

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

39th Legislative Day

April 5, 1995

Speaker Daniels: "The House will come to order. The Members will be in their chairs. Speaker Daniels in the Chair. The Chaplain for the day is Pastor William Schroeder of Trinity Lutheran Church in Springfield. Pastor Schroeder in the guest of Representative Gwenn Klingler. Guests in the gallery may wish to rise for the invocation. Pastor Schroeder."

Pastor Schroeder: "Let us pray. Dear Almighty God, gracious and compassionate Father, these are troubled times. The needs of the people seem to be unending while the resources to meet those needs seem to run out all too quickly. Not only do the people have needs, but they also come with their demands and agendas clammering for a hearing. Yet, the din and stridency of their clammering makes it near impossible to think and find objective truth whereby matters can be solemnly judged. For these reasons, Lord, I lift these legislators before Your throne of grace today and bring the following petitions. I ask that You give them the wisdom they will need to make wise and just laws which will bless and encourage those who do right and will curb and discourage those who would seek to do wrong. Give them compassion to enact legislation which will resolve our pressing social needs in a way that confers respect and dignity upon all peoples and which will give them the hope for an independent and prosperous future. Give them a knowledge of what is truly true and truly right and knowing that, give them the strength to stand firmly on that foundation, not allowing personal or political or momentarily popular forces to move them away from or to compromise those ideals. And when they do get swayed, give them the humility to bow before Your throne of grace, admit their faults and find that You are a forgiving God, as You

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demonstrated on Good Friday through Your Son. Give them the strength to rise up and again, take up the challenge which they have been given. Give them tough skins to be able to take the political heat, yet keep their hearts tender and sensitive to the needs of the people they serve. Jesus said that the one who leads best is the one who humbly serves best. Let them never forget all the little people who put them into office, entrusting them with their futures. May everyone standing before You today, solemnly resolve to never break that trust. Oh, dear Father, You created the family, father, mother and children to be the basis unit of society, the place where faith, respect, morality, and love are both taught and modeled. Thus, I pray especially for the families of these legislators that You would protect them from all the attacks and pressures that can cause any of these men or women to end their terms saying, I served my people well, but I failed my family. Help them to religiously carve out time in their schedules to let their spouses and children know that they come first. For terms of office may end, but families are to last forever. And finally, as we approach the glorious times of Good Friday and Easter morning, remind these men and women that those lead best who know You best, who know Your grace and forgiveness, who know that they are here for a higher purpose than pushing a specific political agenda, who know that they may legislate, but ultimately, it is Your will that is accomplished. To that end, I ask You to grant Your gracious response to these petitions, even as You have commanded all Your people to pray for their leaders. In the name of our Lord and Savior, Jesus Christ, Amen."

Speaker Daniels: "We will be led in the Pledge of Allegiance to

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the flag by Representative Tom Johnson."

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

Speaker Daniels: "Roll Call for Attendance. Representative Currie is recognized to report any excused absences on the Democratic side of the aisle. Representative Currie."

Currie: "Thank you, Speaker. Please let the record reflect that Representative Ben Martinez is excused today."

Speaker Daniels: "The record will so reflect. Representative Cross is recognized for any excused absences on the Republican side."

Cross: "Thank you, Mr. Speaker. I'm happy to report on the Republican side, there are no absences."

Speaker Daniels: "We have a new face among us today. If I can have your attention, we have a new member of the General Assembly that I would like to introduce to you. His name is Representative Hernando Frias, who is replacing his brother, Ray Frias, who is now an alderman in the city of Chicago. So will you please join me in recognizing and welcoming Representative Frias to the General Assembly, welcome. Please send your brother our best as well. Clerk, take the record. The record shows there are 117 Members present and there is a Quorum. House Bills Third Reading. House Bill 892, read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 892, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Daniels: "I move the Bill to Second Reading. House Bill 2080, read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2080, a Bill for an Act that amends the Illinois Vehicle Code. Third Reading of this House

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Bill."

Speaker Daniels: "Return the Bill to Second Reading. House Bill 2204, read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2204, a Bill for an Act that amends the IL Identification Card Act. Third Reading of this House Bill."

Speaker Daniels: "Return the Bill to Second Reading, Mr. Clerk. House Bill 2249, read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2249, a Bill for an Act that amends the State Finance Act. Third Reading of this House Bill."

Speaker Daniels: "Return the Bill to Second Reading. House Bill 2332, read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2332, a Bill for an Act concerning taxation. Third Reading of this House Bill."

Speaker Daniels: "Return the Bill to Second Reading, Mr. Clerk."

Speaker Daniels: "House Bill 955. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 955, a Bill for an Act to create the Parental Notification Act of 1995. Third Reading of this House Bill."

Speaker Daniels: "The Chair recognizes the Gentleman from Cook, Representative Parke. Ladies and Gentlemen. Ladies and Gentlemen of the House. Can we please break up the caucuses on both sides of the chamber? Staff please remove yourself to the rear of the chamber. Ladies and Gentlemen. Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 955, is parental notification for abortion. I cannot think of a more difficult and personal issue for legislators, for people in our society, for families to make than the decision that affects a minor child when she is pregnant. From the moment my two daughters were born and handed to me I promised myself that



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I would love, nurture and protect them. I find it unbelievable that in the State of Illinois we do not have a Parental Notification Bill of Abortion. One that allows families, in whatever form they are, to be able to just sit down and discuss what a minor child is going to do with a pregnancy. This Bill addresses what is best in the interest of a minor, what is best for the decision for that child. I will remind everybody that this Bill is not an abortion Bill, it is a Notification Bill. This is good public policy in all forms that the family finds itself. This Bill will allow families to talk and discuss, with a minor daughter, what to do with a pregnancy. This decision, either way that this child makes, will have a life long effect on their lives. This compromise was worked out with various Legislators who favor notification. It was long and drawn out, hours and hours went into the discussion. Representative Ann Hughes, Representative Pat Lindner and Representative Tom Cross and myself met for hours. We also met with a member of the Illinois Federation...Right to Life for a consultant on the issue. We think this Bill as presented is good public policy and is necessary for the citizens of Illinois. I would like to recognize Representative Ann Hughes who also worked with me to come up with this Bill and during the process of discussion, if the Chair would so permit me from time to time, I would like to have Ann, Representative Hughes, address this issue and answer questions when they come up so that she can give her perspective on the issue and answer questions. If the Chair will give us the courtesy of that. I stand ready to answer questions but I will highlight two areas that tend to be focal points on the discussion. One is the notification by physicians and the

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other is the..."

Speaker Daniels: "Excuse me, Representative Parke. Ladies and Gentlemen. Both sides of the aisle. A very important piece of legislation. May we have your attention, please?"

Parke: "...there is the notification...the penalties in which a physician will be held if he or she breaks the law. Under the legislation, we have agreed with the medical society that we will allow the Medical Review Board to discipline those physicians who break the law. That Medical Review Board can recommend to the Department of Registration and Regulation to suspend or revoke the license of a physician who breaks the law. If they're convicted by the Medical Review Board or the by the Department of Registration and Regulation there is a first time \$1,000 mandatory penalty and fine. There is a second and subsequent of \$5,000 mandatory fine. In addition, as I said earlier, a physician can lose his or her license or they can have it suspended. Those...those of us who would have liked to have had a stronger piece of legislation had to realize that we have to work within the confines of what is reality. Reality means a Bill that will pass, a Bill that we can send to the Senate. I would like to have Representative Hughes address the issue of notification so that the Body can understand the perspective of both sides who favor notification on this issue. If the Chair will give us courtesy, I would like to have yield to Representative Hughes on this issue."

Speaker Daniels: "Representative Hughes."

Hughes: "Thank you, Mr. Speaker. The Bill we have before us today is one that is aimed at one objective and that is to encourage a minor who faces the most difficult decision of her life, that of whether or not to terminate a pregnancy."

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Under the guidelines of loving care and nurturing of an individual, hopefully her parent, but for those many instances where the parent either is not there or is not that loving and nurturing parent, we would wish for every young lady a grandparent or a stepparent living in the household. The purpose of this Bill is to encourage minors to seek that counsel. Thus the provisions in here which go beyond a parent only for notification. I think when we think about this Bill we need to stand back from that issue, which we've discussed at great length, of pro-life versus pro-choice. We need to stand back and look at the minor and the situation she's facing. We need to stand back and look at our constituents and how they view this issue of parental notice. It is not viewed there as an abortion or anti-abortion issue. Many, many constituents in my district and in yours who are pro-life, and who equally are pro-choice, are supporters of parental notification. An overwhelming majority are supporters of parental notification. This Bill reflects that feeling, this Bill also reflects the reality that there is not the birth...the blood mother and blood father in every household. I believe it is a good Bill in that it does recognize those factors and that it has a very broad base of support amongst all of our constituents."

Speaker Daniels: "Any discussion on the Bill? The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. In an ideal world children would be very forthcoming, very open with their parents. They would be happy to discuss their intimate issues, their serious problems. In the real world not all children live in families in which they feel they can comfortably take their most serious problems to mom and

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dad. In the real world most young women do tell a parent when young women become pregnant but some do not. And the question is, what it should be our public policy with respect to those young women who do not. I believe that House Bill 955 is fundamentally flawed. This is not a Bill that encourages young women..."

Speaker Daniels: "Excuse me. Excuse me, Representative Currie. Ladies and Gentlemen. Please give Representative Currie your attention. Continue."

Currie: "Thank you, Speaker. I believe this Bill is fundamentally flawed, it does not encourage communication within a family, rather with very narrow exceptions, it mandates it. I don't think we can do that, I don't think, powerful as we are, we can legislate happy families in the State of Illinois. There is a judicial bypass procedure that is part of this Bill. Let me ask you, in the real world, what young woman, who is afraid, who is shy, who is unable to tell mom or dad that's she's pregnant is comfortably going to go to the courthouse and tell the facts to some judge? Let me remind you that there are no standards in this Bill under which a judge might make a determination that this young woman is mature enough to make the decision to abort and that young woman is not. In the experience of other states with judicial bypass, we see totally differing decisions based on facts that are quite similar from one part of the state to another. In rural Indiana, for example, the judicial bypass results in very few decisions that a woman may make this decision herself. Where in as in the north part of the state, it is very uncommon for a judge on the same set of facts to say that this young woman is not in the position to take her own best interest into account and make a decision that makes

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good sense for her. The real effect of legislation like this, is not to encourage better relationships and better communications within the family. The real effect of legislation like this is to delay abortion until it becomes not only more dangerous for the teen woman, but I would think, from a public policy prospective, less comfortable for each and everyone of us. There is a major risk that the requirement that a parent be notified will result in development of the back alley abortionists, that were so common before the United States Supreme Court concluded in Roe versus Wade that the right to abortion is a fundamental right protected by the United States Constitution. The horror stories of women who ended up maimed, who ended up dead because abortion was not available will be a story that I think will be told among young women in the State of Illinois if this Bill becomes law. We can't legislate happy families. If we want to talk about serious notice, maybe the Bill ought to say, tell mom and dad before you decide to have sexual intercourse with your young partner, maybe that would get us further, further forward along the lines that maybe we'd like. But as you know and I know that isn't going to work anymore effectively than this will. The real effect of this measure is to punish young women, to require them to wait longer for abortions that will then less safe for them, less available to them. It is bad public policy and the right vote is a 'no' vote."

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

Skinner: "Mr. Speaker, this is definitely a headline Bill without the substance which is promised. There is secrecy throughout this Bill. There is a court bypass in which there is totally secrecy. If you read the language in the

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Bill, which I suspect most of us have not, you will see...you won't even know how many...reporters won't even be able to go to the courthouse to find out how many people have requested a judicial bypass. It said that the Governor will sign this Bill and I guess the secrecy involved is consistent with his Department of Public Health's refusal to release the number of abortions performed in Illinois. On November 11, excuse me, November 22, 1989 the Ragsdale Case came down in the State of Illinois, a consent decree. In that consent decree was the ability, in fact the Mandate, for the Department of Public Aid...Public Health to count abortions. To this date the Department of Public Health has not released any monthly or annual statistics of the number of abortions in Illinois. The best guess we have comes from the abortion industry, from Planned Parenthood, over 70,000. But secrecy is consistent with this Bill, Mr. Speaker. All a girl has to do to get an abortion is to go into the abortionist's office and claim in writing that she has suffered neglect. Now I will go back through some reasons that she could use in a minute. But I would like to point out that there is absolutely no audit of the abortionist's records. So as absurd as you may think, some of the examples I'm about to read are, no one is going to be able to contradict them because no one is going to be able to look at the abortionist's records. Now if you wanted get an abortion without telling your parents, under this Bill, first of all you would tell a grandparent, maybe a couple thousand miles away to write you a note of approval and maybe granny or grandfather would do that for you. Secondly, you could get a friend to write and sign the note saying it's from your parent. Thirdly, you could get some adult to go

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in...in the abortionist's office with you and say this is my child, I approve giving her an abortion. They're not going to have to check on the identity of the person. Fourthly, you could go to the Circuit Clerk's office and ask for help in getting an abortion. The clerk's office will tell you how to get a free lawyer, everything will be secret. I re-emphasize no one will know you've been to court, your parents won't know, in fact no one in the entire county will ever know that you've been to court or that anyone has been to court. Of course, you could just go to the abortion clinic and ask them to send your parent a certified letter and then tell your parent that the sheriff's department has been trying to serve you a summons. Now certified letters are attempted to be served three times. If you don't sign the little form the certified letter doesn't get...doesn't get delivered. Well, you could write down that your stepparent or one of your parents or grandparents had fondled you. You'll get the abortion and you'll get that grandparent, stepparent or parent in big trouble with the Department of Children and Family Services. You could write that your stepparent or one of your grandparents or parents has neglected you because he or she refused you enough food or enough clothing. You'll get the abortion but you probably won't get parents in any trouble, the doctor won't report that to DCFS. You could go to the abortion clinic and write down that you're...that you had a headache last night and your parent or stepparent refused to get you an aspirin. Now we all know that a school child can't get an aspirin without their parents permission but somehow I think the abortionist will, go with the money, give you the abortion and probably this won't get you in any trouble at all. You

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could write that one of your stepparents or your grandparents or your parents has neglected you because she locked you out of the house because you didn't make it back by curfew time. You'll get the abortion and certainly you won't get your relative in any trouble. Or you could just go in and say you're in mental anguish, no you have to write it down you can't just say it, you're in mental anguish because you can't talk to your parents, you can't tell your parents you're pregnant. In fact, you've never been able to talk to your parents about anything and you want an abortion. You'll get the abortion and no one will be told. This Bill maybe titled Parental Notice but it is not parental notice. Parents can be avoided under this Bill so easily that it does not deserve the title. This Bill, it seems to me, will continue the cover-up of abortions in the State of Illinois which the Department of Public Health and now this General Assembly that passes this Bill and if the Governor signs it, are deliberately presenting to the public. It does not deserve to be called parental notice. It is a parental avoidance Bill."

Speaker Daniels: "The Lady from Cook, Representative Erwin. Ladies and Gentlemen. Ladies and Gentlemen. Both sides of the aisle. Ladies and Gentlemen."

Erwin: "Thank you, Mr. Speaker. I rise to oppose House Bill 955. I must confess that I think out of many, many issues that this chamber deals with I appreciate how very, very difficult this particular issue is. And in fact I must say that for those who support House Bill 955, let me say in the onset, that I respect your concern to...for families and indeed for life. Because, indeed, there is nothing more precious than life and that's what we ought to be about in this chamber. Unfortunately, we face a difficult



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situation in that every child that is born in this state, is not born into, what I think Representative Parke and I might agree, is not a loving, caring family. And I mean, Representative, a caring mother and a caring father because I do think two parents provide the very best home for children. We know that every child born in this state does not...is not born into this kind of a family since we in this chamber spent a great deal of time discussing the adequate and appropriate punishment for all of the evil people in this state. We have debated endlessly, truth in sentencing, what we believe is the appropriateness of the death penalty, who should have it for all of these people. We know from the Department of Corrections that the violent offenders are in fact increasing. And so we agree that everyone does not present a perfect family or a perfect mother and father. That being the case, it seems to me that on this indeed very difficult issue, we must recognize that the rate of unintended pregnancies in the State of Illinois is among the highest in the United States. That indeed children are brought into the world, into not only an unintended situation but an unloving, uncaring, unwanted situation. Now, Representative Parke, in my wildest dreams I do not believe that you want children to be harmed, in my wildest dreams. My fear is that this Bill will do exactly that, that indeed there will be children born who will be killed, who will die because they are born into unloving, unwanted families. This morning's paper only can tell us, baby stabbed, found in trash chute, infants thrown down incinerators, born into families where a teenager has no idea what to do, Representative Parke. Has no idea how to find a judge, may have been raped by father or brother or mother's boyfriend. As I said at the onset, I respect the

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concern for those who put forward this piece of legislation. I ask you in that concern for life, for the quality of life, please, please reconsider this legislation. The unintended consequence of this legislation may be the exact thing that you do not want to happen, which is harm, injury and death to children. As difficult as this is and for parents who love their children this can only be the most difficult, difficult issue. When you don't want your child to get their ears pierced, as my colleague reminded me this morning, this is not ear piercing, this is about life and allowing a frightened victim, frequently, to be able to have a legal option to have a life and so that unintended pregnancies that bring into this world children who are killed, who are harmed does not happen. With all due respect I would urge a very strong 'no' vote."

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

Mulligan: "Thank you, Mr. Speaker. I too rise in opposition to this Bill. I certainly agree with Representative Currie and Representative Erwin. I'm sure that the Legislators who negotiated this compromise thought that they were doing the right thing."

Speaker Daniels: "Excuse me, Representative. Ladies and Gentlemen. Please give the courtesy to your fellow colleague. Thank you."

