on those chain gangs. The aliens we're going to send somewhere else, on the beaches of Panama or wherever we're going to send them. Then I heard one Representative say that it's a great idea for me to drive down I-55 with my 5 year old daughter and point out hundreds of men and women chained together at the side of the road picking up garbage. That's going to be a great thing and that's going to keep my daughter from becoming a criminal 20 years from now. That was a very intelligent statement, and I'm sure one we all recognize. Then I heard the Sponsor say, and perhaps this was the most ludicrous thing of all, and I want you to listen to this. The Sponsor of this Bill has said to you that even though the purpose of this Bill is to punish the hardened criminal and to keep them from doing it again, the nonviolent prisoners will be the ones on the chain gangs. And the violent criminals should be back in the prisons watching cable TV. The murderers, the rapists, the arsonists are going to be at the prison eating lunch and the nonviolent criminals are

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

going to be chained together at the side of the road so that Ron Stephens can want my daughter to watch them picking up garbage. Now does this make sense to any of you? If it really makes sense to any of you, go ahead and vote for it. Years ago in the McCarthy hearings, there was a very famous statement. Joseph Welch said, 'At long last, 'Sir, have you no conscience? Have you no conscience?' And I ask the Sponsor rhetorically because no one wants the answer, Sir. Have you no conscience? Have the people who are prepared to vote 'yes' on this Bill, no conscience whatsoever?' I have been in this Body for nine years. I hope to be here a little longer. But I will tell you that in the nine years I have been in this Body, this is the most disgusting, the most despicable, the most immoral piece of Legislation that I have ever seen. And the worst part of this is that everybody who's prepared to vote 'yes' knows it. The Sponsor knows it. The Sponsor has a Bill so he can go back to his district and say, 'Look at me. I am so tough on crime.' This isn't tough on crime. This does nothing about crime. The Bill is a crime. The Bill is a crime. There is no evidence, whatsoever, any place in the world, any record of any kind, any place that would indicate that chain gangs are going to deter crime, deter criminals or do anything except perhaps, except perhaps line the pockets of those that sell chains. Perhaps there are chain salesmen in Mr. Wait's district. Maybe that's what it's all about. So, if this Bill passes, those of you that play the stock market, go buy stock in chain companies. In addition, and perhaps not the most important part of this, the Department of Corrections themselves say that, 'The more people we have on chain gangs doing this work, the less jobs that may be out there in the private

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

sector.' Put people out there in chain gangs in your local communities and make sure that the local communities cannot hire kids to do summer jobs to clean up the roads. Make sure that the local communities cannot hire people to do public works projects."

Speaker Johnson, Tim: "If you could bring your comments to a close, Representative Lang."

Lang: "I see the clock, Sir. Thank you very much. I want to tell you I'm proud of Representative Sue Deuchler. She said the right thing. And Representative Deuchler, you have given cover to every responsible person with a conscience on your side of the aisle. Vote 'no'."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Cook, Representative Schoenberg. Proceed."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Mr. Black and his very eloquent and thoughtful comments gave Mr. Wait an out. He declined to take it. Ms. Deuchler and her very thoughtful, contemplative and well respected manner gave Mr. Wait an out. He refused to take it. Mr. Pugh and many others this afternoon have given Mr. Wait an out. And he has refused to take it. I'm not going to ask Mr. Wait to take this Bill out of the record. I'm not going to seek to argue this Bill on the merits, because I think for all of us, if we look inside ourselves, we see what the real merits are. We get elected to come here to work together to solve problems in our society that improves our society. Discussions like the one that we are conducting today serve no constructive purpose, serve no purpose at all, other than to provide a divisive wedge between segments of our society, so that we can't solve the problems, regardless of what those problems are. As I said before, I'm not going to try to argue this

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

on the merits. I'm not even going to try to wade into the morality on this. I think those of us who look at ourselves know what those answers are, how they not only apply to what we do professionally, but perhaps more importantly to what constitutes each and every one of us personally. This is not a matter, an issue of crime. This is an issue of creating greater divisiveness within our society. There is no merit to this Bill. It is not as if the Director of this Department who we want to give every available tool to do his job to the fullest of his ability because we all live in this society together and we all have to thrive and protect our families and keep our families and our communities safer. We want to give that Director of the Department of Corrections every available tool that we can but this doesn't do that. So I apologize for even trying to wade into the merits on this, because I said before my friends, there are no merits. I think we've all seen over the last hour plus that this is not a flattering hour in the history of the Illinois General Assembly. Therefore, I ask each and every one of you to look at yourselves, look at the person sitting next to you, and vote against this Bill. And if indeed, Mr. Speaker, this Bill does receive the necessary number of votes I would be proud Sir, to ask for a verification. Thank you."

Speaker Johnson, Tim: "Your request is granted. The Chair recognizes the Lady from Kane, Representative Lindner."

Lindner: "Thank you, Mr. Speaker. There are three things that we all learned in school that our corrections system should address. That is retribution, restitution and rehabilitation. If we vote for this Bill, I think we are saying that we are totally giving up on the rehabilitative aspect of our corrections system. And also, I think that

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

all of us know from raising children, from working with other people, that we do not rehabilitate by humiliating people. This is 1996 not 1896. I think that we do a disservice to our chamber and to all of us here for even considering this Bill. Please take it from the record."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Madison, Representative Hoffman. Proceed. And thank you for your attention to both the questioner and the respondent."

Hoffman: "Thank you. In Committee, I guess it was yesterday or a day or so ago, I lose track. There were several people that were supportive. And I think that many of us after hearing the debate have reflected on what's going on here. And I think that, a comment was made earlier that it will be just so refreshing, so refreshing to drive down the road and see men or women in chains and giving back to society. Well, let me tell you this. I have an 8 year-old daughter, Emily, and I have a 5 year-old daughter, Caitlin. And what's making me change my mind on this Bill is this, I really, it makes me absolutely sick, just sickening to think that anybody would believe it would be refreshing for me to bring my 8 year-old daughter and my 5 year-old daughter up to Springfield to see me in the Legislative Session and look over to them with tears in my eyes and say, 'Oh boy, isn't this America wonderful when we see chain gangs working on the side of the road?' That's sickening, that's not refreshing. People have to pay back to society. God knows I've stood on the Floor of this House and I've trumpeted 'truth-in-sentencing' because I believe in it. God knows I believe that people who commit violent crimes in this state should pay for those violent crimes. I think everybody in prison should either get an

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

education or go to work. But that doesn't mean that I have to put my 8 year-old daughter, my 8 year-old and my 5 year-old through that and make believe that I have to be a part of this charade. I'm not going to do that. I respect them way too much. We all know what this is about and it's been said before, what it's about is passing a permissive Bill that's not going to be put into effect. The Director of the Department of Corrections sat in front of us and said, 'I'm against it. I'm not going to put it into effect.' So, why are we doing it? Why are we doing it? We're doing it for headlines and it's absolutely ridiculous. What we should be talking about is this, we should be talking about why do we have a 46% recidivism rate? Why do 1 out of 2 people go back to jail within three years in this State? Because we don't have 'truth-in-sentencing'. Because we've got 69 parole officers watching 29 thousand people out on early release, living in our communities, committing crimes, and wreaking havoc on our society. That's what's wrong. This is a facade. It's wrong. I won't be a part of it. I'm voting 'no'."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Boone, Representative Wait."

Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Let me say,

first of all, I appreciate the dialogue and the discussion on this. When I introduced this Bill, in no way, shape or form was it ever intended to be a racist Bill or anything. I only wanted to provide the Department of Correction another tool that they could use, that they are finding out in other states works effectively to cut down on the recidivism rate. I am for

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

education of the prisoners because I know that's the way out of it and to break the cycle. I was trying to provide the prisoners and the Department of Correction another vehicle to cut down on that recidivism rate. But after hearing the discussion now, in deference to my colleagues I will be willing to take the Bill out of the record. I will be willing to continue to work with the Department of Correction. Maybe we can work on some other avenues on what we can do to help break the cycle of recidivism because that was all this was intended to do, to try to break the revolving door that we have currently. And with that, Mr. Speaker, I would ask that it be taken out of the record."

Speaker Johnson, Tim: "The Gentleman has asked that House Bill 3511 be removed from the record. Hearing no objection, your request is granted. Committee Reports, Mr. Clerk."

Clerk McLennand: "Committee Reports. Committee Report from Representative Churchill, Chairman from the Committee on Rules, to which the following Joint Action Motions were referred, action taken on March 28th, 1996, reported the same back: 'do approve for consideration' to the Floor, Floor Amendment #2 to House Bill 2693 and Senate Joint Resolution #87. Committee notice for Friday, March 29 at 9 a.m., the Committee on Consumer Protection will meet in Room 114. At 9:30 Registration and Regulation will meet in Room 118. Again, for Friday, March 29 at 9 a.m., Consumer Protection in Room 114 and at 9:30 a.m., Registration and Regulation in Room 118."

Speaker Johnson, Tim: "Mr. Clerk, what is the status of House Bill 998?"

Clerk McLennand: "House Bill #998. The Bill is on the Order of Third Reading."

Speaker Johnson, Tim: "With no objection, return the Bill to the Order of Second Reading. Returning briefly to the Order of

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Second Reading, Mr. Clerk read House Bill 3141."