Mulligan: "It has been said that if both sides in the negotiation are not 100% happy then it was probably a fair negotiation. But I would state that this is not a divorce settlement or a business deal, this impacts the lives of young women. Are we ourselves so far from being a young person that we don't remember the turmoil that accompanies those years? Do we not remember that what we didn't tell our parents or

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why we didn't tell them? The American Medical Association Counsel on Ethical and Judicial Affairs in a recent report in the Journal of American Medical Association, January 6, 1993 observed that the expert opinion to date and the available empirical evidence to date generally supports the view that physicians should not require minors to involve their parents before deciding whether to undergo an abortion. The AMA further noted that parental involvement laws do not significantly increase the proportion of adolescents who consult their parents about a pregnancy. Rather, they appear to increase the health risks to the adolescent by delaying medical treatment or forcing the adolescent into an unwanted birth. Safety, the risk of dying from pregnancy and childbirth is nearly 12 times greater than the risk of dying from an abortion. Other medical public health groups have opposed compelled notice. The National Research Counsel of the National Academy of Science concluded that when considering abortion minors should be encouraged but not required to involve their parents and partners in the decision making process. The American Public Health Association and the Society for Adolescent Medicine have reached the same conclusion. Further the American Medical Association, the American College of Obstetricians and Gynecologists, the American Academy of Pediatrics and the American Academy of Family Physicians have taken the public position and a joint statement that address the issue of confidentiality for adolescents seeking medical care. That adolescent should have the same degree of confidentiality that adult patients do. Most minors, especially young minors, tell at least one parent but many minors unfortunately fear abuse. The federal government estimates that approximately 1.5 million

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cases a year of physical abuse and neglect are apparent, many more cases of emotional abuse. Can we overlook the fact that in the City of Chicago, less than two weeks ago, a live-in boyfriend doused two young children with charcoal lighter fluid because of \$20 worth of food stamps? Imagine what would have happened if the young girl in that case had come home and stated she was pregnant. These are the types of situations that we look to get around and not having parental notification. We do not know what our children are going to do and it certainly is a political issue. Many parents in our home districts would like to be informed. I, as a parent, would hope that my children would come to me with any important decision, but we never know and if you've raised more than one child in a family you also know that each child is different and what they may do under a situation of stress or what will happen is very difficult to gauge. The fact of the matter is that most young people do come to their parents and in cases when they don't want to tell their parents, to what extent do they go? On one end of the extreme we have a child who is in a loving home and hopefully would tell their parents, but is so fearful of disappointing those parents that they look for another solution. Sometime causing permanent damage to a young girl, sometimes even death. On the other side of the spectrum we have abuse, they cannot tell the parent, they cannot tell because it was rape, because it was incest, because there is alcoholism, because they fear physical abuse. What extent will they go to avoid that? It certainly isn't to go into court and seek a judge. For the simple reason that, that is not a good solution in every case, particularly in surrounding states we find the judges are reluctant to do that. I'd like to close and let

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me make it very clear, I'm not against a young girl talking to preferably a loving parent nor a young boy in that situation who is the father of the child, an adult who would counsel her. I'm for that and I would hope there would always be someone there for them. Nor do I stand in judgment of what that counsel should be, for or against abortion. I think that is a personal and private decision and we as Legislators cannot possibly legislate for every life situation. But I think we cannot tell what a young girl may or may not do in this situation and in most cases when a young girl does not talk to an adult, where she will go or how she will solve the situation, may be at risk of her life. I would stand against this Bill or any Bill of parental notification and I must stand against it as a Republican woman who certainly thinks that there should be some other issue that is important to our..."

Speaker Daniels: "Please bring your comments to a close."

Mulligan: "Thank you, Speaker. They are at a close, I just think that we should not vote for this Bill."

Speaker Daniels: "The Gentleman from Cook, Representative Blagojevich. Ladies and Gentlemen, could I please have your attention? I know you've been gone for a week and everyone wants to say hello again. But this is a very important piece of legislation. Representative Capparelli, Representative McAuliffe, thank you. Representative Blagojevich."

Blagojevich: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Thank you. I rise in opposition to this Bill. I think most of us would agree that parental notice is something that we all support. I think there isn't a person in this chamber who wouldn't say that a child or a young adult ought to tell her parents that she intends to

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have an abortion. The reality however is, that many instances there are families that aren't families. We all know, in many instances, we've got legislation that designed to try to bolster the family unit. In many communities in our state we don't have family units that are adequate to allow for a young girl to make a decision whether or not she should or should not have an abortion. And even in the best of family situations there are going to be instances where a young woman doesn't want to explain to her parents, the embarrassing nature in many respects, of an unwanted pregnancy. The consequences of not acting...of acting on legislation of this sort could be troubling to many people and particularly the young women. The concern here isn't just telling a parent the problem also is that where a young girl doesn't want to alert an adult to an abortion she would find an alternative ways of having an abortion that could be dangerous to her health. So I would urge everyone to vote against this legislation for a host of reasons and I say this as someone who supports the concept of having a communicating scenario in the family. But you can't legislate a family unit that works properly and you can't legislate someone or mandate someone by law to tell their parents something that they may not tell. There are many of us in this chamber of the male gender who in our younger lives as teenagers may have done things that we didn't want to tell our parents about..."

Speaker Daniels: "Excuse me, Representative. Ladies and Gentlemen. Go ahead Representative."

Blagojevich: "...and so to burden young women, with something that we as men would not be burdened with, seems patently unfair. I urge everyone to vote against this legislation.

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This is not an easy vote for many of us. If you look at the polls, it's clear that people support parental notice. But like most polls those polls don't ask the kinds of questions that accurately reflect how people think on issues. This is a very simple question that they probably poll on. Should a young woman seek the counsel of her parent with an abortion? And so a poll result would reflect that in most cases we would all agree that she ought to. But if you explore the issue in more depth, if you question further on the issue, you'll find and if you raise questions about the consequences of families that are not conducive for communication, you'll find other answers on some of those polls. So I think it's important for us to take a leadership role and be able to explain our votes in our districts. I urge everyone to vote against this Bill and I think again if the question of young women's health and the choice of young women to make decisions in their own lives. One last point, a woman can give birth to a child without the consent of her parent. A woman could...a young woman could have a c-section, which is a far more serious surgical procedure than an abortion, and she can do that in Illinois without the consent of a parent. Yet, we're going to mandate for a less dangerous surgical procedure, we're going to mandate the young women have concede to consent of a parent, it seems to me that patently unfair. And so, based on that, I urge everyone to vote 'no'. Thank you."

Speaker Daniels: "The Lady from Lake, Representative Andrea Moore."

Moore, A.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 955 two years ago was a...had a different number and it was a Bill that I Sponsored and

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there has been a very, very thoughtful and committed effort to try and compromise this Bill in order to get a parental notification law passed. With all the different issues that are involved with this emotional subject, it's not easy to gain consensus. In my district, this is not an issue of whether or not abortions are legal. It is an issue of parental responsibility. Clearly we cannot continue to legislate in other areas, encouraging parents to be responsible for their children. Responsible, not only financially but for the emotional health of their children and not look at this Bill and say this is something that I should support. This is not a perfect Bill, it is changed from the Bill that I Sponsored two years ago but I think it's a compromise that does deserve my vote and I intend to support it, I would encourage all of you to do the same."

Speaker Daniels: "The Lady from Cook, Representative Connie Howard."

Howard: "Thank you, Mr. Speaker. I'd like to yield my time to Representative Schakowsky."

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

Schakowsky: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. Will the Sponsor yield?"

Speaker Daniels: "Indicates he will."

Schakowsky: "Representative, do you think that minors have the right to make any medical decisions without parental consent?"

Speaker Daniels: "Representative Parke."

Parke: "Representative, the issue before us is 955. The issue I'm going to address is 955. I believe that they should have the right and all parents should be notified when a minor daughter seeks an abortion."



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Speaker Daniels: "Representative Schakowsky."

Schakowsky: "Well, this Bill is about the issue of minors, young women, because they don't...can't make good judgments, being required to notify a parent or a grandparent. So the question of whether or not a minor is able to make important medical decisions is, I believe, relevant and in fact has been well established in Illinois law where emergency services for rape, services for sexual assault or abuse, birth control services, prenatal care or delivery, all of those can be provided without parental consent. Major decisions that minors can make. Do you think, let me ask you this, do you think that a judicial bypass will cause a delay in the performance of an abortion?"

Speaker Daniels: "Ladies and Gentlemen. Ladies and Gentlemen. Representative Parke."

Parke: "Thank you. It is not the intent of this legislation to delay the decision of an abortion. It is an attempt, that if a minor child not an adult, not a woman, a 13, 14, 15 year old child, has to make a decision on what she is going to do with a pregnancy and is fearful that this would cause some kind of harm, as defined in the legislation. She then has the right to go to a judge and seek permission from the court so the judge will step in place of the parent and will then rule favorably or unfavorably in that situation."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "The question was, do you think the requirement for a judicial bypass though, in the real world, will delay an...I...that may not be your intent, but I want you to think about it. It's hard for me to conclude and I would think it would be for you, that if a girl is agonizing over this, can't tell her parents that going to a judge would cause a delay in an abortion. Yes or no? Do you think it

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will cause any delay in a young woman getting an abortion?"

Speaker Daniels: "Representative Parke."

Parke: "On page 5 of the Legislation it says, these procedures shall be given precedence over all other pending matters to the extent necessary to insure that the court reach a prompt decision promptly. So it would be my intent, with this legislation, that the court act as immediately and expeditiously as possible to render a ruling that that child can use to determine what she'll do with that pregnancy."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "Yes. But don't you think that the decision then to go to court in and of itself, is going to delay...I actually, you're going not answer the question again and repeat that. But my contention is, that a judicial bypass means a delay. Are you aware of what a delayed abortion, that is postponing it, what the effects of that are, of that is...of a delay in an abortion being performed?"

Speaker Daniels: "Representative Parke."

Parke: "No, I do not."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "Well, let me read to you what the Council on Scientific Affairs for the American Medical Association says. It says that, 'the introduction of mandatory waiting periods and parental consent and notification statutes et cetera have the potential to threaten the safety of induced abortions. Each of these factors increase...increases the gestational age at which the induced pregnancy termination occurs. Thereby also increasing the risk associated with the procedure'. Along that lines, can you tell me what is the...'

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "Could you tell me, what is the purpose of a 48 hour

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waiting period?"

Speaker Daniels: "Representative Parke."

Parke: "There is no waiting period in this legislation. It is constructive notification of which that refers. It says that if a physician cannot find a person who is considered the, what's the term for guardian, of an adult family member in the process of going about making decision, then the physician has the responsibility within 48 hours to notify that person that an abortion will be performed within that...after that 48 notice has delivered...within that 48 hours notice. So that as soon as the doctor goes to the post office or his or her designee, goes to the post office, signs the form, says here is a certified letter to the parents saying I'm showing good faith trying to reach that parent or grandparent or adult living in the home, then I have fulfilled my responsibilities under the letter of the law and that is the intent of that."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "I guess then I'm not clear here. It says,...that the referring physician has given at least 48 hours notice to an adult family. So that physician, even after mailing that letter, has to wait, more importantly, the young woman has to wait for two days, 48 hours, in order to get that abortion is my understanding."

Speaker Daniels: "Ladies and Gentlemen. Representative Parke."

Parke: "Again, it is not a waiting period, it is simply the procedure which a physician uses to notify the adult family member."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "Are you aware of how many counties in Illinois do not in fact have any abortion clinics?"

Speaker Daniels: "Representative Parke."

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Parke: "I apologize Representative, I was talking to staff.

Could you repeat your question?"

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "Are you aware of how many counties in Illinois do not have any abortion clinics or any places where abortions can be performed?"

Speaker Daniels: "Representative Parke."

Parke: "Representative, again in courtesy to you. I would like to remind you that I am only talking about a notification of a family member. I don't understand the rationale of where abortion clinics are. So perhaps, you'll enlighten us why you've asked that question."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "The reason I mention that is because 95% of counties in Illinois do not have abortion clinics. Despite what you say, I interpret and I think the courts might interpret your legislation, as requiring the 48 hour notification period and therefore girls being burdened with having to stay in a hotel overnight, having to make two trips possibly to a clinic to get what they need and putting an undue burden on those, so that's the point. I also want to ask you if you're aware of the right of privacy which is guaranteed in the Illinois Constitution?"

Speaker Daniels: "Representative Parke."

Parke: "Representative, I am fairly sure that if, in its wisdom, the legislative House passes this legislation and the Senate concurs with it and the Governor signs it, that it will be brought to court, for those kinds of constitutionality questions to be decided and at that time the courts will determine whether or not there is a flaw in it or not. I don't believe that you and I in debate can come up with what the courts might very well rule on it."

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Speaker Daniels: "Representative Schakowsky."

Schakowsky: "Well, I think it's pretty irresponsible for us not to consider what the Illinois Constitution says and that...what it does say is that, people of Illinois have the right to be secure in their persons against unreasonable invasions of privacy, something that the U. S. Constitution does provide. And in Family Life League versus Department of Public Aid, that was interpreted to mean a fundamental constitutional right of privacy which encompasses a woman's decision of whether to terminate her pregnancy. And a woman is not defined necessarily as a minor or an adult here. So I think it is our responsibility to consider that. Another decision felt that there needs to be a compelling government interest..."

Speaker Daniels: "Representative Stephens, the Gentleman from Madison."

Stephens: "Thank you, Mr. Speaker. I have listened to the debate here this morning and the early afternoon and I think we're avoiding the issue. Really the relevant issue here is, is how do you feel about families and families input into a child's decision? We're talking about minor children here. The simple dignity of the family has to be remembered. This is not about pro-abortion or pro-choice. It's about families and whether you think that families ought to have input when a traumatic situation presents itself to a young child. You know the November elections should have sent a rather strong message to all of us. I think most of heard that message and what the voters said in November was, what we expect from government is some common sense, common dignity and a reflection of our basic values. And when you talk common sense and you talk common dignity and a reflection of the people's values in the State of Illinois,

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no better example of that can be found than in House Bill 955. A Bill that may be not perfect in your eyes, if you are on end of the spectrum or the other. But if you want to represent the interest of the families of Illinois and I believe that's what we learned in the November elections, that's what we ought to be about. Then I think you should stand in support of House Bill 955. It is a reasonable piece of legislation that I think that if the Senate has a chance to rule on it, they will pass it and I believe the Governor will sign it. This is a common sense dignified approach to a very touchy issue and I urge its passage and your support."

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

Ronen: "Thank you...thank you, Speaker. I rise in opposition to House Bill 955. Regardless what...of what the Sponsors of this Bill would tell us and would have us believe, this Bill is an abortion Bill. Its purpose, its intent is to restrict abortions, to put up artificial barriers to abortions and to harass doctors in clinics who are going to be performing abortions. This Bill is not about families, it's about abortions and trying to put up unfair and artificial barriers. This Bill is not good public policy. Every major public health and child advocacy organization, as Representative Mulligan mentioned, opposes this Bill, they oppose mandated notification because they know that those kinds of laws endanger the health and lives of teens. So, we're not helping people, we're putting people in more, more harm. The purpose of this Bill, let's be clear, is to restrict abortions. If you are pro-choice the only vote is to vote against this Bill. This Bill is not good public policy, it must be defeated. This Bill, if you want to be a pro-choice Legislator, the only way you can vote on this

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Bill is to vote against it. I urge all my colleagues to vote against this Bill."

Speaker Daniels: "The Lady from Cook, Representative Flowers."

Flowers: "Mr. Speaker. Will the Gentleman yield?"

Speaker Daniels: "He indicates he will."

Flowers: "Representative Parke, what is the purpose of this legislation, would you please tell me?"

Speaker Daniels: "Representative Parke."

Parke: "It's the...the purpose of the legislation is to notify an adult family member, as defined in the Bill, specifically a care giver, somebody who is giving nurturing and loving attention to that child or who has responsibility for that child, whether it's court appointed or who has assumed responsibility to that child so that they can discuss the issue of her pregnancy."

Speaker Daniels: "Representative Flowers."

Flowers: "Representative Parke, would you believe that there's a possibility that there are some teens out there who no one care about, who have no one to talk to or...I mean, is it possible that this does not apply to all teenagers? So therefore this Bill is not applicable, it's not equally done."

Speaker Daniels: "Representative Parke."

Parke: "Representative, in the issue like this, this Bill cannot be perfect, it cannot address every situation that develops in our society, on that point you are correct. There is no Bill, no matter how we would try to structure it that can solve every problem that could be conceived."

Speaker Daniels: "Representative Flowers."

Flowers: "Representative Parke, I understand that there is no perfect piece of legislation and this truly is not one. What we're doing here is endangering and

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encouraging...we're endangering the lives of many of teenagers to go there and have illegal abortions. Long ago there was a song out called, How Can I Tell My Mom and Dad That I've Been Bad? That was the title of the song back in the Sixties and parts of the lyrics of the song was that, should I go out into the night and let the motor sound run? Do you understand what that is, to let the motor sound run? Rather than to tell my mother and father that I'm pregnant or the song says, How Can I Tell My Mom and Dad That I've Been Bad? And rather than to be disgraced, to tell them that I failed them by becoming pregnant, I would rather go out and let the motor sound run on a car. Is this what we want our teenagers to do, that's question number one? Question number two, this Bill is truly punitive specifically for teenage girls because it does not address the male child, teenage or otherwise, who impregnated this teenager. This Bill does not do that, so therefore I cannot understand for the life of me, why is that we're going to send this female teenager all around to these strangers. We're sending her to strangers to talk to because your Bill says, there must be an adult. And I want you to please explain to me because some teenagers have more sense than adults, how does one constitute adult? Are you talking about through the age factor? Is that what makes an adult an adult?"

Speaker Daniels: "Representative Parke."

Parke: "Well, the answer to your second question first, unfortunately in our society we cannot define adult, but we have certain guidelines that presumes what an adult is. Under the legislation it's an adult is someone over the age of 21. So that's defined in there, you may like or you may not like it and it may be exceptions to it, which I'm sure



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there are. But the second part of your second question was that it doesn't address the male who impregnates this child. Well, Representative, if you want to work on developing a piece of legislation that will address that issue, I will be pleased to work with you on that legislation. But the fact of the matter is, we are dealing with 955 as is presented today. Other than that, I'll be happy to try and work with you on something similar to that. To address your first question, there are always going to be instances where somebody is going to make a decision that will affect their lives. I contend that once a child becomes impregnated that all the decisions will have a lifetime effect on them and that they have to decide whether or not they want to keep the pregnancy, they want to put the child up for adoption or they wish to keep the child, that is something that they will make. But when you figure that you have a young person, a young child, under the age of 18 that easily could be frightened and scared and worried, of course, they don't want to go to the parent. This is an awkward, embarrassing situation with trauma at every curve. We're saying that some care giver ought to be with her instead of her proceeding to an abortion clinic and making a decision that will have a lifetime effect on her without anybody consulting..."

Speaker Daniels: "The Gentleman from Bureau, Representative Mautino. The Lady from Cook, Representative Kaszak."

Kaszak: "Mr. Speaker, I'd like to yield my time to Representative Schakowsky."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker, for your indulgence. I was asking a question, Representative. Will he yield? That in order to override the states guaranteed right of privacy,

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in Stein versus Howlett it said that there has to be a compelling government interest to do that. What is the compelling government interest here, in this issue?"