Clerk McLennand: "House Bill #3141. The Bill has been read a Second Time previously. Floor Amendment #2, offered by Representative Cowlshaw, is approved for consideration. Floor Amendment #2 has been adopted. The Bill was awaiting Fiscal Note and State Mandates Note and they have been filed."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, proceeding to the Order of Senate Bills - Third Reading. Mr. Clerk, please read Senate Bill 366."

Clerk McLennand: "Senate Bill #366. A Bill for an Act that amends the School Code. Third Reading of this Senate Bill."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from DuPage, Representative Roskam. On the Bill. Give the Gentleman your attention. Proceed."

Roskam: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Last July, President Clinton issued a memorandum to Attorney General Janet Reno and the Secretary of the Department of Education in Washington, D.C. The President wrote about this issue of religious expression in public schools. I shared with you roughly a month ago in the mail a copy of that memorandum, and I hope that you had a chance to take a look at it. I just want to highlight two particular paragraphs if I could, out of this memorandum which is really the genesis for this type of legislation. It's not prompted directly by the memo. But this memo, I think, reflects some of the feelings that I have on this in terms of being the House Sponsor, and I think also represents an opportunity for us to try and define clearly within the Illinois Statutes what our policy should be. Let me just read two paragraphs from the President's memo.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

President Clinton said, 'I share the concern and frustrations that many Americans feel about situations where the protections accorded by the First Amendment are not recognized or understood. This problem has manifested itself in our nation's public schools. It appears that some public school officials, teachers and parents, have assumed that religious expressions of any type is either inappropriate or forbidden altogether in public schools. As our courts have reaffirmed, however, nothing in the First Amendment converts our public schools into religion-free zones, or requires all religious expression to be left behind at the schoolhouse door. While the government may not use schools to coerce the conscience of our students or to convey official endorsement of religion. The government schools may not discriminate against private religious expression during the day.' In the course of the debate I think we'll have an opportunity to go further into this memo but suffice it to say that we've seen this Bill before. Representative Phelps has been the Sponsor in the past. I'm the Sponsor today. It prohibits religious based censorship in our public schools. I'll do my best, Mr. Speaker, to yield and answer questions to the best of my ability."

Speaker Johnson, Tim: "The Chair recognizes for the unique purpose of speaking on behalf of a hyphenated Sponsor who is not able to be here, the Gentleman from Williamson, Representative Woolard, for brief remarks. Proceed, Representative Woolard. Representative Woolard, proceed."

Woolard: "Thank you, Mr. Speaker. As I speak, I am talking with Representative David Phelps and I think it's very appropriate. I'd like for each and every one of you to say hello to Dave. Dave, do you hear us?"

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Speaker Johnson, Tim: "I'm sure Dave heard us. Proceed."

Woolard: "Okay, they're wishing that you were here the same as you're wishing that you were here. I know that each and every one of you know that David has been a Sponsor of this legislation for a long time. He's very proud to be a Cosponsor with Peter Roskam at this time. And he would just like to say that he 'Truly believes that this is something that is important to him and the constituents that he represents,' that this is a very important issue for the people of this state. And basically, we'd just encourage each and every one of you to stand with him and with Peter as we approach this very important issue. Thank you."

Speaker Johnson, Tim: "Thank you, Representative. The Chair recognizes the Lady from Cook, Representative Currie. Proceed."

Currie: "Thank you, Speaker and Members of the House. I rise in strong opposition to Senate Bill 366. Although I know that the Sponsors are indeed well-intentioned. Generally speaking, we pass legislation to solve problems. There is no problem in the State of Illinois of public school teachers not being permitted to quote from historical or religious documents when those quotes, when those materials are appropriate. This measure did not come from school teachers who felt they didn't have a chance to work effectively to teach our young people. This Bill instead came from an organization called the Free Congress Fund and the clear and explicit purpose behind this measure is to make it possible to teach religion in our schools. The promoters of this Bill want religion taught in our schools, not as part of a shared history, a Judeo-Christian, Arabic what-have-you tradition, but they want to inculcate

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

religious values among our young. In spite of the President's statement, that is not what our schools are for and it would be, I think, a clear violation of the Establishment Clause of the United States Constitution for us to adopt the provisions of Senate Bill 366. The list of measures that are referenced in the legislation again are not items that teachers have had problems teaching in historic or other theoretical contexts. The only point of this Bill is to see to it that religion can be taught in our public schools. And when that happens under this Bill, a parent can't go to the administrator to get the problem fixed. A parent can only go to court. I don't think we want to clutter up our courts with lawsuits involving the violation of the Establishment Clause, with lawsuits involving the teaching of religion as religion in our public schools. This is not a Bill for educators. This is not a Bill for our young. This is a Bill from the 'religious right', whose agenda clearly is an agenda about teaching the substance of religion to our young people. We should vote 'no' on Senate Bill 366."

Speaker Johnson, Tim: "The Chair recognizes the Lady from Cook, Representative Mulligan. Representative Mulligan, your light was on. Do you wish to proceed?"

Mulligan: "Thank you, Mr. Speaker. Will the Sponsor yield for some questions?"

Speaker Johnson, Tim: "Indicates that he will."

Mulligan: "Representative Roskam, do you know of any reports of any Illinois teacher being forbidden from using any documents in their classroom?"

Speaker Johnson, Tim: "Representative Roskam."

Roskam: "Representative, two answers to that question. The first is Representative Phelps was able to share with us in the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Education Committee that he has been told by teachers that he knows, that there is a chilling effect or restraining influence on their freedom to talk about these things. And I think the second isn't a direct answer to your question but I'd just like to refer back to my opening remarks. I think that this is generally recognized as an issue nationally. The President spoke on it. There is a culture that has developed that seems to say that you can talk about anything except religion. And what I'm trying to do is say let's not go to the 'etch-a-sketch' of history and act like things didn't happen. I don't mean to cut into your time but I was trying to be responsive."

Speaker Johnson, Tim: "Further questions, Representative Mulligan?"

Mulligan: "Yes."

Speaker Johnson, Tim: "Proceed."

Mulligan: "But, Representative, even though Representative Phelps might have alluded to this, he never gave a specific instance when any teacher has been forbidden from doing this. And so I spoke to you earlier when you were asking us about votes on this, and I told you that while on the campaign trail, there was a group of people following around one candidate that happened to be on the same dais that I was one night, and were asking questions about this. And when I asked the Gentleman afterwards why he was promoting this particular Bill, he told me it was in order to have creationism taught in the schools. I would like a direct answer on why you would be presenting a Bill that that would be the ulterior motive of."

Speaker Johnson, Tim: "Representative Roskam."

Roskam: "Representative, your question implies an ulterior motive. And with all due respect, I reject the premise. I

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

spoke to you one on one. I said that this has nothing to do with the substance that you talked about. The person that you may have, or I mean that you spoke to, and I have every, I believe that that person talked to you and had that conversation, whoever it was. That person is not the Sponsor of this Bill. That person doesn't know the Bill as I know the Bill. So, I'm making the representation to you in front of 117 Members of the General Assembly, that that is not part of this agenda. If you're opposed to the Bill, oppose it on the merits as it stands, but let's not bring other issues involved in this. And there are issues on the other side, and I respect those. But the issue that you mentioned, the good news is that's not a part of this."

Speaker Johnson, Tim: "Representative Mulligan."

Mulligan: "The reason I asked, even though I had asked you about this privately, is because I would certainly like that in case the Bill passes, to be part of your legislative intent, that that is not the reason the Bill is being presented, because some of the effects of speaking to this gentleman, were quite chilling as far as even supporting this Bill."

Speaker Johnson, Tim: "Representative Roskam, do you wish to respond?"

Roskam: "I concur with you, Representative."

Speaker Johnson, Tim: "Representative Mulligan, further comments?"

Mulligan: "No."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Cook, Representative Lang. Proceed."

Lang: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House, I rise in the strongest possible opposition to Senate Bill 366."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Speaker Johnson, Tim: "To the Bill."