Speaker Daniels: "Representative Parke."

Parke: "Quite frankly, Representative, the will of the people of Illinois is the basis for this legislation. It is the basis of which law is formulated, it is my intent to form a Bill, a piece of legislation, that will affect the will of the people. It also is an intent of this legislation to protect the well being of minor children, minor daughters in this state."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "Representative, do you think that the effect of this Bill will be to reduce the number of abortions that are performed in Illinois?"

Speaker Daniels: "Representative Parke."

Parke: "It is not our understanding that that will happen. This Bill again, I will remind you for probably the third time maybe the fourth time, that this Bill is a Bill that will allow care givers to talk to their minor daughters who have become pregnant."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "To the Bill. Twice now you have used the word allow, that this Bill will allow care givers to talk to their children or minor girls to talk to their parents. There is nothing preventing young women right now. What this Bill does is require and in that regard I'd like to talk about not a dysfunctional family but a loving family. I'd like to talk to you about a mother and father that I had lunch with about two years, their names are Karen and Bill Bell, they're from a family that is a very middle class, beautiful family, a boy and then a girl."

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Becky...Becky Bell was 17 years old, they consider themselves a very close family. Karen Bell said she's the kind of mom that would have been for this Bill that she would have been for parental notification. And then Becky became pregnant and made the decision not to disappoint her parents. This is not a family where there was abuse and neglect, there was only love and she didn't want to disappoint her parents. So Becky, feeling herself to be a young woman of competence, went out and decided to take care of it for herself. She had an illegal abortion and even as Becky lay dying Karen said she held her hand and said, Becky please tell mommy what happened and Becky would not take...would not tell her mom and took this shame with her to her death. I contend that this is a piece of legislation that will cause young women to die. That this is a Bill that will cause some of our daughters, I hope this never happens, to make a decision to seek an illegal abortion. Young women in loving families as well as dysfunctional families. This Bill is about limiting the right to an abortion, this is...this is an anti-choice piece of legislation. And as a consequence of this legislation young women in the State of Illinois are put at risk of death. I urge a 'no' vote."

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

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

Speaker Daniels: "Indicates he will."

Lindner: "Thank you. I would like to make some clarifications for purposes of legislative intent as to some things that have been said. In the notice provisions, the people who are to be notified, I think there is a confusion, it is only the step-parent who has to be living in the home. The grandparents do not have to be living in the home in order

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to be notified. Plus the 48 hours constructive notice provisions, the notice commences at the time notice is mailed. The third thing is, that there are no penalties to the minor in this Bill that the penalty provision for someone who signs a waiver, who is not a person to whom notice is to be given, applies to that person and not to the minor. And there is also a provision in this Bill so that no parent could ever force a minor to have an abortion if the minor did not want to have one. I believe we don't get perfect Bills here in the State Legislature. If I had my way I would had government stay out of this issue altogether but we are always forced to vote on issues that we really don't want to vote on. This compromise was done in good faith, both sides were operating, not out of who was pro-choice or who was pro-life but what would be in the best interest of a minor in this difficult situation. If I had my way I certainly would have more people that the minor could notify but I do feel that the notice provisions are extensive enough that the minor would be able to give notice in one of those ways and never even have to go to the extent to have a judicial bypass. There are many reasons that we vote for Bills on this House floor. One, of course, is what our constituents are demanding. I think that most of us who have polled our districts know that even our pro-choice constituents are supporting parental notice and I will support this Bill."

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

Granberg: "Thank you, Mr. Speaker. Could I yield my time to Representative Lang, although he has not be recognized as of yet?"

Speaker Daniels: "I'll recognize him on your time."

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Granberg: "Thank you."

Speaker Daniels: "Representative Lang."

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

Speaker Daniels: "Representative Hughes?"

Lang: "Representative Parke, please."

Speaker Daniels: "Representative Parke. He indicates he will."

Lang: "Thank you. Representative, how does this Bill differ from the Parental Notification of Abortion Act of 1983?"

Speaker Daniels: "Representative Parke."

Parke: "Good afternoon, Representative Lang. Good afternoon. Quite frankly, Representative, I do not know all the nuances the '83 Bill. All I know is that that Parental Notification Bill in the State of Illinois is not being enforced and that we have an injunction against that and so therefore it is not functional."

Speaker Daniels: "Representative Lang."

Lang: "Thank you. Well isn't it true that it's not being enforced because it was declared unconstitutional in 1985, Sir?"

Speaker Daniels: "Representative Parke."

Parke: "Thank you. That's why we have 955."

Speaker Daniels: "Representative Lang."

Lang: "Well, how have you corrected the flaws of the prior law that was declared unconstitutional?"

Speaker Daniels: "Representative Parke."

Parke: "We have addressed many of the issues that came out of the court decision on that and we believe that this will stand constitutionality. But ultimately the courts will decide that and we'll take a look at that once...once and if it passes this House, passes the Senate and the Governor signs it."

Speaker Daniels: "Representative Lang."

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Lang: "Thank you. Well, we've taken a minute and a half and I've gotten nowhere. I have to ask you the same question. You said you've made some changes. So, now I will ask you what those changes are? How can you tell this Body the Bill will be constitutional? Those...the Members that wish to vote for it may wish to know if it's constitutional and perhaps you could tell us why this Bill where is, the other Bill was not."

Speaker Daniels: "Representative Parke."

Parke: "Since that Bill was enjoined by the courts in Illinois, the Pennsylvania courts upheld their Parental Notification Bill."

Speaker Daniels: "Representative Lang."

Parke: "And the Casey..."

Lang: "Well, so what was different about the Pennsylvania law? I'm trying to get some good hard facts here, Representative, as to what makes this Bill different. Maybe you can convince me to vote for it if you can convince me it's constitutional. Why don't you give me a shot there?"

Speaker Daniels: "Representative Lang. Representative Parke."

Parke: "Yes. First of all, I don't believe I can structure this Bill...even close to any form that...that I would believe that you would vote for, so I presume you're a little facetious on that. But I think we would like to know...to tell you that the..that we know there's a difference on penalties in that time both parents where to be notified. There are other Bills that are, I mean, other parts of this...the old Bill that we've changed and the penalties by doctors is different. So we think we've addressed some of the major problems that the courts held and made their decision with. We think this is...this is better, we've

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used some of the court decisions that were made, that set precedence in other states. We think this is a well crafted Bill in terms of its constitutionality and I would like to encourage all Members to vote for it and then ultimately let the court determine whether or not it's a good idea."

Speaker Daniels: "Representative Lang.

Lang: "Thank you. The...let me help you, Representative. The other law was declared unconstitutional because of the judicial bypass provision not because of the penalty provision. So what is different in this Bill regarding the judicial bypass provision?"

Speaker Daniels: "Representative Parke."

Parke: "We are checking to find out."

Speaker Daniels: "You have a minute left of your time, Sir."

Parke: "The notice shall be waived if the court finds either, that the minor is incompetent or is mature and well informed enough to make the abortion decision on her own or (2) that the notification of those whom Section 4 of this Act requires that notice be given would not be in the best interest of the minor or incompetent. (e) That a court that conducts proceedings under this section shall issue written and specific factual findings and legal conclusions supporting its decision and shall order that a confidential record of the evidence be maintained. (f) An expenditure...an expedited confidential appeal shall be available as in the Supreme Court provides by rule. To any minor and incompetent to whom the Circuit Court denies a waiver of a notice. (g) The Supreme Court is respectful requested to promulgate any rules and regulations necessary to insure that proceedings under this Act are handled in an expeditious and confidential manner. (h) No filing fee

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shall be required of any minor or incompetent who avails herself of the procedures provided by this section."

Speaker Daniels: "Representative Lang."

Lang: "Thank you, Mr. Speaker. I would also appreciate being acknowledged for my five minutes. But Representative Parke..."

Speaker Daniels: "You're on...you're on overtime now."

Lang: "Well, I'm entitled to my five minutes, Mr. Speaker. Representative, all you did was read me a statute book. But let's go on to another...let's go on to another section. What...on this area of the written notice, what are you going to do about forgeries?"

Speaker Daniels: "Representative Parke."

Parke: "It says in the legislation, Representative, on page 6, section 40 (b) under penalties: any person not authorized under this Act who signs any waiver of notice for a minor incompetent person seeking abortion is guilty of a Class-C misdemeanor."

Speaker Daniels: "Representative Lang."

Lang: "So would it be fair to say then that you're going to make one of these minor women who is faced with this choice whether to tell the parent or whether to commit a Class-C misdemeanor or to go to a back alley and get the abortion. Those are the three options you leave this woman, is that correct?"

Speaker Daniels: "Representative Parke."

Parke: "That's absolutely incorrect, you misinterpreted that. It says that and under legislative intent, that Representative Lindner had asked, it said that under penalties a...forging a notice does not apply to the minors seeking the abortion so that child is not going to be penalized. It is the boyfriend or the girlfriend or some other entity who comes



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in and says I'm the parent and I'm signing this notice. That's the person that can be found guilty of a Class-C misdemeanor."

Speaker Daniels: "Representative Lang."

Lang: "What's...so let's go back to where we where. So the minor doesn't need anybody else to do it, so the minor forges it. How are you going to stop that?"

Speaker Daniels: "Representative Parke."

Parke: "We said early on that this legislation is not perfect. We think that if a minor forges it there is not much that we can do with that minor. I don't know what you're going to do, you have a pregnant child and you're going to incarcerate them? I don't think that's the intent, I don't think anybody here wants that to happen. As we said earlier, this is not a perfect piece of legislation, we think it's reasonable and we're going to proceed with it."

Speaker Daniels: "Representative Lang."

Lang: "Let's assume we're in a small town in Illinois, one of those towns where everybody knows everybody by their first name, Representative. Do you want this minor young woman to go into a courtroom for judicial bypass where everybody knows her name, where in 15 minutes her entire personal life will be spread around town? Do you think that makes a lot of sense?"

Speaker Daniels: "Representative Parke."

Parke: "One of the first speakers complained about how confidential all this information was and that confidentially...confidentiality is maintained in this legislation. But let me just say this, that in the real world, as was quoted before, I am sure that the court would make provisions so that those embarrassing situations would not be developed at the industry, that that child would go

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if she decided to have an abortion, would work with that child to circumvent any embarrassing situations that might develop. So I think the confidentiality we built in this legislation will help alleviate that problem."

Speaker Daniels: "Representative Lang."

Lang: "Thank you, Mr. Parke. Mr. Speaker and Ladies and Gentlemen. To the Bill. I have five children, I have four teenage boys and a four year old girl. I would hope that if my four year old daughter, as she develops and matures, would ever get into the situation where she was a minor and became pregnant. I would hope that her relationship with me was such that she would come to me or to her mother. I would hope that our relationship is such that we can communicate and talk through these things and work them out and figure out what to do. But, Ladies and Gentlemen, should my daughter be punished if she cannot? Should my daughter be punished if I'm a rotten parent? Should my daughter be punished if...because she feels that we're a close family, she doesn't want to hurt me? Should my daughter be punished because she doesn't know what to do with the information she has? Should my daughter be punished because if we live in a small town when she goes into a courtroom, the entire town will know her private business? Ladies and Gentlemen, this Bill is fine in the land of Father Knows Best and the Brady Bunch but the life in Illinois today is not the Father Knows Best show and the Brady Bunch. Life is filled with families, good families, well intentioned families, families that are trying that don't always communicate the way we would like."

Speaker Daniels: "The Gentleman from DeKalb, Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker. I move the previous question."

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Speaker Daniels: "The question is, 'Shall the main question be put?' All those in favor signify by saying 'aye'; opposed, 'no'. The 'ayes' have it. The main question is put. Representative Parke to close."

Parke: "Thank you, Mr. Speaker. I've answered an awful lot of questions but in the negotiations, quite frankly, Representative Hughes was an intricate player. I would like to yield to Representative Hughes to close, please."

Speaker Daniels: "Representative Hughes."

Hughes: "Thank you, Mr. Speaker. We have heard a lot of dialog relative to House Bill 955. Many of the issues that were brought up today we will be discussing for years to come. There is no parental notification, no parental consent Bill, no law banning abortions which will stop abortions, not only for adults but for minors. With the lack of any legislation in this area, we will not be able to prevent those tragic situations where a minor makes a decision that ends up, perhaps even with the loss of her life."

Speaker Daniels: "Excuse me, Ladies and Gentlemen. Ladies and Gentlemen. Representative Hughes."

Hughes: "House Bill 959 recognizes that every family does not have a loving, nurturing, caring mother and father or mother or father. House Bill 955 provides for numerous avenues for a minor who is not able to communicate with her mother or father, to seek advice and counsel as she deliberates how she will deal with this difficult situation. The bottom line is, House Bill 95...995...955 encourages minors to communicate with someone who loves and cares about them. That is what parental notification is about, encouraging minors to seek advice and counsel for those who know and love them. I urge a 'yes' vote."

Speaker Daniels: "The Gentleman, Representative Parke and

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Representative Hughes, have moved for the passage of 955. All those in favor signify by voting 'aye'; opposed by voting, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 81 'ayes', 29 voting 'no', 6 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1654, read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1654, a Bill for an Act that amends the Criminal Code of 1961. Third Reading of this House Bill."

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

Cross: "Thank you, Mr. Speaker. This is a Bill that I'm doing on behalf of the Farm Bureau at home and several surrounding counties and I'm proud to say that many members of the Agriculture Committee are standing in support of this Bill with me and circles here around me right now. This Bill amends the Criminal Trespass to Real Property section of the Criminal Code and makes it, increases the penalty from a Class C to a Class B to attack the issue of joyriding and damage to crops or fields that have been seeded as well as livestock areas and orchards. It's a very simple Bill. It passed out of committee without any 'no' votes, if I remember correctly and I don't know of any opposition. I'll try to answer any questions."

Speaker Churchill: "Representative Churchill in the Chair. Is there any discussion? The Chair recognizes the Gentleman from Effingham, Representative Hartke. Alright, the Chair recognizes the Gentleman from St. Claire, Representative Hoffman."

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

Speaker Churchill: "He indicates that he will. Please proceed."

Hoffman: "Now, Representative, does this simply enhance a penalty under the current Criminal Code?"

Speaker Churchill: "Representative Cross."

Cross: "Representative, it enhances the penalty, but if you look down into the lower part of section A. Jay, do you see the, do you have a copy of the Bill? Alright? It talks about some areas that have been the subject of problems back in our area and I think, other parts of the state and it adds some areas that we're trying to address. I'm sure that most of you know what an arable field sown to crops is. That's in here and an enclosed area containing livestock and then a couple of others. So it now enhances penalties for those areas."

Speaker Churchill: "Representative Hoffman."

Hoffman: "So currently it's not specifically addressed in the Code, you would just be charged with criminal trespass to real property, currently?"

Speaker Churchill: "Representative Cross."

Cross: "Yes, I think I understand your question."

Speaker Churchill: "Representative Hoffman."

Hoffman: "So what this not only does is it keeps the current criminal trespass to real property, in effect, but it also would add an offense that is specific to farm property. Is that right?"

Speaker Churchill: "Representative Cross."

Cross: "Yeah, the other part of the statute remains intact, Jay, so the answer is yes."

Speaker Churchill: "Representative Hoffman."

Hoffman: "I would ask that this be taken off of short debate, Mr. Speaker, also joined by the required people."

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Speaker Churchill: "Okay, the Bill is off short debate.  
Representative Hoffman."

Hoffman: "So, if the offense is done in a city, it's trespass  
with a motor vehicle and it's a juvenile. If that offense  
is done in a city, you are treated less stringently, than  
if you do in a farm."

Speaker Churchill: "Representative Cross."

Cross: "I'm not sure I'm following your question,  
Representative."

Speaker Churchill: "Representative Hoffman."

Hoffman: "What I'm saying is, if you commit criminal trespass to  
real property in a city, as opposed to committing criminal  
trespass on an arable field sown to crops, enclosed area of  
livestock, an orchard, or a barn or other agricultural  
building containing livestock, you are only guilty of a  
Class C Misdemeanor, as opposed to under this Bill if you  
do the same type of an action, but do it in an agricultural  
field or in any type of a farm, you are guilty of a Class B  
Misdemeanor. Is that correct?"

Speaker Churchill: "Representative Cross."

Cross: "Representative, with all due respect, I think I have to  
disagree with you on this part. You could have an arable  
field sown to crops in the city. Do you live in the city,  
Representative?"

Speaker Churchill: "Representative Hoffman."

Hoffman: "Well, I call it more of a suburb, as opposed to a city,  
but I guess, my garden or my neighbor's garden, if my  
daughter were to take her Barbie car and take it down the  
hill into my neighbor's garden, would she be guilty of a  
Class B Misdemeanor under this Bill because it does have a  
motor, her Barbie car?"

Speaker Churchill: "Representative Cross."

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Cross: "Now, Representative, is this your Barbie car or hers?"

Speaker Churchill: "Representative Hoffman."

Hoffman: "Well, I have a Barney car. She has a Barbie car. No, if she were to take her Barbie car and go into my neighbor's garden, would she be guilty of a Class-B misdemeanor under this Bill?"

Speaker Churchill: "Representative Cross."

Cross: "Well, Representative, you're familiar with the Criminal Code and we have to get to the issue of intent so I'd think it would be hard. How old is your daughter? I'm sure she's under...she's a juvenile. I don't think she would under...she's just out either with your Barney vehicle or her Barbie vehicle. I suspect she would not be. There's some specific language in hereabout off road vehicles, motorcycles, mopeds, or any other powered two-wheeled vehicles. I don't think the Barney vehicle you're talking about, and I have one just like you, would apply in this case."

Speaker Churchill: "Representative Hoffman with 42 seconds."

Hoffman: "Representative, and if by chance, she would be guilty for a Class-B misdemeanor under this Act, could she then be tried as an adult under the automatic transfer provisions that you've been pushing under the General Assembly?"

Speaker Churchill: "Representative Cross."

Cross: "No."

Speaker Churchill: "Representative Hoffman with 19 seconds."

Hoffman: "Well, Representative, I guess I can support your Bill. I just hope that it doesn't have some unintended consequences in that if my seven-year old were to mistakenly go too far down the hill, that she could be guilty of a Class-B misdemeanor."

Speaker Churchill: "Further discussion? The Gentleman from

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Macon, Representative Noland."