Lang: "We've had this many times before. And I've spoken loud and strong and many times we've been able to stop this Bill from moving along. And let me give you the background, the reason, if you'll look at the Bill, as to why I am opposed. First of all, all sorts of opponents to this Bill from the IFT to the Jewish Federation to LUDA to EDRED, all sorts of opposition and why are they opposed? They're opposed because in this country we have a background of supporting the separation between church and state. There is a separation between church and state and the general rule is that no school should force children to be involved in rich religious inculcation. It's just that simple. Now, whether the Sponsor is or is not attempting to accomplish that, this Bill will accomplish that. This Bill will allow that to happen. And if you'll look at the Bill, and I beg you to look at the Bill, you'll see what I'm talking about. It goes through a list of 10 items, a list of 10 items that can be read in a classroom. And the first nine, I have no problem with whatsoever: the Declaration of Independence, the speeches of the founding fathers, those all make sense. But item 10 refers to the Congressional Record. Now, why shouldn't the Congressional Record be read in a classroom? Well, generally I would say it shouldn't be a problem. But you know that when you watch C-SPAN you see Members of the United States Congress give these long-winded speeches when no one is in the Body. And these are printed in the Congressional Record. And you can imagine members of the 'religious right' reading all sorts of religious material into the Record of the United States Congress, the teaching of any kind of religious fanatic, and if that's in the record and that can be read in a classroom under the guise

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

of, 'Well, it's in the Congressional Record so it's okay for our kids to read it.' Then that is what the United States Constitution was designed to protect. Worse yet, worse is the next sentence. It says, 'Despite the fact that the Bill very carefully defines 10 areas that can be read in a classroom,' it says that, 'these documents shall not be construed to be exclusive,' which means that all of the foregoing is worthless. It means that this sentence says that anything can be read to children in school under the guise of a teacher or a principal or a superintendent deciding on his or her own that that is an historical document. The teachings of Martin Luther are not a historical document. It's a religious document. The teachings of the 'religious right' are not historical documents. They are religious documents. The teachings of Judaism are not historical documents. They are religious documents. We cannot allow teachers, principals, superintendents, without any restriction at all in our laws to read anything they want to students. We don't allow them to read obscene material to students because we think it's immoral and wrong. We should not allow them to read religious material to students under the guise of, 'Well, it's a historical record.' The Bible, some would argue, is a historical record, the New Testament, the Old Testament. Some would argue that the teachings of Buddha is a historical document. Should we read that in a classroom if the teacher or the principal happens to be Buddhist and they decide that this should be read to students? This is not good legislation. It was not good before. It's not good today. And if it doesn't pass today, it won't be good for the next thousand years because the students in Illinois in public schools should be protected from anybody

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

that is not in their own family, without their own family's permission, deciding that they should hear this religious material. We have a responsibility to protect the public school children of the State of Illinois. We have a responsibility to uphold the Constitution of the State of Illinois and the United States of America. And the Constitution of the United States of America absolutely forbids what this Bill would allow. Do not allow religion to be taught in the public schools of Illinois. Please vote 'no'."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Lake, Representative Lachner. Proceed."

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

Speaker Johnson, Tim: "Indicates that he will."

Lachner: "Representative Roskam, I just need a little bit of clarification in the Bill. Without going into all the theatrics, I just have a couple of questions. On line 32 of the Bill, it does read 'The historically significant or venerated documents, writings and records listed in the subsection shall not be construed to be exclusive in a classroom situation.' And I recognize that the concern here is that some teachers might cross the line. What protection does this afford to classroom teachers to be able to teach their courses in the context of the documents that are listed?"

Speaker Johnson, Tim: "Representative Roskam."

Roskam: "This would give freedom to classroom teachers to know particularly, what the ground rules are. There was an earlier reference in terms of clogging courts and so forth. And if I could address that issue, my experience has been when the ground rules are clear, when the statutes are clear, then the need for litigation goes away. Now I'm not

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

saying that this will be free of litigation. I'm sure the ACLU is out raising money as we speak, and they will be plaintiffs in a case. But, let me just say this, in my view, this is taking an issue that President Clinton has acknowledged, is an issue of concern nationally and trying to create a 'safe harbor' for teachers so that they know what the expectations are and what the freedoms are and what they aren't."

Speaker Johnson, Tim: "Representative Lachner, further questions?"

Lachner: "Thank you, Representative. Would the Bible be considered, and this is a question I know a lot of us have, would the Bible be considered 'a historic or venerated document under the sections in this statute?"

Speaker Johnson, Tim: "Representative Roskam."

Roskam: "I'm glad you asked me that, Representative. Let me quote directly from President Clinton's memorandum to the Attorney General, where President Clinton is restating the summary of the case law under the U.S. Constitution and the U.S. Supreme Court, notwithstanding the representations that were made earlier. This is President Clinton's language."

Speaker Johnson, Tim: "Representative Lachner. Representative Roskam, proceed with your response."

Roskam: "It's a brief paragraph and this is in the memo. Teaching about religion is the heading. 'Public schools may not provide religious instruction but they may teach about religion, including the Bible or other scripture, the history of religion, comparative religion, the Bible or other scripture, the role of religion in the history of the United States and other countries, are all permissible public school subjects.' So let's be clear on that point,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

notwithstanding the representations that were made earlier. That was an erroneous, although with a great deal of respect and so forth, a wrong interpretation of the case law. Let me go on. 'Similarly, it is permissible to consider religious influences on art, music, literature and social studies. Although public schools may teach about religious holidays, including their religious aspects, and may celebrate the secular aspects of holidays, schools may not observe holidays as religious events or promote such observance by students'. That is the gist of this legislation. That is the thrust and that is the type of statutory scheme that I'm trying to put forth."

Speaker Johnson, Tim: "Further questions, Representative?"

Lachner: "Yes, that addressed one of the concerns I have. And in fact, it actually exacerbated it. My concern with the legislation is that by defining these documents as such, the intention of the legislation is to do exactly what you said, to incorporate the fact that there is a religious aspect to our history, and you can't deny that. My only concern here is that at some point in some classroom in the State of Illinois, that this legislation, should it pass, will be used as a shield for somebody that doesn't respect the intent of your legislation, that says, 'Children, today we're going to read from the Bible and we're going to talk about history because the Bible is a historical document.' And my concern is that there will be teachers who will cross that line, well-intentioned as they may be, and will use this as a shield when someone raises their hand and says, 'Wait a minute. I think you've crossed that line.' Respectfully, I am going to vote 'no' on the legislation. I understand your intent. I just think that we can't predict, obviously, what people are going to do. I think

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

there is an option here for people to use this on the dark side of the legislation. Thank you."

Speaker Johnson, Tim: "The Chair recognizes the Lady from Cook, Representative Flowers. Proceed."

Flowers: "Mr. Speaker, I would like to yield my time to Representative Davis, please."

Speaker Johnson, Tim: "Your request is granted. Representative Davis, proceed."

Davis, M.: "Thank you very much. Thank you the Honorable Representative Mary Flowers. Representative, what documents are you referring to when you say 'pre-colonial documents', when you say that teachers can use and teach with 'pre-colonial documents', what documents are you talking about?"

Speaker Johnson, Tim: "Representative Roskam."

Roskam: "It would be those documents that laid the governmental groundwork for our Republic today, Representative."

Speaker Johnson, Tim: "Representative Davis."

Davis, M.: "Representative, we've gone through a removal of mandates, a waiver opportunity for school districts, and I don't know of any group that has been having a problem with curriculum or their ability to teach any curriculum. What exactly are you attempting to solve? What problem are you attempting to solve?"

Speaker Johnson, Tim: "Representative Roskam."

Roskam: "The same problem that President Clinton was addressing when he wrote to the Attorney General and asked them to try and promulgate some rules. It's the problem, Representative, of the ambiguity that we have in our culture. And reasonable people can differ on this issue. But it's the problem that people don't know what the ground rules are. They don't know what is appropriate

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

conversation, what is appropriate subject matter, what is appropriate 'in the public square'."

Speaker Johnson, Tim: "Proceed, Representative."

Davis, M.: "You do know, Representative. You know what's appropriate. All the rest of us don't know."

Speaker Johnson, Tim: "Proceed."

Roskam: "Representative, I have not presented myself to you today with a presumptive attitude. I have not acted like Moses gave me the tablets on the mountain top and I am coming down. I am coming with supplication asking your support on this Bill. So let's not twist the tone here. What I'm trying to do is say, 'Let's make clear what the ground rules are.'"

Speaker Johnson, Tim: "Representative Davis."

Davis, M.: "Thank you. I think it's important for the group here to know that we all send condolences and get well cards to Representative Phelps, and we wish him a speedy recovery. But, regarding this legislation, we are opponents. We join the other opponents, the Illinois Federation of Teachers, EDRED, Educational Research and Development Organization, the American Civil Liberties Union, large unit school districts, South Cook Organization of Public Education, the Jewish Federation of Metropolitan Chicago, and there are a lot of other groups that are opposing this legislation because they feel you're attempting to fix something that just isn't broken. Currently, we know what a teacher can do in a classroom. There are no major problems about a teacher being able to use historical documents to teach. So it is very ambiguous what you are attempting to do. My real feeling is, Representative, is that you want to justify the bringing into classrooms of derogatory material. This legislation will allow any teacher or

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

school to use derogatory material and it will be based upon their ability to use it to teach history, based on this Bill. It isn't necessary. We should not clog up the code of Illinois with legislation that simply creates problems that today don't exist. We know very well what could be taught in our schools. We don't have a censorship problem. People use good taste. There are no court cases regarding curriculum in the State of Illinois. I think your legislation has some very dangerous underlying tones, very dangerous that will be used by people who today know that what they would want to do would be objectionable to a community perhaps in which they teach. So if they bring derogatory material into a community in which they teach, and use this excuse, today they don't have any legal justification for it. This would give them that legal justification. It isn't necessary. What you're also doing is creating the condition in the educational system that says anybody can do anything and it's justified. They can teach the St. James version of the Bible. They can teach another version of the Bible. They can bring in the Koran. They can teach catechism and all under the guise of historical documentation from your Bill. It's a very, very bad piece of legislation."

Speaker Johnson, Tim: "Thank you. The Chair recognizes the Gentleman from Will, Representative Wennlund. Representative Wennlund, proceed."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Having taught U.S. and World History in 7th and 8th grade in the past, I can tell you what the real purpose of this Bill is. It's so that historical documents which may contain religious references be not excluded from the curriculum in public schools. And if you don't think that

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

hasn't happened, you're wrong. Because of parents complaining about the wording of the Magna Carta, because parents complain that we teach the difference between Buddhism, what the Koran is, what the holy Bible is, why the pilgrims left England and declared independence, the references in the Declaration of Independence, the references in the Articles of the Confederation, the references in the opening Preambles of the United States Constitution, the religious references in the Pledge of Allegiance that we say here every day, the references on the back of a George Washington dollar bill that says, 'In God We Trust'. We have parts of our society that would exclude the teaching of the reasons behind why America is here today and why we enjoy religious freedom. Because views concerning them written by Locke, philosophers dating back to 'Alexis de Tocqueville' who came to America and his ideas about what America is all about, contained religious references. Some people take offense at those because they may have different ideas, because they may come from an atheist family. They want those any references to the Creator or to Buddha or to the Muslim religion excluded from the curriculum, even though they are the very foundation of what America was built upon, even though they contain references to God. And when we say 'one nation under God', there are people who would exclude that from the public classrooms in the State of Illinois. The purpose behind this legislation is so that public historic documents, merely because they contain a reference to the Creator, whether it's on a dollar bill or in the Declaration of Independence, should be excluded from the curriculum. And students should not be permitted to study comparative religions throughout the world, which are

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

indeed taught in public schools. Because someone objects to it, they go to the school board and oh wait a minute, maybe we shouldn't be reading the Magna Carta that references God. Maybe we shouldn't be reading the Articles of a Confederation, or the Declaration of Independence. This will make it clear in Illinois that merely because historical references to God or the Creator or anyone else should not be excluded merely because of that reference. This is a good Bill. It will make it clear to all public school teachers that they don't have to fear allowing the students to read a historical document merely because it contains references to God or to Buddha or anyone else. It's a good Bill. Representative Roskam, you've done an excellent job. I urge your vote for it."

Speaker Johnson, Tim: "The Chair recognizes the Lady from Cook, Representative Schakowsky. Proceed."

Schakowsky: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. What bothers me about the presentation of this legislation is that, I say to the Sponsor, if you want to have a debate about the teaching of religion in schools, then let's just have that discussion. If you think that's a legitimate debate that Members of this Body should have, then I think that we should go ahead and have that. But this Bill is not presented in that way. You say that it's a Bill to clarify. I say it's a Bill intended to obscure the real meaning of its content. You say it's a Bill to set ground rules. I believe it's a Bill to change the rules. Seems to me that what we're talking about is plain and simple, so let's talk about it. I think the way it's phrased, it's a stealth Bill, that this is a Bill that is promoted by certain organizations whose interest it is to inject religion in public schools. I oppose that. The

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

teachers organizations oppose it. The Jewish Federation and I, as a Jewish person, oppose that. Our fear is that if religion is taught in schools, and we often are the minority religion in a school, that our values, that our religion, that our teachings will not be there, that they will be overshadowed, that our views will be diminished. And that is why we want to not blur the lines between church and state, why we want to keep religion out of schools, why it has no place in the schools. All of us are free to practice our religions outside of a school setting. So I want to warn people here that I think the way the language of this Bill is stated, it is to obscure its real nature, which is to open the door to the teaching of religion in school. If you oppose the teaching of religion in school, then you have to vote 'no'."

Speaker Johnson, Tim: "Thank you, Representative. The Chair recognizes the Lady from St. Clair, Representative Younger. Proceed. Representative Younger."

Younger: "Thank you, Mr. Speaker. I yield my time to Representative Davis."

Speaker Johnson, Tim: "Representative Davis, proceed. Your request is granted."

Davis, M.: "It appears that that's how I get to speak. Thank you, Representative Younger."

Speaker Johnson, Tim: "Representative Davis, I was about to call on you, and if you want to have this time and your own, I'll be more than happy to give you an additional five minutes. Proceed."

Davis, M.: "Representative Roskam, I had asked you earlier what your intent was. What is your intent in this legislation? What problem are you attempting to solve?"

Speaker Johnson, Tim: "Representative Roskam."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Roskam: "Representative, perhaps I've been inartful in my advocacy. But let me again go over the area that I tried to cover. What I'm trying to address, Representative Davis, is the same issue that President Clinton is trying to address in his memorandum. Now, you can't shake your head when you ask me a question and I'm trying to give you my best answer. So this is my best answer. President Clinton wrote to the Attorney General, Representative, and he wrote to the Secretary of Education, President Clinton, and he said, 'Look,' now I'm paraphrasing, 'there's a problem here. People don't know what the program is. People don't know what their expectations are in what I generically call the public square. People don't know what is appropriate religious expression, and people don't know what's inappropriate. So what's happening is more or less a chilling effect on discussions of this nature.' Now, notwithstanding your nonverbal communication, you're not really happy with my answer. So let me give the mic back to you, but that's where I'm coming from."

Speaker Johnson, Tim: "Representative Davis."

Davis, M.: "Excuse me, if people don't know what their religious expression should be, maybe they should go to church, not to school. They should go to church. And find various churches and find out which one is suitable to you. You see, we have a lot of major problems in Illinois, and if we keep bringing up, what do you call them, 'diversions', we can't get to the real problems. We have a major educational funding problem in the State of Illinois. We never get to discuss that issue. We never get to talk about how we're going to fund computer technology for all the schools in the State of Illinois. There is absolutely no reason for us to bring up a piece of legislation stating

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

that a teacher can present the Mayflower Compact in her class. She can certainly do that today without this legislation. There is no reason to say that a teacher needs this legislation to present the Declaration of Independence in his or her class. It's perfectly legal. It's done every day. It's a part of the Constitutional curriculum that's taught in high school and in elementary school. We don't need this legislation to teach the Constitution of the United States. So what you have done, Representative, is couched, you have couched the religious teaching in the middle of all of these things that are already acceptable and being done, the Pledge of Allegiance to the Flag, opinions of the United States and Illinois Courts. All of these things are being done today. There is absolutely no reason for this legislation except for you to give sanction to people who want to present symbols, documents, derogatory materials about people or other religions. And, Representative, it is wrong. You have a nice appearance. You have a very nice sounding voice. You dress real nice. But your Bill is true garbage. Your Bill is true garbage. It should not be brought up in this House. There is absolutely no reason for it. Teachers are not clamoring for this. Teachers are not saying they're hamstrung and they can't teach the Constitution, they can't teach the Pledge of Allegiance, they can't teach the Declaration of Independence. No one is talking about that. It's being done every day. If I want to tell children about their founding fathers, I can teach them about their founding fathers. I can tell them what they said. There is nothing preventing that today. So there is something hidden here that you want to be able to do. You've got to spell it out, Representative Roskam, because I don't know

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

what it is. Spell it out. And don't talk about President Clinton because he's the President of the United States. I'm glad you want to help him get reelected. He will. We appreciate the publicity you're giving him but President Clinton is not here making laws for the State of Illinois and the children that attend school here. We are. My question to you is, what is it you really want to do? All of the things that you've listed here, we already can do and we do them. But I don't want you to say a teacher can bring anything into that..."

Speaker Johnson, Tim: "Now, Representative, if I could interrupt you for a moment. We're operating now on your five minutes. So proceed."

Davis, M.: "That's the best of times, my five minutes."

Speaker Johnson, Tim: "Well, I hope that it is. Proceed."

Davis, M.: "Representative, we do not want to create a situation where classrooms are in an uproar because a teacher has brought something in that is derogatory about a particular group, because a teacher has brought something in that is promoting a particular religion or a particular religious belief, and or an organization, and that the teacher can use your legislation for a legal right to do so because the teacher can say, 'I'm using these things for historical significance'. That's the only thing and the only reason that you have this legislation. You want to create a problem where none exists. We've all been through school in this room. We have all been through school and we have not been harmed because a teacher could not bring in historical documents in reference to the colonial period or the pre-colonial period. So besides President Clinton and what he said, would you tell us what your reason is?"

Speaker Johnson, Tim: "Representative Roskam."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Roskam: "Representative, the nature of your questions, I think frankly, is going to rethink Representative Salvi's partnership with me, because if I am not able to advocate a position to you, after trying to answer the question three times, I'm afraid I'm not going to do him much good in the law business. Let me try and take another pass at this issue. Let me just say parenthetically, this issue, whether you agree with it or whether you don't agree with it, I think you and I can agree not to characterize one another's legislative initiatives as garbage. You and I are going to be here a long time I hope, and we're going to be working together a long time, but this is an important issue to me. That being said, your understanding of the Constitution is flawed, Representative. The types of things that you are talking about in terms of being able to talk about in the classroom are perfectly appropriate today. What the problem is, and again I go back to President Clinton, who I didn't vote for, but when the guy lurches uncontrollably into the truth, I'll pull him out for me. The President says, 'There's a problem here. People don't know what the ground rules are. It's ambiguous. They don't know what the deal is.' For example, they don't know if it's appropriate to talk about the religious motivations of the abolitionists. The abolitionists in my hometown had an underground railroad stop. They were religiously motivated people. I think that that's appropriate to talk about. But today, and this is why I think the Illinois Education Association is neutral on this Bill, today teachers aren't sure what the story is, what's appropriate and what's inappropriate. So, Representative, that is my motivation. That is the problem that I am trying to address and beyond that, I am incapable

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day
of answering."

March 28, 1996

Speaker Johnson, Tim: "Representative Davis."