Noland: "Mr. Speaker, I rise in support of House Bill 1654. Representative Cross's Bill received 27 'yes' votes and no 'no' votes in committee. Obviously, it's more of a problem in his urban areas of Kendall and Will, but joyriding is also a problem in all areas of the state. I don't quite understand the joy of having one half a pound ears of corn thrashing at your car hood, but a lot of kids do it on a weekly basis. Frankly, this is a good Bill. I'm proud that Representative Cross is helping out the agriculturalists nurserymen, anybody with farm interests or crop interest. So, Representative Cross, thank you for this good work. Please support it."

Speaker Churchill: "Further discussion? The Gentleman from Cook, Representative Dart."

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

Speaker Churchill: "He indicates he will. Please proceed."

Dart: "Representative, how many cases have occurred where, do we have any numbers as to why we're doing this, why we're changing the law? I'm sort of interested in, obviously, you articulate the problem which is a realistic one, but I'm just trying to get a handle on how many have occurred in this area."

Speaker Churchill: "Representative Cross."

Cross: "Representative, fair question. I know, for example, as you heard Representative Noland talked about it being a problem in his area. The first contact that I had from the Will County Farm Bureau in the letter they sent to me back in October of last year, just in that October time frame, they had, had seven farmers who had, had over \$1500 in damages to their field and that was just in a brief time frame in Will County and that's just what I know from the



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Will County Farm Bureau. I know in Kendall County it's been a problem. It seems to happen more in the areas where we're going through a transition, where it used to be largely rural, but now it's a combination of rural and urban. So, I can't give you other specific numbers out of our county or Will, but I know, for example, Will had some specific problems. And try to follow up on that question that Representative Hoffman had or a statement he had, there is some preparatory language in the earlier part of subsection-A about entering the land or after receiving notice prior to the entry or staying on there after you've been notified. That all still applies in this section and I don't think in Representative Hoffman's example with his daughter that it would necessary apply and I wanted to try to clear that up."

Speaker Churchill: "Representative Dart."

Dart: "Thank you and you're changing the offense from a Class-C to a Class-B. I mean, seriously, I understand that this is a problem, but a Class-B is such a minor nature. How is it that this would remedy the problem, really?"

Speaker Churchill: "Representative Cross."

Cross: "Was your question, how it would stop it? Well, I'm not sure that making it a Class-B or C is the perfect solution. I don't think that, you know, it provides for a higher penalty as you know. I don't think it's a felony offense and I don't think from a responsible standpoint we can, maybe we make this a Class One, but I don't suggest that, that's the solution. Hopefully, just by increasing for this particular area, it'll have some impact and the word will get out among high school kids and teenagers that they could spend some time in the county jail."

Speaker Churchill: "Representative Dart."

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Dart: "Is the thought that by raising it up to a B, though, that it would increase the amount of prosecutions because there would be more of an incentive for a state's attorney to proceed with a case because there is a little bit more teeth, then. As I say because, I mean, a Class B is nothing that serious, but is there some indication from the state's attorney they would more actively prosecute these things then?"

Speaker Churchill: "Representative Cross."

Cross: "That's a fair question, Representative. I know in the Will County area, they've started to develop better communication and dialogue with their state's attorney and I think your point may be accurate, that it will allow more attention on the state's attorney's part. I think that's a large part of it."

Speaker Churchill: "Representative Dart."

Dart: "Just a couple quick questions. As far as in section B here, it refers to people who've had notice. I know you're not changing that section of it, but what's the type of notice that they're referring to in section B?"

Speaker Churchill: "Representative Cross."

Cross: "Representative, I actually haven't read part B because we didn't amend that section. I see it says, notice from the owner occupant, then the meaning of subsection A, either personally, orally, or notify personally, orally in writing. I'm not sure I know in the subsection A part, if I remember correctly an oral notification or written is sufficient. Frankly, I'm not sure, the rest of that part is sketchy."

Speaker Churchill: "Representative Dart with 15 seconds."

Dart: "Yeah, the final question, I'm not 100 percent sure, but my concern with the part of subsection B because it would

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reference A and I think 112-A deals with domestic violence and I was wondering if you'd talk to ... about that?"

Speaker Churchill: "Representative Cross."

Cross: "I haven't, Representative, but maybe when it goes over to the Senate, if I'm fortunate to get it passed, I'll be glad to and be happy to work with you and Representative Hoffman on making this a better Bill and address the Barney and Barbie situation. Whatever I can do to work with you guys."

Speaker Churchill: "Further discussion? The Gentleman from Vermillion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I really don't know why Representative Hoffman wanted to take this off short debate and everybody in this Chamber knows it's gonna pass. The only thing that yet to be decided is by what kind of a overwhelming majority. The Gentleman has worked hard on a Bill. It has become, as he's told you, more and more of a problem in rural areas. You know in all due respect to my colleagues on the other side of the aisle, if you are having this problem, if someone was getting into Soldier Field at night and joyriding on the turf at beautiful Soldier Field, I'd stand with you to increase the penalties. Heaven forbid if somebody would get into Wrigley Field, Wrigley Field and joyride on the beautiful sacred turf at Wrigley Field. We would stand with our colleagues from Chicago to toughen the penalties against this kind of senseless vandalism and it goes without saying that the House Democrat leader would want to join with all of us if somebody was breaking into White Sox Park and heaven forbid, joyriding on the turf at White Sox Park. So, you see what we have here is truly a state-wide effort. When the time comes when these vandals,

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whoever they may be, would be breaking into those sacred institutions in Chicago and tearing them up, we'll join with you to toughen the penalties. All we ask for you now is to join with us who have farmland and crops worth money in downstate Illinois that kids or vandals or whoever for whatever the reason get into and knock them down with a vehicle. That's our livelihood in many cases. Is it too much to ask that you join with us and I will join with you if, and heaven forbid this should happen, anybody gets into those sacred shrines in Chicago and vandalize the turf at White Sox Park, although it was prettier when it was Comiskey Park, Wrigley Field, and Soldier Field. It's a good Bill. There's nothing controversial about it. We don't need, we don't need to delay this vote. It's inevitable it'll pass. Vote 'yes'."

Speaker Churchill: "Representative Black, please be admonished to keep your four-wheelers out of the friendly confines. Further discussion? The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you. Will the Gentleman yield?"

Speaker Churchill: "He indicates that he will. Please proceed."

Granberg: "Representative Cross, is this the Republican version of truth in sentencing and tough on crime? Is that what this Bill is about?"

Speaker Churchill: "Representative Cross."

Cross: "You know, Representative, we've talked about Barney's and we've talked about Barbies, but the thing we didn't talk about are the Power Rangers and this is an attempt to go after the Power Rangers in Chicago, as Representative Black mentioned."

Speaker Churchill: "Representative Granberg."

Granberg: "Representative, I know you are concerned about crime

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and what we can do to deter crime. Would you be willing to bring this Bill back to Second Reading in order that we can hear our amendments on truth in sentencing, that we can deal with all the serious issues of this state, on keeping criminals in jail for 85 percent of their sentences, not letting them back on the streets when they serve only a third of their sentence?"

Speaker Churchill: "Representative Cross."

Cross: "No, Representative, and I might add, there were no amendments that you're talking about, filed on this Bill in committee. We had adequate and open debate in committee and you know that all of us on this side are supportive of a fighting in crime and keeping the criminals behind bars and we're working on that, but this is a Bill that addresses a very real problem, as Representative Black said as I said earlier and now's not the time to address the issues that you're talking about."

Speaker Churchill: "Representative Granberg, please contain your remarks to the Bill, please."

Granberg: "Thank you, Representative Cross. I understand what you're saying and to the Bill, Mr. Speaker. Of course this is a serious problem, but there are much more serious problems that should be debated in the House, much more serious issues about dealing with criminals and keeping people in prison, but we cannot debate those issues. We have not been allowed to debate those issues. Representative Cross, they're very serious about fighting crime, then why don't we get votes on truth in sentencing? With that in mind, Mr. Speaker, I am joined by my colleagues, five of my colleagues and I would move to change the order of business. I asked for a Roll Call on this issue that we go to the Order of Motions, that we deal

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with House Bill 299 and we actually deal with truth in sentencing because I know a lot of Representatives on that side of the aisle campaigned on truth in sentencing and we should deal with these issues. Mr. Speaker, I'm joined by the requisite number of Members. I ask for a Roll Call to change the Order of Business so we can deal with truth in sentencing because that should be the issue debated today."

Speaker Churchill: "Mr. Granberg, we are in the middle of discussing a Bill. Would you please reduce your motion to writing and turn it in at the well? Further discussion? The Chair recognizes the Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you, Mr. Speaker. I appreciate it. Representative Cross, I have a couple serious questions. I am a farmer, as you know, and this is a problem in downstate Illinois and I imagine in Will County as well. Nothing disturbs me more than to see a good wheat field greening wheat and to see a set of Jeep tracks across it, you know, in the spring when the land is wet and so forth, usually done by some kid out joyriding and so forth. Let me ask you a question. Does this apply to land where there is no crop growing actively and so forth? For example, if the ground is frozen, it's barren in the wintertime and there's a snow cover maybe and someone goes travelling across that property in a snowmobile, there really is no damage out there in the field. Would this apply?"

Speaker Churchill: "Representative Cross."

Cross: "Representative, I don't think it does and I would direct you to section-A, subsection-1. It talks about arable fields sown to crops and I think in answering your question, your specific question, I think the answer is no and that's why if you would look at that language, arable

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fields sown to crops, that definition has a meaning of field capable of being tilled and planted, as well as one that has been managed and planted so I think in your scenario, it would apply."

Speaker Churchill: "Representative Hartke."

Hartke: "However, and I do believe that many of my agricultural friends will tell you that even though there is a frost on the ground and the ground is frozen, that a snowmobile could destroy some of that crop. Although it is dormant, it would tear off the top vegetation and even though the crop is dormant and not growing, that it may apply."

Speaker Churchill: "Representative Cross."

Cross: "Chuck, in that situation, it may. I just think that we have to have a field that's been planted and managed and you know, ready to go. I don't think that in the dead of winter, which I thought was your question, that this would be applicable, but I think with a field that's been tilled and is in the springtime is the one that we're looking at."

Speaker Churchill: "Representative Hartke."

Hartke: "I've got one final question. Does this apply to viticulture as well?"

Speaker Churchill: "Representative Cross."

Cross: "I didn't hear that question, Representative."

Speaker Churchill: "Representative Hartke, to repeat the question."

Hartke: "Does this apply to viticulture as well?"

Speaker Churchill: "Representative Cross."

Cross: "Can you, Representative, I'll be honest with you, I don't know what that is. Can you tell me?"

Speaker Churchill: "Representative Hartke, for a definition."

Hartke: "No, I'm gonna let you figure that out. To the Bill."

Wirsing: "Thank you Mr. Speaker I move the previous question."

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Speaker Churchill: "There is a Motion for the previous question.

All those in favor of the previous question will signify by saying 'aye'; any opposed will say 'nay'. In the opinion of the Chair the 'ayes' have it and the previous question is moved. Representative Cross to close."

Cross: "Thank you Mr. Speaker. Viticulture, for those that don't know, is the cultivation of grapes. Science art of grape growing. I would appreciate a 'yes' vote. Thank you."

Speaker Churchill: "The question is, 'Shall House Bill 1654 pass?' All those in favor vote 'aye'; all those opposed 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 112 voting 'aye', none voting 'nay', and 4 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair now recognizes the Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker I did..."

Speaker Churchill: "Mr. Clerk please file the Motion. Pursuant the rule 5-8 Representative Granberg has moved to change the order of business. Okay you've heard the Motion. All those in favor of the Motion will signify by voting 'aye', any opposed will voted 'nay'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this Motion there are 52 voting 'aye', 64 voting 'nay', and 0 voting 'present'. This Motion fails. House Bill 1730. Mr. Clerk read the Bill."

Clerk Rossi: "House Bill 1730, a Bill for an Act to revise the law by combining multiple enactments and making technical corrections. Third Reading of this House Bill."



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Speaker Churchill: "The Chair recognizes the Gentleman from Vermillion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentleman of the House. The next four Bills or the Legislative Reference Bureaus Revisory Acts in the past I think whoever serves as the co-chair of the Legislative Reference Bureau Committee presents these each year. I don't recall that it's ever been controversial, but in that case in any case House Bill 1730 will create the second 1995 General revisory Act. It will combine multiple versions of the sections amended by more than one public Act. Now this Bill is intended as a vehicle for the Legislative Reference Bureaus fall general revisory Bill. Now these Bills make no substantive change in law, but are an essential part of maintaining the state statutes. This Bill is organized into several articles. Article I will contain the general provisions Article II will contain combining revisories and Article III will make technical corrections the substance of these Articles will be added then by Amendment. Article IV will contain the effective date and non-acceleration provision. I know anyone at the Legislative Reference Bureau will give you more information on this if you would like. I would be glad to answer any questions you might have. I would urge favorable consideration of House Bill 1730."

Speaker Churchill: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Lang."

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

Speaker Churchill: "He indicates that he will. Please proceed."

Lang: "Thank you. Representative we all want to help LRB. We want to get rid of all the obsolete laws, but do you have a list yet of what obsolete laws we are going to get rid of?"

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Speaker Churchill: "Representative Black. Is that your staff person Representative Black?"

Black: "Yes he was giving me expert advise and I appreciate it. A fine addition to our staff, Mr. Speaker."

Speaker Churchill: "The Democratic side of the isle is taking a vote on whether or not he should stay on the Republican side. I think it's positive."

Black: "Mr. Speaker I...since I was in consultation with my legal advise here at the moment I didn't hear the question. Could he repeat it?"

Speaker Churchill: "We will start the time over. Representative Lang."

Lang: "Thank you for the extra time, Mr. Speaker I would be more than happy to repeat the question for the able Representative from Danville. Representative we are all anxious to help LRB clean up the statute books, but do you have any inkling as to what any of these changes are going to be?"

Speaker Churchill: "Representative Black."

Black: "Let me just tell you what they told me, Representative. It will be the Legislative Reference Bureau intent to offer an Amendment containing the substance of this Bill later in the year. Most likely during the fall veto session. General revisory Bills are typically very large often thousands of pages or more. In order to avoid repeated printings of such a large Bill and to enable the Reference Bureau to include as many late passed Acts as possible that being passed by the General Assembly. The Amendment including the substance or containing the substance of this revisory Bill is usually no offered until the Bill has reached Second Reading in the Second House and this Bill will probably not be acted on until the Veto Session. So I

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can't answer your question. I don't know what specifically they will put in it because I don't think they know nor we know at this point just exactly what laws we are going to pass."

Speaker Churchill: "Representative Lang."

Lang: "Thank you. I understand what you just read, but wouldn't it be fair to say that there must be some changes currently that they want to make that they do know about."

Speaker Churchill: "Representative Black."

Black: "Yes that's correct and we have three Bills to follow. This they want to use as the Fall vehicle Bill. The other three Bill deal with the specific changes that they would like to incorporate in the Statute."

Speaker Churchill: "Representative Lang."

Lang: "Thank you. It's always a pleasure to get an answer to a question from that side of the aisle and I appreciate the answer. Thank you very much."

Speaker Churchill: "There being no further discussion. Representative Black to close."

Black: "Thank you very much Ladies and Gentleman of the House. House Bill 1730 will be the Fall vehicle Bill of Reference Bureau revisory Acts. I would ask favorable vote on 1730."

Speaker Churchill: "The question is, 'Shall House Bill 1730 pass?' All those in favor vote 'aye'; all those opposed 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 116 'ayes', no 'nays', and no people voting 'present'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 1731. Mr. Clerk please read the Bill."

Clerk Rossi: "House Bill 1731, an Act to recodify the Fees and

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Salaries Act. Third Reading of this House Bill."

Speaker Churchill: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentleman of the House. House Bill 1731, incorporates various sections of the fees and salary Act into the Secretary of State Act, the State Comptroller Act, the State Finance Act, the Property Tax Code, the School Code, the Circuit Court Act, and the Clerks of the Courts Act. Changes the short title of the Fees and Salaries Act to the Salaries Act. Makes no substance to changes in law. The Legislative Reference Bureau is required by statute to select subject of statutory law that it considers most in need of revision and to present Bills covering these revisions. This Bill is presented in accordance with that directive in order to consolidate the laws concerning fees and salaries because currently the Fees and Salaries Act is divided into three parts with one appearing in chapter five one part appearing in chapter 30 and another part appearing in chapter 55. This Act then incorporates those sections of the Fees and Salaries Act appearing in those chapters as well as the certain sections of the Fees and Salary Act that appear in chapter 5 into the appropriate Acts. I would ask you favorable vote on House Bill 1731."

Speaker Churchill: "Is there any discussion? The Chair recognizes the Gentleman from Clinton, Representative Granberg."

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

Speaker Churchill: "He indicates that he will. Please proceed."

Granberg: "Representative Black, I just want your assurance that on these General Revisory Bills and on this Bill in particular there are no substantive matters that are being amended. These are merely technical changes that we do

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annually in this process, at the request to the Reference Bureau. So to your knowledge there is nothing that would...of a substantial major, they are all merely technical in the Bill and the Amendment. Is that correct?"

Speaker Churchill: "Representative Black."

Black: "Yes, Representative Granberg to the best of my knowledge and in writing from the Reference Bureau and I think all of us would be extremely upset if we found this not to be the case. In the LRB analysis that they prepared for me it makes it very clear. It said makes no substantive changes period. And I think we all rely on the Reference Bureau to say that and woe be to them if they were ever try to make a substantive change in here without the knowledge of either side of the aisle. That's just never been done I hope it would never be done."

Speaker Churchill: "Representative Granberg."

Granberg: "Representative I have one more question Sir. I know...I'm sure this is a technical change, but it does make some Amendments, regarding the Supreme Court filing fees that they do not cover certain costs. Could you just address that Representative?"

Speaker Churchill: "Representative Black."

Black: "We do not have any reference to that change or that Amendment, Representative. If your staff thinks that there has been something filed in here I would be glad to take it out of the Record and let the staff work on that."

Speaker Churchill: "Representative Granberg."

Granberg: "Representative we have no problem with the Bill obviously, but we do have this one question if you would not mind if we get our staffs together briefly in the back of the Chamber."

Speaker Churchill: "Mr. Clerk take the Bill out of the Record."

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Mr. Black are you prepared to go to the next Bill? Mr. Clerk please read House Bill 1732."

Clerk Rossi: "House Bill 1732, a Bill for an Act to recodify the Criminal Jurisprudence Act. Third Reading of this House Bill."