Davis, M.: "Excuse me. That is totally false that teachers don't know if they can talk about the religion of abolitionists. They can even name the church that the abolitionists or the religion the abolitionists might have belonged to. I mean, so it's perfectly false to say that they can't talk about those things. They can talk about them and they do talk about them. Whatever your hidden motive is, you're really not coming out with it. We believe that education in the State of Illinois should continue to allow the curriculum that presents history in a true fashion to young people. It could be any historical period. We don't believe that this legislation is helpful to the State of Illinois. It's going to create a lot of court cases. And it's going to get a lot of people who are now in classrooms doing the right thing with the idea that the public will stand for them doing the wrong thing. The public will not stand for them doing the wrong thing. I don't think you can name one case today in court where a teacher felt he or she was being censored, that I presented something and there's a censorship. I believe that your legislation..."

Speaker Johnson, Tim: "Representative, if you could bring your comments to a close."

Davis, M.: "Yes, Sir. Yes, Mr. Speaker. I believe that your legislation has very ill intentions, Representative Roskam. It's ill-intended. I think the people who have placed opposition slips in against it, they know what your agenda really is and it is to present religion in school and we have to vote 'no' because there are too many different..."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Cook, Representative Parke."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

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

Speaker Johnson, Tim: "Indicates that he will."

Parke: "Thank you. Representative, let's talk about the practicality of this legislation. If a teacher brings forth some kind of a discussion by reading some kind of a document and it is perceived by the parents of the children to be religious, what recourse does that school district have?"

Speaker Johnson, Tim: "Representative Roskam."

Roskam: "It depends, Representative. If the teacher is teaching about it, rather than advocating it and I think that we have to have faith in our public school system to a certain degree to make, to be able to separate the wheat from the shaft, to cut from the bone to the marrow on that issue. If they are advocating a particular position, the President's memo and the case law is very clear. They're not able to abuse that position of authority. But if they're teaching about, if they're teaching and saying, 'Look, the letter from the Birmingham jail that Martin Luther King, Junior wrote while he was imprisoned to eight white pastors admonishing them on their interpretation of scripture and so forth, that ultimately became a turning point in the civil rights movement.' That is appropriate and that's what I am trying to do today, is to say, Look let's set the record straight. Let's comply with the President's initiative, frankly. And let's make the ground rules clear.'"

Speaker Johnson, Tim: "Representative Parke, further questions?"

Parke: "If the teacher is found to be teaching something that's offensive to the parents of a number of the students, what recourse can the parents take with that teacher?"

Speaker Johnson, Tim: "Representative Roskam."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Roskam: "Let me ask you a question, Representative. You mean if it turns out that a teacher is inappropriately trying to pass on a particular religion in a disingenuous way, in other words they're saying, 'Look, let's close the door. I'm going to turn this into a Sunday school class.' This statute, no statutory scheme that we can come up with can pierce the protections of the First Amendment. Even the most outrageous interpretation of any statutory scheme cannot pierce that ultimate protection of the First Amendment. So this wouldn't give sanction to that type of teacher and that's certainly not my intent."

Speaker Johnson, Tim: "Representative Parke, further questions?"

Parke: "Hasn't there been court cases where it's been defined that you can't teach a religious belief in the classroom? And that the courts have said, 'You cannot do that?' Isn't there case law that says that there are protections that our friends on the other side of the aisle have tried to say that this is going to open the door to religion, that there's some false agenda that you have. I mean, aren't we protected by the Constitution and haven't there been case law that has simply pointed out that that's absolutely correct and that there's, that they can go back to that case law again, they can sue in a court and you can 'cease and desist' that kind of behavior in a classroom? Isn't there plenty of cases that has already happened?"

Speaker Johnson, Tim: "Representative Roskam."

Roskam: "Yes there are, Representative. That's well established case law."

Speaker Johnson, Tim: "Representative Parke."

Parke: "And in essence, the only thing that you're trying to do is let teachers in the classroom know that as long as it is historical in reference, that has significance in a

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

history, that they can teach it. I mean, isn't that the bottom line? That you just want, so there's no doubt in the minds of educators in this State that they have the right to teach significant documents that have significance in the history of our country and our state."

Speaker Johnson, Tim: "Representative Roskam."

Roskam: "That's correct, Representative."

Speaker Johnson, Tim: "Representative Parke."

Parke: "Mr. Speaker, to the Bill."

Speaker Johnson, Tim: "To the Bill."

Parke: "This is pretty straightforward. This is a very good idea. This is something that I think is basic to what this country is about, is the ability of people not to be intimidated, to teach things that have significance to the history of our country, and that these documents cannot be denied as the founding tenants of the direction this country has gone. It just makes sense that this is a smoke screen that some Members of this Body are using because they just don't care for the concept of it. This is good legislation. I think the majority of the Members of the General Assembly will support this idea. And I would certainly, I'm going to vote for it and would ask the Body to do so also."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Grundy, Representative Spangler. Proceed."

Spangler: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, I think when we talk about education, having previously been a teacher, that involves all aspects of humanity, all aspects of what are ideologies and religions of the world. You know what, I was a junior in college before I could take a class called Religions in which we studied 15 different world religions. But, you

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

know what, that's pretty sad in this day and age when things were so isolated from grammar school, from elementary school, that I didn't have the information that I probably rightfully should have had in junior high. Too often we get so focused on the fact that only teach the academics, only teach the basics, only teach the primary objectives that we lose the full color of all of our cultures and our religions that have gone before us. I rise in very strong support of this Bill. It's necessary. It's important. It's a good Bill for a well-rounded education for all of the students of Illinois and I'd appreciate everyone's support. Thank you."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Cook, Representative Lang. You previously have spoken in debate. I presume you are going to ask for a Verification. Is that correct?"

Lang: "Thank you, Mr. Speaker. That is correct."

Speaker Johnson, Tim: "And your request will be granted. The Chair recognizes the Gentleman from Cook, Representative Schoenberg. Proceed."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To the Bill. It has been suggested earlier that those who oppose this measure were seeking to address a false agenda. Let me make clear that those of us who oppose this measure, who oppose this measure for precisely the reason because contrary to the way some would like to believe, we in America live, in a pluralistic society where all faiths, all peoples are considered equal under the law. We are looking to ensure, not that it's a false agenda which is being promoted, we are looking to ensure that a particular truth is not being promoted. More specifically, we are looking to ensure that in the classrooms of our

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

pluralistic society where regardless of your faith, you are entitled to the freedom of your religion. Nonetheless, that it is a Christian truth. It is not the singular civic religion of this country. This mechanism, this legislation is identical to what we have seen other attempts throughout the past several months to ensure that a particular truth, that a particular religious value system is the value system that is the law of the land in Illinois. The Senate Sponsor in debate on this Bill last year admitted in debate that he could not recall one singular instance where teachers were being impaired from their ability to teach what they wanted to teach in the classroom. So why is this necessary? Is this necessary because a problem or crisis really does exist? My friends, I'm not a Christian-American. I never will be a Christian-American. This is the only country in the world where I have the ability, as a Jew or if I were a Protestant or if I were a Muslim or heaven forbid, even an atheist, I would have equal protection under the law against the incursion of a particular, singular, religious truth that's potentially part of the curriculum in the public schools. My friends, I would anticipate that in the coming hours, if not the coming days, we will next be moving on to the issue of whether or not public dollars can be applied towards the parochial school teaching. I have no doubt we will be considering the voucher Bill once again. My friends, I have a daughter, who when she's old enough, may go to public school. If we make this the law of the land in Illinois, I'm going to send my daughter to a parochial school, in all certainty. And when I do so, my friends, I'm not going to ask for a single public dollar to pay for her education. Because in this country, the Constitution,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

the very historical document whose integrity that we're seeking to protect, the Constitution through all its legal challenges in the courts says that we separate church and state. And as long as we do that, my friends, I feel like I can live in this plurality as an equal citizen under the law. And when we start changing the law so that I cannot live in this plurality with equal protection to ensure that my religious beliefs are not in the minority but that they're equally protected, then this country no longer will serve the needs that its founding fathers originally intended to. Thank you."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from DuPage, Representative Persico."

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

Speaker Johnson, Tim: "Indicates that he will."

Persico: "Representative, as you are well aware, I have taught school for 24 years. I have taught every single document that you have listed in here with the exception of the Congressional Record and I don't believe eighth graders are really that thrilled about hearing a Congressional Record, so I don't think I will ever use that part. But I do want to ask you a few questions."

Speaker Johnson, Tim: "Proceed."

Persico: "First of all, do you consider the Bible a historical record or a historical document? I'm sorry."

Speaker Johnson, Tim: "Representative Roskam."

Roskam: "Representative, like President Clinton's memo points out, the Bible would be appropriate subject matter. Yeah, in direct answer to your question, yes."

Speaker Johnson, Tim: "Representative Persico."

Persico: "That being the case, do you consider it appropriate that a public school teacher use the Bible and for reading

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

purposes, for discussion purposes? How do you view the use of the Bible in the public schools?"

Speaker Johnson, Tim: "Representative Roskam."

Roskam: "Representative, I toured one of the Wheaton public school systems, Wheaton-Warrenville South which you and I both represent constituents in. And they were having a discussion in one of the English classes that taught, you know, various comparisons in terms of the Genesis story to modern day literature and so forth. So within that context generally of comparison, within that, that's not even within a historical context. But that's the current case law, that that's appropriate. So yes, I do think that that would be an appropriate subject area."