Speaker Churchill: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentleman of the House again House Bill 1732 is a Legislative Reference Bureau General Advisory Act. This recodifies the Criminal Jurisprudence Act. Repeals the Act and then incorporates the provisions of that Act into the Illinois Insurance Code. The Criminal Code of 1961 and the Code of Criminal Procedure of 1963. It makes no substantive changes. It goes on to comment that the criminal jurisprudence Act when enacted in 1874 contained virtually all the laws in Illinois relating to criminal matters since then most of these provisions have been superseded primarily by the Criminal Code of 1961 and the code of criminal procedure of 1963. Some sections of the Criminal Jurisprudence Act, however, have not been superseded and those sections are scattered between sixteen different Act numbers in five difference chapters. This Bill transfers one of those sections to the Illinois Insurance Code and the remainder of those to the Criminal Code of '61 and the Code of Criminal Procedure of 1963. The Bill also amends the Clerks of Courts Act to change cross references to the criminal jurisprudence Act. The Bill makes no substantive changes in current law. I would ask for you favorable vote on House Bill 1732."

Speaker Churchill: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Dart."

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

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Speaker Churchill: "He indicates that he will. Please Proceed Sir."

Dart: "Representative I have just a handfull of quick questions in regards to the criminal area. Did...we recodified the Criminal Code a handfull of years ago and to be quite frank when I was a States Attorney we used to have the thing memorized and since we recodified it, we're having a very difficult time finding anything these days. What exactly...we recodified it and I think three years ago. What are we doing no with it I mean in regards to the...I really as I said this is a legitimate concern I have because we literally have a very difficult time finding anything in it since they re-did it. I'm wondering are we putting it back to te way it was or how are we re-doing it again?"

Speaker Churchill: "Representative Black."

Black: "To the best of my ability let me focus on what I think the Reference Bureau is telling us. I hope this answers you question. If not we can continue. The Reference Bureau says and I quote, "Some sections of the Criminal Jurisprudence Act have not been superseded, however, and those sections are scattered." I'm sorry. "Some sections of the Criminal Jurisprudence Act have not bee superseded, however and those sections are scattered between sixteen different Act numbers in five different chapters of the Illinois Compiled Statutes. This Bill transfers one of those sections, I'm sorry it doesn't tell me which one, to the Illinois Insurance Code and the remainder to the Criminal Code of '61 and the Code of Criminal Procedure of 1963. I would assume that that would get to your question. I can only assume though. I really don't know."

Speaker Churchill: "Representative Dart."

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Dart: "It sort of does. My only concern was that to be quite frank with you it used to be...chapter 38 used to be the Criminal Code and they changed it to I think it's 720 or 7 something now. What I am trying to figure out though...are they recodifying it so that it references 720 or whatever it is the new number now or are they in some way referencing it back to what it used to be when they flipped it over?"

Speaker Churchill: "Representative Black."

Black: "I'm certainly not trying to evade the answer I really don't know. All I can tell you is that the synopsis simply says that it recodifies the Criminal Jurisprudence Act. Repeals the Act and incorporates provisions of the Act into the Codes that we have mentioned and makes no substantive changes and I really don't know without the statute books in front of me the chapter or reference or whatever."

Speaker Churchill: "Representative Dart."

Dart: "Yes, just one more question. Representative could you have whoever it is from LRB that was working if they could maybe let me know because I really as I said unlike some of the other questions around here this one is legit. Just because...since we re-did the Criminal Code it has been a disaster trying to find anything and I'm just trying to figure out if we are correcting that, which would not be making a substantive change, but just correcting that or if we are in fact adding just to the changes we did three years ago I believe it was."

Speaker Churchill: "Representative Black."

Black: "Yes as soon as we are done here I will call Mr. Edwards and I'm sure he would be more than happy to come up and talk with you. Staff indicates to me that this certainly takes a confusing situation and makes it much better. I think it would be best if the director of LRB would talk to



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you and I'll certainly ask him to do that."

Speaker Churchill: "Representative Dart have you completed your remarks?"

Dart: "Has this been printed and distributed? Do you know?"

Speaker Churchill: "We'll check please hang on. The Clerk informs me that it has been. Any further questions, Representative Dart? Further discussion? The Gentleman from Cook, Representative Lang."

Lang: "Thank you will the Sponsor yield."

Speaker Churchill: "He indicates that he will. Please proceed Sir."

Lang: "Thank you. This will be brief Representative. I'm sorry, I was not listening to the whole conversation. This is another LRB Bill. Is that correct?"

Speaker Churchill: "Representative Black."

Black: "Yes, Representative. This is the one that recodifies the Criminal Juris Prudence Act."

Speaker Churchill: "Representative Lang."

Lang: "I just want your assurance that this will not come back here with something other than LRB language on it."

Speaker Churchill: "Representative Black."

Black: "I would share your sense of dismay and even outrage Sir, if the Senate were to send this back to us in any form. I expect them to pass this as is. I think if it comes back to us with anything added to it I would say that both sides of the aisle should talk to the Senate. I noticed they are at rest again, but I talked to the administrator of the home and they are doing well and are expected back shortly."

Speaker Churchill: "Representative Lang."

Lang: "Thank you Sir I will support your Bill."

Speaker Churchill: "Is there any further discussion? Seeing none

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Representative Black to close."

Black: "Thank you very much, Mr. Speaker I would urge a favorable vote on House Bill 1732."

Speaker Churchill: "The question is, 'Shall House Bill 1732 pass?'? All those in favor vote 'aye'; All those opposed 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 117 'ayes', no 'noes', and no people voting 'present'. And this Bill having received on Constitutional Majority is hereby declared passed. Representative Black do you wish to return to 1731 or proceed to 1733? Representative Black."

Black: "Mr. Speaker, I think staff is still meeting on the one Bill. At this time I would like to take House Bill 1733 out of the record which would be the next Bill. As you can see these Revisory Acts are well over 1,000 pages. The Democratic staff would like at least a little time today to look at it and I am more than happy to give them that time. I would like to run the Bill today if at all possible, but we'll certainly take this one out of the record at this time, 1733, so that our colleagues on the other side of the isle can take a look at it. I'm sure they will find it in order and perhaps we could get back to it today."

Speaker Churchill: "Yes, I noticed that you have the studious minds of Representative Hartke and Granberg right there helping you. At such time as you've all come to some conclusion on these Bills please let the Chair know and we will go back to them. Next Bill will be House Bill 1794. Mr. Clerk read the Bill."

Clerk Rossi: "House Bill 1794, a Bill for an Act amending the Illinois Public Aid Code. Third Reading of this House

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Bill."

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "Thank you Mr. Speaker. House Bill 1794 provides that the Inspector General in the Department of Public Aid shall have the power to administer oaths to witnesses. And the reason for this change is that the Department of Public Aid indicates that by taking statements of witnesses under oath there will be less likelihood that the witness will later change their testimony. This makes oath taking an important investigative tool and increases the likelihood that offenders will be disciplined. I would be happy to answer any questions."

Speaker Churchill: "Is there any discussion? The Chair recognizes the Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker will the Sponsor yield for a few questions?"

Speaker Churchill: "She indicates that she will. Please proceed Ma'am."

Currie: "Thank you. Are you aware, Representative that the Department of Public Aid plans to pay \$5 million to First Health a Virginia Corporation for failing to perform services requested. Are you aware of that contract and the Department of Public Aid's decision to go ahead and spend our money for work that was not performed?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "Representative I don't believe that that pertains to this particular Bill."

Speaker Churchill: "Representative Currie."

Currie: "To the Bill Speaker..."

Speaker Churchill: "To the Bill."

Currie: "I do think that, that issue does pertain to this Bill. It is an outrage to me and to my constituents that our

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Department of Public Aid that the Edgar Administration would decide that they want to pay off an out of state firm \$5 million for work they didn't perform. We have asked the inspector general of the Department of Public Aid to look into this issue. Why in the world did the state decide either to draft the contract so poorly that we pay for what we don't get or was there some footsie going on here?. Is there some reason to wonder why the Department of Public Aid would hire out these services fail to make sure that they were rendered and yet pay them \$5 million anyway?. But we have requested the very Public Aid inspector general that is the point of this Bill to give us a clue to find out what is going on with that Department with that contract with this administration. The inspector general wrote back saying that he didn't think it was timely to do a full scale investigation of the circumstances of that contract. Well I would argue Speaker and Members of this House that this little teensy weensy Bill of Representative Ciarlo's that says let's give the inspector general the opportunity to administer oaths has nothing to do with the real crisis. The crisis of confidence of the people in this administration and the crisis of the budget in the Department of Public Aid. This is a silly Bill. It can't do any harm, but it certainly isn't going to do us any good. It isn't going to do our taxpayers any good who are being asked to foot the Bill \$5 million worth for services that were not performed for our Department of Public Aid and for an inspector general who refuses to take that issue seriously enough to devote his time, his attention, and his resources to it. We can spend our time fiddling around with Bills that say oh give them the opportunity to administer the oath. Give me a break, Speaker and Members

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of the this House. We are in a serious budget crisis and we are fiddling away at Bills like this while the budget falls apart while school children won't get taught, while retired teachers go without pay, while criminals are wandering our street give me a break. Can we get on with some serious business in this Chamber?"

Speaker Churchill: "Further discussion. The Lady from Cook, Representative Davis."

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

Speaker Churchill: "She indicates that she would. Please proceed ma'am."

Davis: "Representative what will the cost of this inspector generals office be?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "Representative there will be no cost."

Speaker Churchill: "Representative Davis."

Davis: "Are you telling me that the person will be a volunteer and will not have staff?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "The Department has indicated that there will be no cost."

Speaker Churchill: "Representative Davis."

Davis: "Excuse me. Will that person have the opportunity to draft a budget for that office?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "If there is no cost I would not think that they would need to draft a budget."

Speaker Churchill: "Representative Davis."

Davis: "Then exactly what will the persons responsibilities be?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "Representative the position is already there. What we are doing is giving that person or his or her designee the

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ability to administer the oath for that person. The persons are already in place."

Speaker Churchill: "Representative Davis."

Davis: "I don't understand. What do you mean administer the oath? What oath?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "The oath to subpoena witnesses."

Speaker Churchill: "Representative Davis."

Davis: "Are they taking the place of the prosecutor in each county? Is that whose place they will be taking?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo": "It is not."

Speaker Churchill: "Representative Davis."

Davis: "Why is this necessary? How will this make that office more effective? Why is it necessary?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "I'm sorry Representative I did not hear your question because..."

Speaker Churchill: "Representative Davis would you please repeat the question for Representative Ciarlo."

Davis: "I asked why she felt her legislation was necessary? What will it fulfill that is not being fulfilled today?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "Representative hopefully what it will do it will help there not be discrepancies in testimony later on. It's to tighten up the...I know there is a word in here that I'm trying to get out...I'm sorry. In other words when you give testimony and you give testimony under oath it holds you to that testimony later on and that's why we want to be able to have the oath administered for that particular sworn testimony."

Speaker Churchill: "Representative Davis."

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Davis: "I see this as duplicative. I see it as totally unnecessary. I see it as possibly in violation of ones rights. If one has an Attorney and there's a protsector I fail to see why this person would have those duties given to him or her. I just think that we are fiddling when peoples lives are really in jeopardy. When people are in need of services for children. We are in need of services for our schools and we are fiddling with these inspector general offices in order to do what?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "To insure that people tell the truth and stand by their word."

Speaker Churchill: "Representative Davis."

Davis: "To the Bill Mr. Speaker."

Speaker Churchill: "To the Bill."

Davis: "I really don't believe that this is a Bill that serves Illinois well. I believe that it's just another piece of legislation to help, what shall we say, clog up a court system because now your going to have people saying, but this is what you told the Inspector General and then you told us something different. I don't believe that the citizens in the State of Illinois would appreciate this kind of legislation at a time when we are in such a financial crisis. I think that our services and our time should be valuable to people and should not just be in some prosecutorial nature of very little value of serving the citizens of this state. We should all vote no for this and we should send a message to people with these kind of thoughts that we have serious legislative business to take care of and let's get on with it."

Speaker Churchill: "Further discussion, the Lady from Cook, Representative Mulligan."

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

Speaker Churchill: "She indicates that she will. Please proceed  
Ma'am."

Mulligan: "Representative we already have an Inspector General in  
the Department of Public Aid don't we?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "Yes we do."

Speaker Churchill: "Representative Mulligan."

Mulligan: "What you're asking to do this the inspector general  
and the Department of Public Aid conducts investigations  
into allegations that are brought against the Department or  
in certain cases? Correct?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "Representative, that is correct."

Speaker Churchill: "Representative Mulligan."

Mulligan: "And what your piece of legislation would do  
Representative would allow whoever is conducting that  
investigation to swear in a witness. Correct?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "That is absolutely correct, Representative."

Speaker Churchill: "Representative Mulligan."

Mulligan: "So in other words, Representative what your  
legislation is doing is saving time in an investigation,  
putting a witness on their oath that they are telling the  
truth so in the long run when the inspector general  
conducts an investigation and pulls it together has them  
tell the truth when they are first testifying and that that  
testimony can be used later on as a sworn testimony?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "That is absolutely correct. That is the intent and the  
purpose of this Bill."

Speaker Churchill: "Representative Mulligan."



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Mulligan: "Thank you Mr. Speaker. To the Bill. I think this is a good piece of legislation. It will probably help pull together an investigation that the inspector general does which will probably aid constituents such as Mrs. Davis's district in order to speedily take care of it. Make sure that the testimony is given correctly and will help us get to the root of a problem that the inspector general is investigating. I commend their legislator and I think it's a very good piece of legislation."

Speaker Churchill: "Further discussion, the Lady from Cook, Representative Schakowsky."

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

Speaker Churchill: "She indicates she will. Please proceed Ma'am."

Schakowsky: "I understand that this Bill has been introduced on behalf of the Department of Public Aid and we were trying to get some supporting information to actually explain its purpose or necessity and I understand what you have been saying, but were there instances where the lack of ability to administer an oath resulted in any problems?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "Yes, Representative."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Could you tell me what incident may have provoked the need for this legislation?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "I'm sorry."

Speaker Churchill: "Representative Schakowsky to restate the question."

Schakowsky: "Could you give me an example of the incident that provoked this legislation?"

Speaker Churchill: "Representative Ciarlo."

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Ciarlo: "If they brought somebody in to testify and they were later brought back sometimes the testimony had changed. That is why we want to make sure that the testimony remains the same and under oath that is more likely to happen."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Okay so sometimes testimony changes. I'm trying to picture a situation where the inspector general is talking to a public aid client who may not have all of their stuff in front of them and give for example a wrong date or an incorrect dollar amount of income and then later on corrects that is that person because they were giving that testimony under oath. What are the sanctions against a person who may have inadvertently made a mistake."

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "If...an honest mistake can certainly be made, Representative. That is not the intent of this Bill. The intent of this Bill is to protect the people and yes honest little mistakes can be made, but it is directed at those people that will willfully change their testimony at a later time."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "I have no doubt that that's your intention, Representative, but it could certainly be interpreted that someone who in their mind has made an honest mistake may not be subject to some kind of sanction. What is that sanction by the way. If someone changes their story that was given under oath.

What are the possible sanctions that may be against them?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "Well Representative there are other departments within

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the state that do use this process and it doesn't seem to have been abused and therefore I feel that it would certainly be applicable to this particular agency."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "I have limited time so please listen to my question.

What are the sanctions against someone who has been found to have changed their testimony under oath? What are the sanctions for violation of this oath law?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "Hopefully this is the answer you are looking for.

Excuse me. An employee who refuses to provide a sworn statement could be cited for failure to cooperate with the investigation. No penalties who be levied against the client for failure to provide a affidavit, however when a non-employee or a client files a specific complaint against a person or an entity under the investigation, but refuses to swear to the information we would take that into our decision making and how vigorously we pursue the complaint. I hope that answers you question, Representative."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "So are you saying that someone though could lose their benefits if they make a mistake or if they fail to swear under oath? I mean I could see a situation were someone might say look I don't have this information in front of me. I'm not going to swear to it because I don't know for sure and that failure to be willing to swear to take the oath could be reasons perhaps for termination of benefits as I read your Bill."

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "That is not for clients, Representative. That is not for clients. It would not terminate their benefits."

Speaker Churchill: "Representative Schakowsky."

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Schakowsky: "Inspector general certainly does investigate, if you look at the list of responsibilities. Are you saying this Bill never applies to clients?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "The court would then have to take action, Representative."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "The Inspector General of the Department of Mental Health and Developmental Disabilities does not have the power to administer oath and has never requested the power to administer oath and in the view of many is doing a darn good job. Why is it necessary here and not there?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "But there are seven other agencies within the state that does administer the oath."

Speaker Churchill: "Representative Schakowsky with fifteen seconds."

Schakowsky: "To the Bill. I think that we are putting powers in the hands of the inspector general that may put people who are trying to cooperate at risk and I think that that's a serious concern with this Bill."

Speaker Churchill: "Further discussion? The Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes, thank you Mr. Speaker. Will the Sponsor yield?"

Speaker Churchill: "She indicates that she will. Please proceed Sir."

Hannig: "Representative I guess I wasn't clear as to who it is that would be swearing under oath in these hearings? Who is it that we are trying to get on the record?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "Clients, employees, or contractors."

Speaker Churchill: "Representative Hannig."

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Hannig: "And under the current system that we have when there is a hearing do they have recorders or court reporters or how is it that we actually determine what the testimony is?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "Currently at this time there is no court reporter or any such person when they first give their testimony."

Speaker Churchill: "Representative Hannig"

Hannig: "So does...I understand that this Bill would give the agency the power to require you to make these statements under oath, but if there's no court reporters or recording devices how is it that we would make these statements stand up anyway?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "The put a written statement and asked them to sign it, Representative."

Speaker Churchill: "Representative Hannig."

Hannig: "So this is not a testimony where it's a question and answer, this is a type of...it isn't really a hearing it's where they ask you to put something in writing?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "It's an investigation, Representative."

Speaker Churchill: "Representative Hannig."

Hannig: "Well Representative would there be times when people would be asked direct questions under oath? Under this provision?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "If there is a hearing then there would be a court reporter later on. Yes, Sir."

Speaker Churchill: "Representative Hannig."

Hannig: "So there would be a process then where we could at least have a record that we could rely on so that if at a later date if there was a question as to what was said there

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would be some consensus that this was the language. Let me ask just another question. Why doesn't the agency just do this anyway? Is there some prohibition in the law now that prohibits them from requiring this under oath?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "Representative currently they do not have the authority to administer an oath. That's exactly why we are here."

Speaker Churchill: "Representative Hannig."

Hannig: "So the law prohibits this under the current statute?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "It just does not allow them to do it."

Speaker Churchill: "Representative Hannig."

Hannig: "So it does...well I guess my question gets to why do they really need the language if there's nothing in the law that says that they can not, for example, would they not generally have the authority to do so?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "You need it legally to do this. So that's why we are presenting this piece of legislation so that it can become legal for them to administer the oath."

Speaker Churchill: "Representative Hannig."

Hannig: "Would it maybe just be simpler if they would do this through administrative rule?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "They can not do that. It must be statute."

Speaker Churchill: "Representative Hannig."

Hannig: "So it has to be done through statutes and other agencies I think you suggested earlier. Other agencies have it in the statute as well? Is that correct or not?"

Speaker Churchill: "Representative Ciarlo."

Ciarlo: "That is correct, Representative."

Speaker Churchill: "Representative Hannig."

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Hannig: "Thank you Madam. You have answered my questions."

Speaker Churchill: "Further discussion? Representative from DeKalb, Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker I move the previous question."

Speaker Churchill: "There is a Motion for the previous question. All those in favor of the Motion will signify by saying 'aye'; any opposed will say 'nay'. In the opinion of the Chair the 'ayes' have it and the previous question is moved. Representative Ciarlo to close."

Ciarlo: "I would just urge passage of this Bill. Thank you very much."

Speaker Churchill: "The question is, 'Shall House Bill 1794 pass?' All those in favor vote 'aye'; all those opposed 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 105 'ayes', 7 'noes', and 4 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. For what purpose does the Gentleman from Cook, Representative Lang rise?"

Lang: "Thank you, Mr. Speaker. No one has ever accused me of being quiet. You didn't hear me yell for a roll call on Representative...."

Speaker Churchill: "I'm sorry Representative Lang the clock from last Bill went off."

Lang: "I think everyone in the room except you must have heard my ask for a roll call on Representative Wirsing's motion to call the previous question. I would appreciate if you would acknowledge those request as we go through the calendar Sir."

Speaker Churchill: "Representative Lang I did hear you, but I heard you after the 'ayes' had already voted and we were

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going to the 'nays' and so I was in the middle of taking the vote and I continued taking that vote so next time the Chair would love to hear you earlier than that and I would hope that you would stand up and make that request. Announcements Mr. Clerk."

Clerk McLennand: "Rules committee will meet in the Speakers conference room at 3 p.m.. Rules committee will meet at 3 p.m.."

Speaker Churchill: "House Bill 2326, Mr. Clerk read the Bill."

Clerk McLennand: "House Bill 2326, a Bill for an Act that amends the Illinois Motor Vehicle Theft Prevention Act. Third Reading of this House Bill."

Speaker Churchill: "For what purpose does the Gentleman from Cook, Representative Lang rise?"

Lang: "Thank you, Mr. Speaker. I note that we seem to be skipping around the calendar. We are going in numerical order. However we are skipping Bills periodically. Quite a large number of Bills and I was wondering if the Chair could illuminate the Body as to why these choices are being made and why we are not going through it Bill by Bill as the Chair indicated or has indicated many times would be done with this new enlightened process that the majority party is supposed to be running here."

Speaker Churchill: "Representative Lang the Chair has stated in the past that we would go in order and we are going in order. Representative Lang."

Lang: "Thank you, Mr. Speaker that's not much of an answer to the question of why we are skipping Bills. If you don't have an answer say so. If you do have an answer we would like to know what it is Sir."

Speaker Churchill: "The Chair is going in order Mr. Lang. Representative Lang."



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Lang: "So would it be fair to say that you don't have an order and you don't have an answer to the question of why we are skipping Bills through the calendar Sir?"

Speaker Churchill: "The Chair has stated Representative Lang that it is going in order and it is going in order. Even you and your initial remarks remarked that it thought we were in order. Representative Lang."

Lang: "Thank you, Sir. I asked two questions. The first was why we are not going in order and arguably we are. The second question is why are we skipping Bills. Do you have an answer to that question Sir?"

Speaker Churchill: "Some seem to think that you may be out of order in your requests and you question, Representative Lang. Representative Lang."

Lang: "Will I be getting an answer to my question Sir?"

Speaker Churchill: "The Bills that we are going to are ready to be called. They are in order, in numerical order and we are proceeding in order. Representative Lang."

Lang: "Sir the question was why..."

Speaker Churchill: "The Bills are not ready from what I understand. Representative Lang."

Lang: "In other words you have checked with each of the Sponsors between 17 what ever and 2326. You have personally checked with them Sir and you have determined that none of them are ready to call their Bills?"

Speaker Churchill: "Representative Lang unless you saw me get out of the Chair I think I've been sitting in the Chair since after the parental notification debate. So I personally have been here. Representative Lang."

Lang: "So then how do you know those Bill aren't ready for a vote Sir?"

Speaker Churchill: "The Chair has it on good advise that the

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Bills are ready to be called and as we call those Bills the Sponsors do seem to be prepared and ready to go with them except for Representative Black who had a couple of Bills he took out of the order just because of your request. Representative Lang."

Lang: "Would it be fair to say Sir that you are calling the Bills you feel like calling and your calling them in numerical order, but your skipping Bills because you feel like skipping Bills?"

Speaker Churchill: "The Chair is not quite sure what rubrick you wish to place on it. The Chair believes that it is proceeding in order. Perhaps we should go to Representative Granberg for further questioning. Representative Granberg. Representative Lang you have further questions?"

Lang: "Yes I still have one more question. It's the same question I've asked which is why are we skipping Bills Sir?"

Speaker Churchill: "We are proceeding to Bills that are ready to be called in order. Representative Lang now you said that that was your last question. Do you have another question?"

Lang: "So if a Sponsor that has been passed over would approach the Chair and say they were ready on their Bill would you call their Bill Sir?"

Speaker Churchill: "I'm not sure Representative Lang. And that is an honest answer. Representative Lang."

Lang: "Well perhaps I will help the Chair and get a list of Sponsors and Bills that you have skipped that are on the calendar who may be ready and we'll present you that list and ask you to call those Bills Sir."

Speaker Churchill: "Representative Lang you have always been of

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great help to the Chair and any help that you wish to provide would be greatly appreciated. House Bill 2326, Mr. Clerk read the Bill."

Clerk McLennand: "House Bill 2326, a Bill for an Act that amends the Illinois Motor Vehicle Theft Prevention Act. Third Reading of this House Bill."

Speaker Churchill: "Representative Lang we are now in the process of a Bill. Do you have something further to add to the last 20 minutes of debate you and I had?"

Lang: "Yes, I have quite a number of things to add. There are several Members here ready to call their Bills and you have passed them over Sir."

Speaker Churchill: "Yes, if you would care to have those Members go to your chief of staff. Your chief of staff can directly communicate with our chief of staff and we will try to get those Bills called as soon as we can. Representative Lang."

Lang: "Sir was that sort of have your people call my people and we'll do lunch? Is that what you're saying?"

Speaker Churchill: "You got it, Representative Lang."

Lang: "Thank you, Mr. Speaker. The fact is that you stated previously that you were calling Bills on this calendar that were ready. We have Members whose Bills you have passed over who are ready. Representative Hartke has one Representative McGuire has one. I have one. Representative Dart has one. There is a number of Bills that you've skipped over Sir where the Sponsors are ready. By your own words you're calling Bills on this calendar order of Third Reading that are ready. These Bills are ready and we would ask that these Bills be called Sir."

Speaker Churchill: "Representative Lang with my own eyes I witness Representative Hartke leaving the Chamber. He is

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not ready. Let us proceed with the Bills that are ready.  
Representative O'Connor on House Bill 2326."

O'Connor: "Thank you Mr. Speaker. House Bill 2326 extends the sunset of the Motor Vehicle Theft Prevention Act by five years. The Act is currently set to expire on January 1, of 1996. The extension of the Act is being recommended by the insurance industry whose funds support the program exclusively. This program has been in effect for five years. There are no known opponents to this program and I'm open for any questions."

Speaker Churchill: "Is there any discussion? The Chair recognizes the Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker. You tried to acknowledge me previously, I just want to make one comment. Representative Black's Bill we can call that Bill Representative Black was nice enough to take it out of the record. We can go back to House Bill 1731 and we can get off the special order of targets in order that your Republican Members can call their Bills your other members because your other members because Democrats don't have any Bills on the calendar so I'm just trying to protect your Members rights on that side of the aisle because obviously the ones who are not targets can not get their Bills called. So would the Gentleman yield for a question on House Bill 2326?"

Speaker Churchill: "Yes, the Chair recognizes that Representative Black is hard at work on those Bills that were taken out of the record and I don't think that he is quite ready to proceed at this point. So we will go forward with this Bill and we will start the time clock. The Gentleman will yield. Please proceed Sir."

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Granberg: "Thank you, Representative. You said that this legislation was enacted, I believe five years ago. Is that correct?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "Yes it was."

Speaker Churchill: "Representative Granberg."

Granberg: "And what was the purpose of that legislation then Sir?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "I think the purpose of it was it was a win win situation for both the state and the insurance industries. The insurance industries agreed to fund the program with their dollars and the state was then taking those dollars and putting them into educational areas, ie relative to reducing vehicle thefts and things of that nature."

Speaker Churchill: "Representative Granberg."

Granberg: "But what exactly what was the purpose of the Act and how did it actually work Representative? I can just see by the Members who were appointed, but what exactly were their duties entailed in the Act?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "The program was designed is that what you are asking me, Representative what it was designed?...Okay the program was designed to prevent combat and reduce motor vehicle theft in Illinois."

Speaker Churchill: "Representative Granberg."

Granberg: "I understand the intention I think Representative, but how does it actually work? I see nothing on your Bill that discusses how the previous Act worked and how it performed in the state."

Speaker Churchill: "Representative O'Connor."

O'Connor: "Representative the funds that are received from the

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insurance companies. Representative I see that you are shaking your head. Maybe you can clarify the question."

Speaker Churchill: "Representative Granberg."

Granberg: "No I was just listening Representative I...just showing some interest."

Speaker Churchill: "Representative O'Connor."

O'Connor: "I'm sorry Representative. The funds are generated from the insurance companies given to the state. The state then takes those funds and puts them into educational programs relative to like vehicle theft programs. How people can maybe more safely secure their parked automobiles."

Speaker Churchill: "Representative Granberg."

Granberg: "The Vehicle Theft Programs, Representative, who administers those programs? How are they operated?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "That's administered by the Criminal Justice Information Authority."

Speaker Churchill: "Representative Granberg."

Granberg: "Are these programs administered throughout the state, Representative are they administered in schools, at the Secretary of States office, what locations and how often?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "Representative they are administered throughout the state."

Speaker Churchill: "Representative Granberg."

Granberg: "Where are they administered Representative?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "There's eight special task forces in Chicago, East St. Louis, Joliet, Rockford Metropolitan Areas."

Speaker Churchill: "Representative Granberg."

Granberg: "So I'm just trying to understand this, so the task

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forces are appointed and then what do they do in these areas? Do they go to schools and instruct children not to steal automobiles or how does this actually work?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "They basically are developing programs. Again I'm going to go back to the educational issues here. They are developing programs, booklets, and things of that nature that aren't distributed throughout the state."

Speaker Churchill: "Representative Granberg."

Granberg: "I'm still not sure about this. What programs? And how are they administered? They are administered by a task force in these areas? And where are they administered? To what groups?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "Representative I will read off a list of four or five programs. Is that what your question is? There is a statewide advance law enforcement training program. A statewide specialized crime analysis and intelligence gathering and clearinghouse. A strategic theft reduction program in the City of Chicago, a statewide insurance pool. A statewide public awareness and education program known as project Park Smart. Amongst others now."

Speaker Churchill: "Representative Granberg."

Granberg: "They had the five programs, Representative and does the task force then administer that program or the Criminal Justice Authority and how is it administered? Is it administered in a school? What type of format is used?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "Well the people on the task force administer the program. I'm sure some of it does go into some schools relative to educational and I'm sure some are used throughout the state at the insurance seminars and things

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of that nature."

Speaker Churchill: "Representative Granberg with fifteen seconds."

Granberg: "Somebody want to give me time? Somebody? Ladies? Thank you. Representative so the program is actually administered in the school by the task force?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "Representative it's actually administered by a task force which consists of eleven members."

Speaker Churchill: "Further discussion? The Gentleman from Cook, Representative Dart."

Dart: "Will the Sponsor yield?"

Speaker Churchill: "He indicates that he will. Please proceed Sir."

Dart: "Now you have listed some of the programs. Has not some of this money been used for sting operations?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "Representative would you repeat that please?"

Speaker Churchill: "Representative Dart."

Dart: "Hasn't some of this money that they put into this fund been different times for sting operations in regards to stolen cars and the like?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "Representative I would assume some has been used in that area, yes."

Speaker Churchill: "Representative Dart."

Dart: "And that is pursuant to who makes that determination? What departments get the money for sting operations? What ones don't? And how much?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "Well the task force will determine who gets the money and as far it would be given out as a as needed basis. I



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realize that's vague."

Speaker Churchill: "Representative Dart."

Dart: "Would the different police departments though petition the criminal justice information authority the task force. Would they petition them saying we have a program to prevent car theft. We are seeking x amount of dollars for that and put on a presentation. Is that how it would work?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "I would think if the task force was convinced that was a good area to spend money they would do that and yes I would say local police departments would probably petition them."

Speaker Churchill: "Representative Dart."

Dart: "Do you know how much if any of this money has been used by Chicago police department at all? If they had access to this money for that purpose?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "The Chicago police department does have access to the money. Now whether they have ever applied for it or utilized it I don't know, but they do have accessibility to that."

Speaker Churchill: "Representative Dart."

Dart: "From what I understand in Rockford they utilize some of this money at different times to operate sting operations for stolen cars and it actually has in a certain sense back fired because the operation was not run very well and they estimate that an extra hundred cars were stolen as a result of the program because the sting was run so bad. It gives me a great deal of concern then. Who's overseeing these people who are petitioning for this money because this was one incident that I was made aware of that there were some

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major problems with it. Are these people who know what they are doing? I mean I understand the what the theory is here, we are trying to prevent the cars from being stolen but at least in that incident there's people who believe from the police departments that they actually encouraged it because of how they ran these programs."

Speaker Churchill: "Representative O'Connor."

O'Connor: "Well Representative I would assume, you used Rockford for as an example. I would assume when they petitioned for the the money and the money was given to them and allocated to them. If a sting operation occasionally goes awry that is going to happen, but I would venture to say that most of the sting operations are mostly effective therefore reducing vehicle theft and the money being well utilized."

Speaker Churchill: "Representative Dart."

Dart: "Is it not the case though, that individuals such as like a MEG Unit or a State Police Unit can access this money and utilize it in a town or city without the town or city's police department knowing about it?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "They would have to go through the chain of command to get the money. Alright? And then if an outside law enforcement agency was to utilize this money, my experience it's always been a courtesy to notify the local municipalities as to what you are doing in their village or township."

Speaker Churchill: "Representative Dart."

Dart: "I guess the thrust of my questions are apparently in Rockford when they were doing this, and I agree with you wholeheartedly, most of these folks would want to make sure they do the proper protocol and they let people know...I know in Chicago in the suburbs they do, they let

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people know when they come into their towns and cities. Apparently in this instance there was not a communication and there was a great deal of animosity that was built up because of the fact that here in Rockford the local police department was not informed of the fact that this was going on. They didn't even know these people were trying to access the money to get the money and they not only did they not know about them, they feel as if by the way the program of the disting was administered or attempted to be administered actually more cars ended up getting stolen. As I say that brings me back to the question. The people on these task force are they people who we believe are of competence to understand these issues to make sure that the money is being spent appropriately and being spent on an effective program?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "Representative you know the statistics I have in front of me are relative to the utilizations to these funds have just shown constantly over the years where the decrease in auto thefts have occurred in the State of Illinois. Maybe some of the money has been appropriated and it has backfired and I'm sure that has happened. But again, I think we have to go with the greater majority of the cases, they probably have been very successful with them."

Speaker Churchill: "Representative Dart with 19 seconds."

Dart: "Just finally though. I agree with that and the statistic numbers and everything, but are we confident that the people who are on these task forces have the proper qualifications to make these decisions when they are dealing with this amount of money?"

Speaker Churchill: "Representative O'Connor for the response."

O'Connor: "Representative the individuals that are on this task

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force by their experience in job title I would say are extremely competent yes."

Speaker Churchill: "Further discussion? The Lady from Cook, Representative Feigenholtz. Representative Feigenholtz, your light is on."

Feigenholtz: "Thank you, Speaker. I would like to yield my time to Representative Granberg."

Speaker Churchill: "Representative Feigenholtz yields her time to Representative Granberg. Representative Granberg."

Granberg: "Thank you, Mr. Speaker and Representative Black. Representative O'Connor I just wanted to continue some of the questions I didn't hear a response on how the task force is appointed and if they only serve in those areas such as Rockford or Peoria or East St. Louis. How in fact are the Members of the task force appointed?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "Representative, the council of the the task force consists of eleven Members. The Secretary of State has input into that. Are you asking me specifically how they arrive at these people?"

Speaker Churchill: "Representative Granberg."

Granberg: "I think he is working on the answer Mr. Speaker."

Speaker Churchill: "Representative O'Connor I'm not sure. Did you ask a question, Representative Granberg?"

O'Connor: "I'm just trying to make sure I have it clear. I don't want to avoid...keep going around in circles with you."

Speaker Churchill: "Would you please restate you question, Representative O'Connor? I don't think Representative Granberg heard it."

O'Connor: "Representative if you're asking then how the eleven members are picked for this or how are they appointed. Am I understanding that correctly?"

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Speaker Churchill: "Representative Granberg."

Granberg: "Representative maybe I misunderstood. I thought that you had said earlier that the task force is appointed in these different areas I thought they were different appointments, different groups in each city. Is it just one task force that oversees all these programs in these areas?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "Yes, Representative."

Speaker Churchill: "Representative Granberg."

Granberg: "Make sure I understand it. So you have one task force appointed for the whole state. They operate five...they can operate five different programs in Rockford, East St. Louis, Peoria, and Chicago is that correct?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "Yes Representative."

Speaker Churchill: "Representative Granberg."

Granberg: "The eleven people that are appointed to the task force do they physically go down to these areas and operate these programs?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "I would assume occasionally they probably do go out and make a field trip so to speak, but no I would say that they are centrally located and they oversee the program. Do they ever go out physically? I'm sure they have."

Speaker Churchill: "Representative Granberg."

Granberg: "So you have the task force Members who operate the program. So, if they don't physically go down to Peoria and operate one of these five programs who in fact does that?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "Well Representative there's 165 people employed now in

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this agency and they would be the ones that would actually do the hands on day to day after making the request and getting the dollars budgeted to them?"