Speaker Johnson, Tim: "Representative Persico."

Persico: "Well, I agree there. I mean, I have taught you know comparative religion in certain classes and talked about the Mayflower and talked about the Magna Carta et cetera, et cetera. So if a public school teacher then just read from the Bible with no discussion, would that be following the intent of your legislation?"

Speaker Johnson, Tim: "Representative Roskam."

Roskam: "No. That would be a bad faith attempt to do 'an end run' around the purpose of this legislation. It's got to be historically significant. It's got to be educationally significant. And the First Amendment will not provide sanction to that type of initiative."

Speaker Johnson, Tim: "Representative Persico."

Persico: "So in no way, then will your legislation if a public school teacher did that, they would have cover of any kind, whatsoever, if they just read from the Bible with no talking about it, no comparing it to other religions or use of this is why the Pilgrims came over, et cetera, et

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

cetera. It's just they talk about it and they might use it more in a religious type purpose. They would have absolutely no cover, whatsoever, if that happened?"

Speaker Johnson, Tim: "Representative Roskam."

Roskam: "You are absolutely correct. They would have no cover. I agree with everything you said."

Speaker Johnson, Tim: "Representative Persico."

Persico: "Representative, I've never had a problem teaching any of these documents that you've had and I've done it in many different and various ways. So as far as I'm concerned, your legislation, maybe you have a concern with it that it's not being done that way and I'll go along and support your legislation for that reason. But there is no way, whatsoever, that you are trying to bring in the Bible or bring in the theory of creationism or anything else through this piece of legislation?"

Speaker Johnson, Tim: "Representative Roskam."

Roskam: "No."

Speaker Johnson, Tim: "Further questions, Representative Persico?"

Persico: "No, I just thank the Sponsor for his question or his answers."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Washington, Representative Deering."

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

Speaker Johnson, Tim: "Indicates that he will."

Deering: "Representative, in your comments to the previous questions you mentioned that for historical content the Bible could be used then in public educational teachings. If someone, does the local school board still have the authority to deny because some parents may object to certain types of teachings that may be in certain class

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

plans or teaching plans in the future, would the school board still be the ultimate authority to say, 'Well, we think that's overstepping the boundaries even of the intent of this Bill if it becomes law'? Can they still deny that?"

Speaker Johnson, Tim: "Representative Roskam."

Roskam: "Yeah, Representative, if the teacher is inappropriately using this statute trying to you know, like the analogy I gave before, when they close the doors and they suddenly want to start a Sunday school class with you know, felt things and so forth like Sunday school lessons are frequently. That is inappropriate. And no school board is going to stand for it. And there is no Constitutional cover for that. So yeah, in answer to your question."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Thank you. That answers my question."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Madison, Representative Stephens. Proceed. The Gentleman indicates he does not wish to address the Bill. And seeing or hearing no further discussion, the Chair recognizes Representative Roskam to close."

Roskam: "Ladies and Gentlemen, thank you for your attention tonight. It's been a long day. One of the, in closing, and I know that one of the previous speakers, her ears are going to ring as I refer again to the Presidential memo. This is an issue that's on the horizon today. This is an issue that is in our public square. And notwithstanding the meritorious concerns of one of the previous speakers who has this concern that there is a Constitutional erosion, what I'm saying is, 'Look, people of faith are part of our religious diversity today. We shouldn't go back and act as if there were not religious motivations on the part of people all throughout our history.' Discussing

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

those religious motivations, let those discussions go where they might. Teachers are not given sanction under this statute to inappropriately advocate, but they are given a clear signal about what our expectations are. What is happening out there, and it's a phrase that we hear frequently from the left, is a 'chilling effect'. There is this general anxiety about not knowing what's appropriate, not knowing how far they can go, not knowing what is an appropriate area of discussion. This has received 93 votes in the past. Now, I'm not going to play fair. For David Phelps, let's vote 'aye'. Thank you."

Speaker Johnson, Tim: "Prior to the vote, the Chair would like to thank Members of both sides of the aisle for a long but thorough discussion and a civilized discussion on an issue that we all disagree on, and I appreciate that. Secondly, there has been a verification requested by Representative Lang. So the Members will be in their seats when casting their votes. The question is, 'Shall Senate Bill 366 pass?' Those in favor vote 'aye'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 79 voting 'yes', 33 voting 'no', 1 voting 'present'. There has been a request for a verification. Representative Lang. Representative Lang withdraws his request. And on this Bill, there are 79 voting 'yes', 33 voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills - Second Reading, Mr. Clerk please read House Bill 2693."

Clerk McLennand: "House Bill #2693. The Bill is on the Order of Second Reading, having been read a second time previously.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Floor Amendment #2, offered by Representative Cowlshaw has been approved for consideration."

Speaker Johnson, Tim: "Representative Cowlshaw on Amendment #2 to this Bill. Proceed."

Cowlshaw: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #2 to this Bill simply adds two words to the Amendment that was adopted in Committee and became the Bill. These two words are added at the request of the Illinois Education Association. On page 2 of Amendment 1, you will find that it says that waivers may not be requested pertaining to special education, teacher certification, teacher tenure or seniority. The words 'or modifications' are added after waivers. So 'neither waivers or modifications' can be asked for for those categories. Thank you."

Speaker Johnson, Tim: "On the Amendment, the Chair recognizes the Gentleman from Rock Island, Representative Brunsvold. Proceed."

Brunsvold: "Thank you, Mr. Speaker. Will the Lady yield?"

Speaker Johnson, Tim: "She indicates that she will."

Brunsvold: "Representative Cowlshaw, does this strengthen the Bill then as far as the labor groups are concerned?"

Speaker Johnson, Tim: "Representative Cowlshaw."

Cowlshaw: "Representative Brunsvold, it makes it even more clear that we will not use this process to do anything to special education, teacher certification or teacher tenure and seniority."

Speaker Johnson, Tim: "Representative Brunsvold."

Brunsvold: "Thank you for the Amendment and I stand in strong support of adoption of the Amendment that strengthens the rights of the teachers and the workers. I ask for your support in the adoption of the Amendment."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker. Will the Lady yield?"

Speaker Johnson, Tim: "She indicates that she will."

Granberg: "Representative Cowlshaw, is it your intention to use this Bill for the Republican tax increase for education?"

Speaker Johnson, Tim: "Representative Cowlshaw, do you wish to respond?"

Cowlshaw: "No."

Speaker Johnson, Tim: "Representative Granberg. No further questions. The Chair recognizes the Gentleman from... No one seeking further recognition, the question is, 'Shall...' has moved for the adoption of Amendment 2. Those in favor signify by saying 'aye'; those opposed by saying 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments. No outstanding Fiscal Note. A State Mandates Note has been filed on the Bill as amended by Amendment #2."

Speaker Johnson, Tim: "Third Reading. Returning now to the Order of House Bills - Third Reading. Mr. Clerk, read House Bill 2693. 2693."

Clerk McLennand: "House Bill #2693. A Bill for an Act that amends the School Code. Third Reading of this Senate Bill."

Speaker Johnson, Tim: "Representative Cowlshaw, proceed."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is the Mandate waiver clean up Bill. It simply provides for some things that I think will make that process more streamlined and easier for everyone to understand. The first provision is the one that was contained in the Amendment we just adopted so that

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

we know absolutely and for certainty that the waiver process does not apply to special education, teacher certification or teacher tenure and seniority. The next thing this Bill does is to eliminate the annual May Waiver Report so that now we will only deal with this once a year rather than twice. Next, it explains that the State Board of Education shall be hereafter controlled in the future by the actions of the General Assembly that have already been taken. That is, if the General Assembly grants or disapproves a waiver, subsequent waiver requests that are substantially the same will simply be controlled by the State Board of Education to follow the lead established by the General Assembly. And finally, it provides that waivers may be provided for specified periods that are shorter than five years. That was not clear apparently in the original language. Those are the only four things that are done in this Bill, simply makes the waiver legislation clearer and easier for everyone involved. I thank you, Mr. Speaker, and I would be glad to answer any questions."

Speaker Johnson, Tim: "On the Bill, the Chair recognizes the Gentleman from McHenry, Representative Skinner. Proceed."

Skinner: "Yes. Would the Lady yield for a question or two?"

Speaker Johnson, Tim: "Indicates that she will."

Skinner: "Representative, does that mean if we decide something by one vote, that decision will stand forever? If we vote on a waiver request and it is rejected by one vote, does that mean the Board of Education will follow that direction forever, that it can never be reconsidered by the General Assembly?"

Speaker Johnson, Tim: "Representative Cowlshaw."

Cowlshaw: "No. It says that if a waiver has been granted, then future requests for that that are substantially the same

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

don't have to come here and get granted time and time and time again. The State Board just goes ahead and does that because they can use as the basis for that action what the General Assembly has already done."

Speaker Johnson, Tim: "Representative, further questions?"

Skinner: "So I took that just one step too far? If we have rejected it, they can come back again. That's fine. Thank you."

Speaker Johnson, Tim: "Further questions? The Chair recognizes the Lady from Cook, Representative Kaszak. Proceed."

Kaszak: "Thank you, Mr. Speaker. I have a question, Representative Cowlshaw."