Speaker Churchill: "Representative Granberg."

Granberg: "I did not know there were 165 people employed Representative so that helps clear that up. Now these 165 people are they all employed in Peoria and East St. Louis and Chicago and Rockford?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "They are throughout the state, Representative."

Speaker Churchill: "Representative Granberg."

Granberg: "I thought you had said earlier that these...the task force operates only in those areas is that not true?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "Representative I was using examples of four or five areas that they do use. They are statewide these 165 employees."

Speaker Churchill: "Representative Granberg."

Granberg: "So if they do operate statewide, then Representative how are the locations determined? I would like to know what areas in downstate in particular operate this program. How they are operated? How does one apply for this and what the actual operation is for participation for this."

Speaker Churchill: "Representative O'Connor."

O'Connor: "Representative I would assume that would be done on their opinions on a as needed basis. Where the money could best be utilized like the previous questioning relative to some MEG groups and things of that nature utilizing these funds. I'm sure these people are very approachable with ideas of how to best utilize these funds."

Speaker Churchill: "Representative Granberg."

Granberg: "Representative, do people apply for these programs and

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or these funds?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "If you ask me do people apply for the funds? Yes.

The answer would be yes."

Speaker Churchill: "Representative Granberg."

Granberg: "And they apply to the Criminal Justice Authority or do they apply to the task force members themselves?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "They would go to the authority for the dollars because they control the dollars. I would assume the 165 employees would then have a huge input as to how those dollars are spent. But they would go to the authority for the application of dollars."

Speaker Churchill: "Further discussion? The Lady from Cook, Representative Fantin."

Fantin: "Thank you, Mr. Speaker. I would like to yield my time to Representative Granberg."

Speaker Churchill: "Representative Fantin yields her 5 minutes to Representative Granberg. Representative Granberg."

Granberg: "Thank you, Mr. Speaker. So Representative, I just don't understand...I want to understand the operation itself. So someone from my county or my hometown, they would seek out the Criminal Justice Authority and they would receive an application for funds or the participation of one of these five programs is that how this operates?"

Speaker McAuliffe: "Representative McAuliffe in the chair. Representative O'Connor."

O'Connor: "So much trust with the new Speaker I think I forgot the question. Would you say that again, please?"

Speaker McAuliffe: "Representative Granberg would you repeat the question?"

Granberg: "So someone from a town in my district they would go to

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the Criminal Justice Authority? That would be their initial step? To receive an application for participation of one of these five programs and or funding from this program?"

Speaker McAuliffe: "Representative O'Connor."

O'Connor: "Yes they could go there if they were looking for these funds to be made available to their community. That would be the first step for them to take. Yes?"

Speaker McAuliffe: "Representative Granberg."

Granberg: "They would make application to the authority itself for participation of one of the five programs is that correct?"

Speaker McAuliffe: "Representative O'Connor."

O'Connor: "Well you're using the word application. I guess I'm using the word petition. Yes, but they would have to start the process there."

Speaker McAuliffe: "Representative Granberg."

Granberg: "And so they would petition or apply for participation in one of the five programs. Would they then receive funds based on the recommendations of the 165 employees who participate statewide?"

Speaker McAuliffe: "Representative O'Connor."

O'Connor: "There is an eleven person task force that would review that initial application."

Speaker McAuliffe: "Representative Granberg."

Granberg: "So the eleven member task force, may receive the information from the Criminal Justice Authority. The Criminal Justice Authority gives the applications to the eleven person task force. The eleven person task force reviews the applications and they receive input from the 165 employees on who should receive what dollars or participation on those programs?"



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Speaker McAuliffe: "Representative O'Connor."

O'Connor: "Up to 2/3 of that, I'm agreeing with you. I'm sure they don't get input from 165 employees relative to the panel. I'm sure they have a 2 or 3 person team that would go out and make an evaluation in regards to the dollars."

Speaker McAuliffe: "Representative Granberg."

Granberg: "They have team members who then actually give input then to the task force?"

Speaker McAuliffe: "Representative O'Connor."

O'Connor: "Well, you know again, are they team members? We are in the semantics again, but they have an evaluation field squad go out and make the evaluation...first of all what they want to do is like an obvious. If somebody comes in and makes an application for money they are going to send somebody out to make sure that it's not a private lot or a condemned building. So they are going to take that step and then they will make a fairer appraisal as they can garner more information."

Speaker McAuliffe: "Representative Granberg."

Granberg: "So my town applies for funds. They apply to the Criminal Justice Authority. The Criminal Justice Authority takes the application and gives it to the eleven person task force. The eleven person task force then reviews all the applications and receives input from some team members on whether this is worthwhile. Now assuming we go through those three steps then they can participate in one of five programs. Would then the employees of the task force go down to my area and operate this program? One of the five programs that you detailed earlier?"

Speaker McAuliffe: "Representative O'Connor."

O'Connor: "There's more than...there are more than five programs alright, but if your question to me is once the money was

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allocated, am I understanding this now, if the money is allocated what support would you now get from them?"

Speaker McAuliffe: "Representative Granberg."

Granberg: "In two sets of circumstance. If they do not received the money do the state employees from the task force come down and operate one of the five programs in my area or does my town receive the funds then they operate one of the five programs in my area. Who has the responsibility to operate the program and what constraints are they under from the authority and or the task force?"

Speaker McAuliffe: "Representative O'Connor."

O'Connor: "The eleven member task for would make that decision. If they felt your community had the personnel available for what they were trained to accomplish, ie reducing auto theft things of that nature they would probably give you the funds and let you go ahead. If they felt as though..."

Speaker McAuliffe: "Representative O'Connor."

O'Connor: "If they felt as though you did not have the staff I'm sure they would offer you some staff in addition to the dollars."

Speaker McAuliffe: "Representative Granberg."

Granberg: "So my town would do this and they cold possibly received the funds if they...if the task force and receiving input from their employees thought the conditions warranted that they were meritorious in nature that they might have a problem. So they could participate in one of the five programs that are operated by the authority and or the task force. They would be in charge of spending those funds, they would determine how those funds are spent without any oversight by the task force itself?"

Speaker McAuliffe: "Representative O'Connor."

O'Connor: "The task force would oversee all the expenditures,

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yes."

Speaker McAuliffe: "Representative Granberg would you please bring your remarks to a close? I gave you an extra minute just now."

Granberg: "Well you're a Gentleman Mr. Speaker. So if my town spends the funds, they spend the monies available. Do they then voucher it back through the task force for approval on how those funds...you know on the funds that are allocated?"

Speaker McAuliffe: "Representative O'Connor."

O'Connor: "There is no voucher system Representative."

Speaker McAuliffe: "Representative Granberg."

Granberg: "So the funds would be spent, Representative, by the local entity? They would have discretion to spend those funds, but you also said there was an oversight function by the task force. Would that oversight function come into play after the funds were spent locally and how could they control what would be reasonable and what would be unreasonable cost expended on one of those five programs."

Speaker McAuliffe: "Representative O'Connor."

O'Connor: "Representative again I think I have answered that question and if I haven't please bear with me."

Speaker McAuliffe: "Representative Granberg to close, hopefully."

Granberg: "Well thank you, Representative I appreciate your attempting to answer this. I guess it goes to the basic nature of the Bill, Representative. I always have a problem here that I thought we were trying to reduce government bureaucracy. I thought that was the message of the election in November and then I see with due respect to you I see a Bill that continues an experimental program for five years and I just don't know if it's necessary just by some of the questions that indicates to me that this is a

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bureaucracy that there is not really a great deal of oversight and who controls what and how that occurs. So we have fees imposed, we have a program that was supposed to sunset and now we are going to continue it for another five years and we don't know exactly how the program operates so with due respect to you Sir I know you're attempting to do this, but I think we were sent here to reduce government and this does just the opposite."

Speaker McAuliffe: "The Gentleman from DeKalb, Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker. I move the previous question please."

Speaker McAuliffe: "Representative Wirsing moves the previous question. All those in favor signify by voting 'aye'; opposed by voting 'nay'. 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 'aye', 52 voting 'nay', and the previous question has been moved. Representative O'Connor to close."

O'Connor: "Thank you, Mr. Speaker. I would just ask for an affirmative vote on House Bill 2326, Thank you."

Speaker McAuliffe: "The question is, 'Shall House Bill 2326 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question there are 105 voting 'yes', 6 voting 'nay', 5 voting 'present'. And this Bill having received the Constitutional Majority is hereby declared passed. Mr. Clerk please read House Bill 2439."

Clerk McLennand: "House Bill 2439, a Bill for an Act that amends the School Code. Third Reading of this House Bill."

Speaker McAuliffe: "The Gentleman from Grundy, Representative

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Spangler."

Spangler: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. The Bill that we have before us is House Bill 2439 and it has to do with making an attempt of saving money for our respective school districts. What it does is it requires the State Board of Education to file mandate report with the general assembly on or before December 1, 1995 on the '94/'95 school year. It requires a report to list review and analyze separately from each mandate other than the election mandate to set forth the benefits and the failures encountered under each mandated program. The annual cost of the mandate and the percentage of students that are effected in the state and the cost efficiency of the mandate alternatives that may be more productive or cost effective. Whether that mandate is deemed as unnecessary counter productive or too cost and efficiency. And any recommended legislation to reduce mandated cost and improve the efficient productivity or other results of mandated programs. Quite simply put what this does is it gives us an accountability and some kind of accounting of what the mandates effects are on our respective school districts within the state. Many times school districts have said we could do it a better way. It's a very expensive mandate that you put on us. We wish we had input as to change. This Bill would not only do that, but would require that of the State Board of Education by changing or amending the school code. I would be happy to answer any questions."

Speaker McAuliffe: "The Gentleman from Effingham, Representative Hartke."

Hartke: "Will the Sponsor yield?"

Speaker McAuliffe: "He indicates he will."

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Hartke: "Representative is this a mandate? I think I heard you mention the name requirement and that it's required that we do this now that's a mandate now. In your little presentation here you mentioned the word mandate 14times. Now is this a mandate?"

Speaker

McAuliffe: "Representative Hartke. Representative Spangler."

Spangler: "That was a very good question Representative Hartke. No, it is not a mandate it is simply a directive to one of the agencies within the state. They already are charged with submitting a report but it's not with the expanded information with regards to mandates."

Speaker McAuliffe: "Representative Hartke."

Hartke: "Well as I read the synopsis here shall prepare...that's a directive. Shall prepare that's a directive instead of a mandate?"

Speaker McAuliffe: "Representative Spangler."

Spangler: "Yes, Representative Hartke it is. As I mentioned before under current law the State Board of Education is required to submit by March 1. So when we're talking about additional moneys or expenditures with regards to a mandate it's just simply a revision of something that's already in place."

Speaker McAuliffe: "Representative Hartke."

Hartke: "Could you just give me a definition of directive as apposed to mandate?"

Speaker McAuliffe: "Representative Spangler."

Spangler: "Certainly. Under a mandate it's something that we typically would pass on down to our constituents or those governing bodies there. This is one of the agencies that the State of Illinois is responsible for. I suppose you

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could twist that around and say that it is a mandate, but it is simply a directive or an order of business in which we would like them to comply so that we have a full understanding of just what we are doing to our local school districts."

Speaker McAuliffe: "Representative Hartke."

Hartke: "Well I'm not sure I bought your definition between directive and mandate. I think the Governor just signed a piece of legislation waiving...giving waiver requirements. Can we wave this directive too now, since I think that probably that directive and mandator are probably the same definition? Can the state board of election now waive this directive as well?"

Speaker McAuliffe: "Representative Spangler."

Spangler: "Yes, Representative, under that law, I submit that they could submit to the General Assembly on whether or not they indeed had to follow this mandate."

Speaker McAuliffe: "Representative Hartke."

Hartke: "So then what is the point?"

Speaker McAuliffe: "Representative Spangler."

Spangler: "Representative the point is there are mandates that are out there that you and I both know that perhaps are overbearing, overencompassing or perhaps obsolete. The intent or the purpose of this Bill would be to make sure that we have not sent counter productive measures, mandates, directives down to the different school districts and perhaps those moneys could be more appropriately spent in some other avenue of education."

Speaker McAuliffe: "Representative Hartke."

Hartke: "Yes, I think you stated that you and I know that there are some mandates out there that are ineffective, cumbersome, and costly and they simply don't want to do.

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Could you name some of those that are costly ineffective and they simply don't want to do?"

Speaker McAuliffe: "Representative Spangler."

Spangler: "To site specific examples I could go into many of those, but I don't think I care to at this time. We could talk about some of the Special Ed. Mandates, we could talk about bilingual education, we could talk about several other things like that."

Speaker McAuliffe: "Mr. Clerk for an announcement."

Clerk Rossi: "The rules committee is now meeting in the Speakers conference room."

Speaker McAuliffe: "Representative Hartke."

Hartke: "I don't know...I guess from your perspective, Representative Spangler, and mine that bilingual education is not really, not upon our, high on our agenda. Neither is maybe, Casimir Pulaski Day or Martin Luther King holiday, but I'm sure there are some members here that voted for those directive that thought it was very important and collectively the 60 members of the House and 30 members of this..."

Speaker McAuliffe: "Representative Hartke."

Hartke: "The 30 members of the Senate and the signature of the Governor over a period of time thought that those mandates or directives were very important and collectively that's when we do things here. But here your trying to pass another directive or mandate which allows or forces and requires the State Board of Education to do some things that you say now well if you don't want to do then that's fine too. I think it's kind of ludicrous that we're continuing to do this. Past directives or mandates or whatever when it really doesn't mean anything because the law signed by the Governor here just a couple of weeks ago



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waived all those things and gave the authority to those local school districts and State Board of Education to waive things. So, I'm not sure whether this is a good idea or not. I'm going to sit and listen to the rest of the debate to decide whether or not I'm going to vote for this legislation or not."

Speaker McAuliffe: "The Gentleman from Washington, Representative Deering."

Deering: "Representative...thank you, Mr. Speaker will the Sponsor yield?"

Speaker McAuliffe: "He indicates he will."

Deering: "Representative the preceding Speaker mentioned the fact that this might be a mandate on a mandate and you said no that it was just a directive, but as I read the Bill it says in the Bill the word required now in the short amount of time that I've been here in Springfield every time we've debated a Bill that had the word require in it one side of the aisle or the other which ever side it pertains to stands up and screams and yells and say that this is a mandate. Now I would take that as a mandate in itself. Is that the same way that you're intent of this legislation is to be addressed?"

Speaker McAuliffe: "Representative Spangler."

Spangler: "Representative Deering, as I mentioned before, if in fact this is a mandate, if we want to call it a mandate rather than our way of doing business to ascertain. Whether or not different school districts in the State of Illinois as a whole can save money and become more productive and efficient in the educational process. I would just like to read the you some current law to help you understand that this isn't a new thing it's only a slight modification. Currently the State Board of

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Education must prepare and submit to the General Assembly by March 1st an annual report listing all mandates applicable to public schools excluding only those mandates that relate to school elections. The annual report should list all mandates, the date the mandate became effective the cost of implementing the mandate during the school year covered by the report. Now what I would also like to add is we're also talking about having the '94/'95 school year. We're talking about information a little Bit quicker than we have had in the past. If you would look at your analysis or the Bill itself you'll see that the dates that are due for these different reports and the one that we are asking for currently here is December 1st of 1995. The other one is March 1st. By receeding this report on the efficiency and the effectiveness of different mandates within the educational system of Illinois we will have adequate time for this Body to analyze and review the different suggestions and then at that point in time enact perhaps legislation that will exclude those mandates from your or my school districts if that's what's necessary to make a much more feasible financial prospect for our children."

Speaker McAuliffe: "Representative Spangler."

Spangler: "Representative Deering."

Deering: "Thank you, Mr. Speaker. Representative I notice here a fiscal note that has been filed by the State Board of Education, says this is going to cost \$100,000. Are you planning on introducing an Amendment to the budget to include this cost in because you know as well as I do that there are many collar county Representatives that want to take more of our downstate school money from the school fund and give them to their collar county public school

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districts. This would be an addition to robbing these downstate school dollars. Are you in support of that or are you planning on introducing as a separate Amendment on the budget?"

Speaker McAuliffe: "Representative Spangler."

Spangler: "Representative Deering you're a very astute legislator and I appreciate service with you here. You are exactly correct. The financial statement did come out that this would be a cost of roughly \$100,000. Now the only reason that that cost is there as opposed to what it would have normally would have been with the other report it would also be due at a later point in time is simply the fact that we have expanded the areas with regards to mandates as to what their cost are their effectiveness, their efficiency and so on and so forth. So yes there will be that cost. No I do not intend to issue any proclamations requesting an additional \$100,000 appropriations. That will be absorbed in normal contingency funds."

Speaker McAuliffe: "Representative Deering."

Deering: "Yes, Mr. Speaker. One last question. I notice this is going to be...likely to be contracted an outside vendor. Is the state board already over worked that they can't do this now or is this..."

Speaker McAuliffe: "Representative Spangler."

Spangler: "That's a good point, Representative. I think the thing that we're most interested in the State when we go after information that's going to effect whatever laws that we enact or don't enact is the fact of whether or not their done correctly, accurately and appropriately. So yes it will be an independent entity that does this evaluation and when ever we've done surveys or audits or anything of that nature we often times find that it's much better do that

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with outside independent source as opposed to within the organization."

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

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

Speaker McAuliffe: "He indicates he will."

Davis: "Representative doesn't the state already have to receive a Mandates report from the State Board of Education?"

Speaker McAuliffe: "Representative Spangler."

Spangler: "Yes, Ma'am they do. The problem with that is it's not for the current school year it's as a running thing and the problem with it also is that it's deadline in March 1st. With this current Bill that we're talking about here the deadline would be December 1st. That would give us 3 months of additional time to digest the reviews and the analysis of these so that you and I as general assembly members can make the right decision when we go to enact either a Bill that says the state no longer has to do this or that there would be modifications to that legislation for the good of the children."

Speaker McAuliffe: "Representative Davis."

Davis: "Would it not be better perhaps, Representative than just to change the date on the report that the state board currently provides rather than setting this up in order to contract it out and cost us more state dollars. I mean it's like it's redundant. It's a report that we already get. There's legislation that already requires the state board to report to us on the mandates. This simply as you state changes a date of reporting. Couldn't we just change the date of the existing report that we get?"

Speaker McAuliffe: "Representative Spangler."