Speaker Johnson, Tim: "She indicates she'll yield."

Kaszak: "If the State Board has granted a waiver and we have failed to reverse that waiver, what is the impact of this legislation on that?"

Speaker Johnson, Tim: "Representative Cowlshaw."

Cowlshaw: "Representative, I believe that under the provisions of the waiver legislation to begin with, modifications are supposed to be granted or denied by the State Board of Education. But out and out waivers have to come here and the only way a waiver could be granted by the State Board would be if we had already granted one that was substantially the same."

Speaker Johnson, Tim: "Further questions, Representative Kaszak."

Kaszak: "Yeah, I'd like to be real specific. Given the fact that the State Board of Education has allowed a waiver for the Pulaski Day and we have not acted to reverse that, is the impact of this Bill to allow all waivers of Pulaski Day?"

Speaker Johnson, Tim: "Representative Cowlshaw."

Cowlshaw: "No. The purpose of this Bill is: those waivers or modifications that have been granted by the General

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Assembly, not by the State Board of Education, will be the basis for those that are substantially the same to continue to be granted without their having to come to us repeatedly in order for that to happen. Now if we were the ones who had waived that particular, in that particular request, then they could continue to do that. But if they're the ones who granted it, no, that's not the basis for any continued repetition of the same action. Only our action serves in that regard."

Speaker Johnson, Tim: "Further question, Representative? No further questions. The Chair recognizes the Gentleman from Cook, Representative Dart."

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

Speaker Johnson, Tim: "Indicates that she will."

Dart: "Representative, it's sort of tying into that now. If the General Assembly is granted one and you're using that as the precedent so that we don't have to keep going through this again and again. What would happen if the General Assembly's composition changed as such? It was a waiver that was controversial. Would not we want the General Assembly to be able to rule on that again? If we had passed it by one vote, say, and it's something that was contentious, would we not want that to come back here if a new composition came back?"

Speaker Johnson, Tim: "Representative Cowlshaw."

Cowlshaw: "Should we wish to review that and act on it over again, we have every right to do that. This does not preclude our taking the initiative in any of those cases. It would be up to us however, to seize that initiative. Because if we did not take some action to include that in the waiver issues that we vote on once a year here, the State Board of Education would just grant it because of the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

precedence set by the General Assembly. But no, this does not preclude our wanting to review one of those things whenever we choose to do so."

Speaker Johnson, Tim: "Representative Dart."

Dart: "And secondly, I was going to ask you, it talks about waivers that were 'substantially similar'. Who makes the determination that a waiver was 'substantially similar' to another one?"

Speaker Johnson, Tim: "Representative."

Cowlshaw: "The State Board of Education."

Speaker Johnson, Tim: "Representative Dart."

Dart: "Are there any guidelines that you're aware of exist now? Or that you've had conversations with them on how it is they're going to make that determination? Because what one person's opinion of 'substantially similar' is and another's can be very, very different."

Speaker Johnson, Tim: "Representative Cowlshaw."

Cowlshaw: "Representative, I have not only discussed this with people at the State Board of Education and a number of other people as well. And I recognize that it may be that we may be dissatisfied with the decisions that they make. But I don't think we should assume before we've ever given them the opportunity to do this that they will necessarily do anything but be very strict in how they interpret something that is substantially the same. Consequently, I think we need to watch what they do and if we are not pleased with the decisions that they make, then we, I think would be justified to go back into this law and replace that with a very strict definition of what substantially the same really means. But before we go to all of that trouble, why don't we give them a chance?"

Speaker Johnson, Tim: "Further question, Representative Dart."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Dart: "Yes. I guess that my last question on this area is going to be then, is that what our option is available to us then? If in fact they are running roughshod with what 'substantially similar' means, would it require us to make a legislative change? Or is there another mechanism where we could start reviewing these waivers ourselves without having to have the legislative change?"

Speaker Johnson, Tim: "Representative Cowlshaw."

Cowlshaw: "Anything that we want to include in any Bill that we have here having to do with the granting of waivers, we totally control that. So if we did not, if we believe that something that was granted by the State Board that was not substantially the same as something that we had already granted, we would have every right to put that in that once a year action when we act upon those waiver requests that are new to us."

Speaker Johnson, Tim: "Representative Dart, further questions?"

Dart: "Yeah, I just have finally, is there any opposition to this Bill at all from any of the parties?"

Speaker Johnson, Tim: "Representative Cowlshaw."

Cowlshaw: "No."

Speaker Johnson, Tim: "No further questions. Seeing or hearing no further debate, the Chair recognizes the Lady from DuPage, Representative Cowlshaw, to close."

Cowlshaw: "Please vote 'yes'."

Speaker Johnson, Tim: "The question is, 'Shall House Bill 2693 pass?' Those in favor vote 'aye'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', 0 voting 'no' or 'present'. And this Bill, having received a Constitutional Majority, is hereby

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

declared passed. Mr. Clerk, read House Bill 3141."

Clerk McLennand: "House Bill #3141. A Bill for an Act concerning units of local government. Third Reading of this House Bill."

Speaker Johnson, Tim: "The Chair recognizes the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. We adopted an Amendment to this Bill earlier today, and we had a very long discussion about what was contained in that Amendment. So I am sure you are all fully aware at this point that this Bill applies only to DuPage County. It does not apply to any other county in Illinois, simply enables us in our county to separately elect the members of the County Board and the Forest Preserve Commission. That's all it does. I would appreciate your support and would be glad to answer any questions."

Speaker Johnson, Tim: "On the Bill, the Lady from Cook, Representative Davis. Proceed."

Davis, M.: "Representative Cowlshaw..."

Speaker Johnson, Tim: "She indicates that she will yield."

Davis, M.: "Is this a local issue?"

Speaker Johnson, Tim: "Representative Cowlshaw."

Cowlshaw: "Yes."

Speaker Johnson, Tim: "Representative Davis."

Davis, M.: "You're trying to protect and provide some opportunities for those members of your, what is it, your County Board?"

Speaker Johnson, Tim: "Representative Cowlshaw."

Cowlshaw: "Mr. Speaker, I didn't understand the question."

Speaker Johnson, Tim: "Representative Davis, do you want to repeat the question?"

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Davis, M.: "Yeah. I'll repeat it and I'll add a little bit to it. You're attempting to give your County Board the right to raise their own salaries?"

Speaker Johnson, Tim: "Representative Cowlshaw."

Cowlshaw: "This Bill provides for separate elections of the members of the County Board and the Forest Preserve Commission. Currently in our county, we elect 24 County Board members. They also serve as Forest Preserve Commissioners. But that is not what they were elected for. They were elected as County Board members. This Bill provides that after the effective date when this begins, we would have 18 County Board members and 6 Forest Preserve Commissioners. The total number of people would still be the same. But they would not be involved in serving two masters. Those who were elected to be County Board members would serve the county interests. Those who were elected to be Forest Preserve Commissioners would serve the interests of the Forest Preserve Commission. The only salary issue in here is that because we've never had a separately elected Forest Preserve Commission, we needed to decide how somebody was going to determine the salary for the President of the Forest Preserve Commission. So this morning we adopted an Amendment which gives that responsibility to the Forest Preserve District, which is the one that has to pay that person's salary anyway, would seem to me maybe they can figure that out for themselves."

Speaker Johnson, Tim: "Representative, proceed."

Davis, M.: "I wonder if this Bill would have anything to do with keeping the school districts closed in DuPage County on Election Day or keeping the schools open in DuPage County on Election Day? Does this Bill have anything to do with keeping those schools open in DuPage County on Election

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Day?"

Speaker Johnson, Tim: "Proceed, Representative."

Cowlshaw: "Yes. There is an Amendment that we have in mind to adopt over in the Senate that is going to allow all school districts in DuPage County to have the General Election Day off for purposes that will not be spelled out in the Amendment."

Speaker Johnson, Tim: "Further questions, Representative Davis?"

Davis, M.: "Well, I personally feel that since Representative Cowlshaw is from DuPage County, I respect that she knows what's certainly best for those County Commissioners, salary increases and all. I think that she certainly has the legislative right, the legislative responsibility to provide legislation that will bring good government to those Cook County Commissioners or DuPage County Commissioners and park district people. I think it gives us a perfect example, a great example of what it means to be elected to represent a district. It means that you know the needs of that community and you should be given a right, you should be given the right to protect the interests of the members of that district that you are elected from. And those of us who are from Chicago were abhorred at the fact that someone from DuPage County wanted our schools to be open on Election Day and place our children in jeopardy and unsafe conditions and yet they will protect the County Commissioners or the Commissioners from DuPage County because that's the district from which they come. I think this is a perfect lesson for all of us in this Body, that there will come a day when you will have legislation to protect the district that you come to represent and you should not be given the opportunity to harm the district that other people are here to protect.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

You should not want to harm those districts, like making sure the schools are open on Election Day, when those children will be in harms way and there won't be enough people there to protect them from the voters coming in and out and the children having to have recess."

Speaker Johnson, Tim: "Representative, you have 20 seconds."

Davis, M.: "I just want to say to the voters, I'm sorry, to the Legislators here we are all here to represent a district and Representative Cowlshaw has given us a perfect example of what it means to represent the district who sends you here. You provide what that district needs and not harm to other..."

Speaker Johnson, Tim: "Seeing or hearing no further discussion, the Chair recognizes the Lady from DuPage, Representative Cowlshaw, to close."

Cowlshaw: "Thank you very much, Mr. Speaker. This legislation is endorsed entirely by our DuPage County Board, by our Forest Preserve Commission. It is indeed a local issue and it is one that the people who are directly involved with it have worked on now for seven years. It only affects DuPage County and it truly is what I believe to be good government. I ask for your 'yes' vote."

Speaker Johnson, Tim: "The question is, 'Shall House Bill 3141 pass?' Those in favor vote 'aye'; those opposed vote 'no'. The voting is open. This is final action. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 107 voting 'yes', 0 voting 'no', 5 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Be at ease for a moment."

Clerk McLennand: "Committee notices. Friday, March 29th at 9

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

a.m. Consumer Protection will meet and Registration and Regulation will meet at 9:30 in Room 118. Consumer Protection, 9 a.m. in Room 114, Registration and Regulation at 9:30 a.m. in Room 118."

Speaker Johnson, Tim: "Representative Churchill now moves that the House stand adjourned until Friday, March 29th, 1996 at the hour of 10:00 a.m. Those in favor signify by saying 'aye'; those opposed by saying 'no'. In the Opinion of the Chair, the 'ayes' have it. Allowing Perfunctory time for the Clerk, the House now stands adjourned until Friday, March 29, 1996, at the hour of 10:00 a.m."

Clerk McLennand: "House Perfunctory Session will be in order. Second Reading of House Bills for the purpose of holding them on the Order of Second Reading. House Bill #802. A Bill for an Act making appropriations for the Illinois Department of Corrections. House Bill #1012. A Bill for an Act making appropriations to the Environmental Protection Act, Environmental Protection Agency. House Bill #3706. A Bill for an Act that amends Public Act 89-0022 to provide supplemental appropriations and/or legislative transfers and/or substantive changes for various state agencies. Second Reading of these House Bills. These Bills will be held on the Order of Second Readings."

Clerk McLennand: "Introduction and First Reading of Senate Bills. Senate Bill #1228, offered by Representative Balthis, a Bill for an Act to amend the Housing Authorities Act. Senate Bill #1380, offered by Representative Churchill, a Bill for an Act to amend the Civil Administrative Code of Illinois. Senate Bill #1402, offered by Representative Balthis, a Bill for an Act that amends the Park District Code. Senate Bill #1419, offered by Representative Wirsing,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

a Bill for an Act relating to student assistance. Senate Bill #1424, offered by Representative Brady, a Bill for an Act concerning insurance. Senate Bill #1440, offered by Representative Kubik, a Bill for an Act concerning the deaf and hard-of-hearing. Senate Bill #1473, offered by Representative Black, a Bill for an Act concerning agriculture. Senate Bill #1486, offered by Representative Bugielski, a Bill for an Act that amends the School Code. Senate Bill #1494, offered by Representative Ryder, a Bill for an Act concerning state funding of court orders and consent decrees. Senate Bill #1502, offered by Representative Brady, a Bill for an Act concerning cash bonds from builders or developers. Senate Bill #1513, offered by Representative Hughes, a Bill for an Act that amends the Illinois Public Aid Code. Senate Bill #1527, offered by Representative Biggert, a Bill for an Act to amend the Probate Act. Senate Bill #1544, offered by Representative Leitch, a Bill for an Act to amend the Illinois Public Aid Code. Senate Bill #1633, offered by Representative Bost, a Bill for an Act to amend the Environmental Protection Act. Senate Bill #1645, offered by Representative Biggert, a Bill for an Act to amend the Downstate Forest Preserve District Act. Senate Bill #1661, offered by Representative Lou Jones, a Bill for an Act concerning children. Senate Bill #1643, offered by Representative Cross. Continuing to Introduction - First Reading of Senate Bills. Senate Bill #1643, offered by Representative Cross, a Bill for an Act to amend the Criminal Code. Senate Bill #1645, offered by Representative Biggert, a Bill for an Act to amend the Downstate Forest Preserve District Act. Senate Bill #1684, offered by Representative Leitch, a Bill for an Act to amend the Beer

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

110th Legislative Day

March 28, 1996

Industry Fair Dealing Act. Senate Bill #1773, offered by Representative Tom Johnson, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Senate Bill #1777, offered by Representative Myers, a Bill for an Act concerning a livestock management facilities. Senate Bill #1785, offered by Representative Cowlishaw, a Bill for an Act relating to education. Senate Bill #1814, offered by Representative Saviano, a Bill for an Act concerning the conveyance of land. Senate Bill #1246, offered by Representative Wojcik, a Bill for an Act in relation to postpartum care. Senate Bill #1687, offered by Representative Leitch, a Bill for an Act to amend the Illinois Public Aid Code. Senate Bill #1853, offered by Representative Hoeft, a Bill for an Act to amend the School Code. Introduction - First Reading of these Senate Bills."

Clerk McLennand: "Being no further business, the House Perfunctory Session stands adjourned. The House will reconvene in full Session on Friday, March 29th at the hour of 10 a.m."

MARCH 28, 1996

HB-0802 HELD ON SECOND	PAGE	188
HB-0998 RECALLED	PAGE	144
HB-1012 HELD ON SECOND	PAGE	188
HB-1014 SECOND READING	PAGE	6
HB-1249 SECOND READING	PAGE	6
HB-2413 THIRD READING	PAGE	87
HB-2518 SECOND READING	PAGE	6
HB-2518 THIRD READING	PAGE	32
HB-2576 THIRD READING	PAGE	17
HB-2579 THIRD READING	PAGE	43
HB-2592 THIRD READING	PAGE	45
HB-2612 OUT OF RECORD	PAGE	48
HB-2617 SECOND READING	PAGE	66
HB-2617 THIRD READING	PAGE	89
HB-2655 SECOND READING	PAGE	14
HB-2655 HELD ON SECOND	PAGE	6
HB-2655 THIRD READING	PAGE	49
HB-2693 SECOND READING	PAGE	176
HB-2693 RECALLED	PAGE	44
HB-2693 THIRD READING	PAGE	178
HB-2794 SECOND READING	PAGE	14
HB-2794 THIRD READING	PAGE	55
HB-3047 SECOND READING	PAGE	16
HB-3047 THIRD READING	PAGE	95
HB-3141 SECOND READING	PAGE	145
HB-3141 HELD ON SECOND	PAGE	8
HB-3141 THIRD READING	PAGE	184
HB-3395 THIRD READING	PAGE	66
HB-3510 THIRD READING	PAGE	67
HB-3511 SECOND READING	PAGE	17
HB-3511 OUT OF RECORD	PAGE	97
HB-3706 HELD ON SECOND	PAGE	188
SB-0366 THIRD READING	PAGE	145
SB-1228 FIRST READING	PAGE	188
SB-1246 FIRST READING	PAGE	190
SB-1380 FIRST READING	PAGE	188
SB-1402 FIRST READING	PAGE	188
SB-1419 FIRST READING	PAGE	188
SB-1424 FIRST READING	PAGE	189
SB-1440 FIRST READING	PAGE	189
SB-1473 FIRST READING	PAGE	189
SB-1486 FIRST READING	PAGE	189
SB-1494 FIRST READING	PAGE	189
SB-1502 FIRST READING	PAGE	189
SB-1513 FIRST READING	PAGE	189
SB-1527 FIRST READING	PAGE	189
SB-1544 FIRST READING	PAGE	189
SB-1633 FIRST READING	PAGE	189
SB-1643 FIRST READING	PAGE	189
SB-1645 FIRST READING	PAGE	189
SB-1661 FIRST READING	PAGE	189
SB-1684 FIRST READING	PAGE	189
SB-1687 FIRST READING	PAGE	190
SB-1773 FIRST READING	PAGE	190
SB-1777 FIRST READING	PAGE	190
SB-1785 FIRST READING	PAGE	190
SB-1814 FIRST READING	PAGE	190
SB-1853 FIRST READING	PAGE	190
SJR-0087 FILED	PAGE	95

MARCH 28, 1996

SUBJECT MATTER

HOUSE TO ORDER	PAGE	1
SPEAKER DANIELS IN THE CHAIR	PAGE	1
PRAYER - PASTOR MEHENRY	PAGE	1
PLEDGE OF ALLEGIANCE - REPRESENTATIVE NOLAND	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1
96' MISS IL. CO. FAIR, JULIE ANN NIEMERG	PAGE	2
BECKY DOYLE - IL. DIRECTOR OF AG.	PAGE	3
LYNN BOWDEN - PRESIDENT OF IL. FFA ASSOCIATION	PAGE	3
FFA CHAPTER- 65TH DISTRICT	PAGE	5
FFA CHAPTER - FROM SENECA	PAGE	5
REPRESENTATIVE LEITCH IN THE CHAIR	PAGE	17
GUEST - GIRL SCOUT TROOP #1141	PAGE	32
8TH GRADE FROM LINCOLN SCHOOL	PAGE	32
REPRESENTATIVE TIM JOHNSON IN THE CHAIR	PAGE	72
HOUSE ADJOURNED	PAGE	188
HOUSE PERFUNCTORY SESSION	PAGE	188
HOUSE PERFUNCTORY SESSION ADJOURNED	PAGE	190