Spangler: "That's a very good point, Representative. I'm referring to the Bill proper from line 108 to line 135 and

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spelled out in there is the expanded needs that we will have to have to adequately make the assessment of whether these mandates are cost effective or not cost effective. What I see this as, as an excellent opportunity for we as state legislators to have the full picture of what kind of mandates that we force on the local school districts. It will also be an opportunity for the local school districts to say, hey, you know what, we can do this a better way but by your language, we have to do it this way and it costs us an extra, you know, 30 or \$40,000 for the school year. Quite simply put, the expanded language that we asked to have reported on is the review and analysis of each mandate with the exception of the election mandates of the schools and describing the benefits that those mandates may or may not have and describing any failures. Also, setting forth the annual cost of that mandate to that school district and stating the percentage of the elementary and secondary school students in the state who are affected by that mandate. Also, another provision would be evaluating whether the mandate program procedures are efficient. Then, what they would do as a result of that is describe any modification of the mandate or alternative procedures that we perhaps could enact to have a more cost effective program. And the very last provision of that is whether the mandate is deemed unnecessary or counter productive or is it cost inefficient. They would also recommend back to this Body in their report any legislation that they feel necessary to reduce cost in implementing efficiency productivity as a result of mandated programs or procedures and actions."

Speaker McAuliffe: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. I'm glad to get another

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question into my five minutes. This will be my second question. I think you should ask the Representative to simply respond to the questions and not give a speech on my time. I'd like to ask about the categoricals that are mandated. Which categoricals will you be receiving reports on? Will it include transportation? Will it include bilingual education? Will it include special education?'

Speaker McAuliffe: "Representative Spangler."

Spangler: "Representative, it would be all of the above. All of the mandates."

Speaker McAuliffe: "Representative Davis."

Davis, M.: "To the Bill, Mr. Speaker. I would merely like to state that in 1976 the state of Illinois funded education close to 50 percent. In 1995 the state of Illinois funds education to the tune of 32 percent. I would suggest, rather than having these Bills that simply bring in new reports upon other reports and a new study based upon the former study. I would suggest that we look for ways to fund education. Fund education based upon our Constitutional mandate. To fund education and be the primary source of revenue for the schools in our state and to continue dismantling extremely important and valuable programs to bring down the cost, rather than finding ways to fund education. I think it's just a terrible attack on our children and their future. Thank you."

Speaker McAuliffe: "The Gentleman from DeKalb, Representative Wirsing. The Gentleman from DeKalb, Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker. I move the previous question."

Speaker McAuliffe: "The Gentleman moves the previous question. All those in favor signify by voting 'aye'; those opposed by voting 'nay'. Voting's open. Have all voted who wish?"

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Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, there's 64 voting 'aye', 50 voting 'nay'. The previous question has been moved. Representative Spangler to close."

Spangler: "Thank you, Mr. Speaker. Representative Davis is precisely correct. That's exactly what we are attempting to do with this legislation. Find out by careful scrutiny, just where the wastes are and the ineffective, inefficient mandates. I would submit to everyone of this Body that if you are interested in saving money for your respective school districts and letting them have a voice in education at this level, that we go ahead and vote 'aye' on this Bill so that we can have the necessary tools to go forth in the next Session. Thank you."

Speaker McAuliffe: "The question is, 'Shall House Bill 2439 pass?' The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. Should this Bill receive the requisite number, we would request a verification."

Speaker McAuliffe: "Roll Call. All those in favor vote 'aye'; opposed vote 'nay'. 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 66 voting 'aye', 49 voting 'no', and 3 not voting. Do you want to proceed with the verification, Representative Lang. Okay, Mr. Clerk, verify the. Representative Johnson asked if he can have leave to be verified. Yes, he can. Representative Saviano wants to have leave to be verified so he can have his picture taken. Proceed with the verification."

Clerk Rossi: "A poll of those voting in the affirmative: Representatives Ackerman. Balthis. Biggert. Biggins. Black. Bost. Brady. Churchill. Ciarlo. Clayton. Cowlshaw. Cross. Deuchler. Durkin. Erwin. Gash.

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Hanrahan. Hassert. Hoeft. Hughes. Johnson, Tim.  
Johnson, Tom. Jones, John. Klingler. Krause. Kubik.  
Lachner. Lawfer. Leitch. Lindner. Lyons. Meyer.  
Mitchell. Moffitt. Moore, Andrea. Mulligan. Murphy,  
Maureen. Myers. Noland. O'Connor. Pankau. Parke.  
Pedersen. Persico. Poe. Roskam. Rutherford. Ryder.  
Salvi. Saviano. Schoenberg. Skinner. Spangler.  
Stephens. Tenhouse. Turner, John. Wait. Weaver.  
Wennlund. Winkel. Winters. Wirsing. Wojcik. Zabrocki.  
Zickus. and Mr. Speaker. Questions of the affirmative?"

Lang: "Representative Schoenberg?"

Speaker McAuliffe: "I'm sorry, Representative Lang, would you repeat that?"

Lang: "Representative Schoenberg?"

Speaker McAuliffe: "Representative Schoenberg? Representative Schoenberg, in the chamber? Representative Schoenberg, in the chamber? Please remove Representative Schoenberg from the roll call."

Lang: "Representative Tom Johnson?"

Speaker McAuliffe: "Representative Tom Johnson is right here, right in the front. Representative Schoenberg is in the back and he's returned and he wants to be put back on the roll call. Can Representative Turner have leave to be verified?"

Lang: "Absolutely."

Speaker McAuliffe: "Verify Representative Turner. Further questions, Representative Lang?"

Lang: "Yes, Mr. Speaker. We're very worried about Representative Ackerman because we haven't heard from him today. Is he here?"

Speaker McAuliffe: "Representative Ackerman is in the back far part of the Chamber."



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Lang: "Are you trying to get the Chair's attention, Representative? Representative Cowlshaw's trying to get your attention, Mr. Speaker."

Speaker McAuliffe: "Representative Cowlshaw, I'm sorry."

Cowlshaw: "Mr. Speaker, may I have leave to be verified, please?"

Speaker McAuliffe: "Verify Representative Cowlshaw. Further questions, Representative Lang?"

Lang: "Bear with me, Mr. Speaker."

Speaker McAuliffe: "Representative Lang, Representative Wennlund would like to be verified."

Lang: "Oh yes, I see him. I will verify him."

Speaker McAuliffe: "Thank you. Further questions?"

Lang: "Representative Balthis?"

Speaker McAuliffe: "Representative Balthis is down in the front here."

Lang: "Representative Poe?"

Speaker McAuliffe: "Representative Poe? Is Representative Poe in the Chamber? Representative Poe in the chamber? Yes, he's sitting in his chair."

Lang: "No, he's not. Not in his own chair. Not in his chair. One moment, Mr. Speaker."

Speaker McAuliffe: "Further questions?"

Lang: "No further."

Speaker McAuliffe: "Thank you very much. This Bill having received 66 'aye' votes and 49 'nay' votes. Having received the Constitution Majority, is hereby declared passed. Mr. Clerk, please read the House Bill 2470."

Clerk Rossi: "House Bill 2470, a Bill for an Act Amending the Illinois Grant Funds Recovery Act. Third Reading of this House Bill."

Speaker McAuliffe: "Representative Krause."

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Krause: "Thank you very much, Mr. Speaker. Very briefly, this Bill is a Bill, agency Bill of the Department of Public Aid and what it does, currently the state law provides that expenditures and grant funds of the State Finance Act must take place within two years. Merely what this Bill does is to amend that Act to provide that the expenditures of the grant funds would now conform with federal law and now be a provision of 10 years. The reason for the change is that the federal law provides for the designation of certain empowerment zones and enterprise communities. Once these are designated, then the community can receive 3 million dollars to be expended over a ten year period for improvement of their community. The three Illinois communities to be designated will be Chicago, Springfield, and East St. Louis and over the life of the federal grant, the Department of Public Aid will pass through 106 million in federal funds to the communities. As I stated, the mere change in this Act and the only change is to conform now the local law with the federal to provide ten year period for the grants, rather than two."

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

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

Speaker McAuliffe: "He indicates he will."

Lang: "Thank you. Representative, I was listening to you explanation, but I really didn't understand what you said. Can you try it again? I will admit, it's probably my fault, but I really didn't pick up on what you were saying."

Speaker McAuliffe: "Representative Krause."

Krause: "Currently, the State Finance Act merely provides now that for grants that are to be received, they cannot be for

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more than two years. However, this will now amend it to provide that social service block grant funds for empowerment zones enterprise communities, in which case the funds can now be available by the grantee for up to 10 years. That is basically what the Bill does. That is all the Bill does is to conform this section of the state statute to the federal law to provide for 10 year period to expend those grants."

Speaker McAuliffe: "Representative Lang."

Lang: "Why do we want to do this, Representative?"

Speaker McAuliffe: "Representative Krause."

Krause: "My understanding is that, that is a federal requirement that has the ten years. This now brings the state into compliance with federal and it does nothing else."

Speaker McAuliffe: "Representative Lang."

Lang: "So, this puts us into compliance with federal law? Is that correct?"

Speaker McAuliffe: "Representative Krause."

Krause: "Yes."

Speaker McAuliffe: "Representative Lang."

Lang: "So will you be filing some sort of Bill that will require us to comply with the Motor Voter Act?"

Speaker McAuliffe: "Representative Krause."

Krause: "I don't think sincerely, Sir, that is germane to this issue. I think this issue should move forward on its own and let us do that."

Speaker McAuliffe: "Representative Lang."

Lang: "Well, if our thrust here is to make sure, Representative, that the General Assembly complies with federal law, don't you think we should make some sort of statement on this? Perhaps, an amendment to this Bill since we're dealing with Bills that comply with federal law, that perhaps, the State

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of Illinois sought to stop the lawsuit and the appeal of the lawsuit and agree that the federal government has passed a law regarding Motor Voter and that the State of Illinois should stop wasting millions of dollars and follow the federal law. Shouldn't that be on your Bill?"

Speaker McAuliffe: "Representative Krause."

Krause: "No, it should not be on the Bill. This Bill should be able to stand on its own merit and move forward. That issue is now in court and it'll be resolved there. I would ask for the support of the Assembly on this Bill."

Speaker McAuliffe: "Representative Lang."

Lang: "Well I understand what the Bill does, Representative, but I really don't understand why we need it. Why can't they spend this money within two years?"

Speaker McAuliffe: "Representative Krause."

Krause: "They well may be able to, but I think there would be a basis for better planning if they have a more extensive period of time and I think that the funds probably could be better studied and utilized if you have a more extensive period."

Speaker McAuliffe: "Representative Lang."

Lang: "Before I go further, Mr. Speaker, I'm joined by sufficient number of my colleagues to remove this from short debate, Sir. Thank you. Representative, if we're gonna give them eight more years to spend this money, have we added any accountability somewhere in here, some additional accountability?"

Speaker McAuliffe: "Representative Krause."

Krause: "This Bill merely addresses the one minor change from two to ten years. Whether or not accountability, I'll have to direct you back to the Department of Public Aid, the various federal grants and see how they're covered there."

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It is not in this Bill. The Bill makes only that one change."

Speaker McAuliffe: "Representative Lang."

Lang: "It doesn't sound like a merely Bill to me, Representative. So you're taking a block of money that they have two years to spend after which two years time we can analyze it to see how it's been spent, who's spent the money, whether it's been wasted, etc. and you want to stretch this out over ten years and have nowhere during that period that they have to report to the General Assembly or be accountable in any way for those funds. Is that what this Bill does?"

Speaker McAuliffe: "Representative Krause."

Krause: "The Bill does not do that at all. The Bill makes the one change in the section of the state law to change it from two to ten. Issues, such as you've raised, are not raised in here. They would be raised in other areas, in other Bills, in other legislation that rules as far as grant money."

Speaker McAuliffe: "Representative Lang."

Lang: "Well, are there any other Bills changing the accountability provisions if you do this? There aren't any other block grants that we're going to give them ten years to spend, are there?"

Speaker McAuliffe: "Representative Krause."

Krause: "The entire issue of regulation of grants would be controlled by the federal law that would be in existence and would comply and would have to be followed here."

Speaker McAuliffe: "Representative Lang."

Lang: "Well, I'm really confused now. I truly am. Representative, if you're going to stretch this out from two years to ten, what do we get in years, three, four,

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five, six, seven, eight, and nine in the General Assembly or in the department or the taxpayers of this state? What answers do we get as to how this money is being expended and what we can do to stop it if the money's being wasted? Where's the accountability, Representative?"

Speaker McAuliffe: "Representative Krause."

Krause: "The money will come in over an extended period of time. There would be...just because this is a federal program and is a pass thru to the state, the federal grant program would have ..."

Speaker McAuliffe: "Representative Lang."

Lang: "Well, Representative Krause was finishing her answer, Mr. Speaker."

Speaker McAuliffe: "Representative Krause."

Krause: "The federal law that would apply here would have those type of regulations that you are interested in, as far as accountability and checking it through. The Department here is a pass through down to those three communities, Chicago, East St. Louis, and Springfield."

Speaker McAuliffe: "Now, Representative Lang."

Lang: "Mr. Speaker, I thank the Sponsor. To the Bill. All of a sudden, there seems to be an interest by the Majority party in following the federal law. They haven't seemed to be interested in following the federal Motor Voter Act. We're in court over that, spending millions of dollars of taxpayers' money to defend that. Doesn't seem to be a concern about the rules and the regulations that have been passed in Washington, relative to car pooling to keep our environment and our air clean, but all of sudden on this Bill, we're very, very interested in following the federal law. What is this great interest all of sudden in following the federal law? I think we ought to be doing

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it, but why is there such an inconsistency by the Majority party in this House as to what federal laws we're going to follow and what federal laws we aren't going to follow? I would submit to you that we only follow the ones that seem to benefit the Majority party and the constituent that they think they represent and that the federal laws and regulations that protect the little guy, the working men and women, the man on the street, the people that are concerned about crime on the street, the people that are concerned about being able to register to vote easily, those issues are ignored by the Majority party. It seems to me that once again the Majority party's being disingenuous and I would suggest we take a very close look at their motives here."

Speaker McAuliffe: "The Gentleman from Cook, Representative Pugh."

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

Speaker McAuliffe: "She indicates she will."

Pugh: "Representative, can you tell me how many empowerment zones were designated by this legislation?"

Speaker McAuliffe: "Representative Krause."

Krause: "There are three: Chicago, Springfield, East St. Louis."

Speaker McAuliffe: "Representative Pugh."

Pugh: "Is empowerment zone the same as enterprise community or are they two different designations?"

Speaker McAuliffe: "Representative Krause."

Krause: "My understanding is, is that these zones do give some discretion as far as the usage of the funds. I know that in one case, the Department has met with the communities and they're attempting to use towards reducing drug usage."

Speaker McAuliffe: "Representative Pugh."

Pugh: "So the moneys that we're talking about allocating, is that

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under the federal legislation the state had to match the federal dollars?"

Speaker McAuliffe: "Representative Krause."

Krause: "No, this is just a pass through of a 106 million federal funds."

Speaker McAuliffe: "Representative Pugh."

Pugh: "So we're talking about 106 million of the total empowerment zone dollars or is this additional, is this added dollars?"

Speaker McAuliffe: "Representative Krause."

Krause: "My understanding is, is that this is off of the Department of Public Aid. It is merely 106 million for these three communities to be used for those type of purposes. Whether or not, Sir, it's additional or apart of, I couldn't address that."

Speaker McAuliffe: "Representative Pugh."

Pugh: "Has any of this money been allocated or spent?"

Speaker McAuliffe: "Representative Krause."

Krause: "No, they are still meeting with the communities."

Speaker McAuliffe: "Representative Pugh."

Pugh: "If under this legislation, is it one of the mandates, one of the requirements is that the community has some control in the dispensation of these dollars?"

Speaker McAuliffe: "Representative Krause."

Krause: "Yes, they must set up on the community organization."

Speaker McAuliffe: "Representative Pugh."

Pugh: "So do you perceive a problem in transferring funds through block grants? It's my understanding that block grants allocated to communities through the government, not the community and if the dollars are sent down from the federal government in terms of block grants, how will the community have input in where these dollars go and if the legislation



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requires that the community is involved, then how will this work?"

Speaker McAuliffe: "Representative Krause."

Krause: "I think as said before, the communities will have organizations through their local city government, also to submit a plan to give input on it."

Speaker McAuliffe: "Representative Pugh."

Pugh: "I understand the process and the process was a ground up process that involved the community. The community based organizations or community organizations worked to develop proposals. They submitted proposals to the cities. The cities in turn, submitted them to the federal government. Now, the re-legislation was designed to empower communities. The problem that I'm having is that if you are going to take the federal dollars and put them in the form of block grants, then the essence of the legislation is skewed...because the community has no control over block grants."

Speaker McAuliffe: "Representative Krause."

Krause: "Sir, I understand what you're saying. This legislation, though, is not in any way, as you know, changing, adding, or subtracting a block grant proposal. We aren't doing that. We are giving ourselves a more extended period of time because of the time the funds are coming in to have access to the funds. That's all this legislation does. It does not go beyond that. The Bill merely addresses a more extended period of time because of the funding coming in, but then on the issue of the block grants, it's how that federal block grant is structured. The Department of Public Aid works with the local communities and again, will pass it through to those three communities."

Speaker McAuliffe: "Representative Pugh."

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Pugh: "Okay, it's my understanding that we're talking about a hundred million dollars that's coming down from the Federal Government to the communities. This is a two year program, 50 million dollars each year. The original, is this different? Are we talking about a different pot of money than the original entitlement program?"

Speaker McAuliffe: "Representative Krause."

Krause: "Yeah, once previously it was three million dollars to be extended over ten year period. Now, the proposal is that these three communities are to receive, as you said, the hundred million dollars on this. This is what is now in process."

Speaker McAuliffe: "Representative Pugh."

Pugh: "Okay, so we're talking about there's the three million dollars is the state's match to the federal. Let me explain, is the state's match to the overall hundred million dollars that's coming down from the Federal Government."

Now why are if it's a two year program, if the federal government is going to dispense these funds over a two year period which is the initial genesis of the legislation, why are we requesting 10 years to do what couldn't be done in two years. When you take into consideration, the added costs for administration of these dollars?"

Speaker McAuliffe: "Representative Krause."

Krause: "Because it was that on the federal level that will not now come in two years. It is going to come in over that extended period of time and that is the sole reason for the change from two to ten to conform to the federal now, extending it over that period. That is the reason."

Speaker McAuliffe: "The Gentleman from Cook, Representative

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Granberg. Not from Cook, Clinton. The Gentleman from Clinton, Representative Granberg."

Granberg: "Would the Lady yield?"

Speaker McAuliffe: "She indicates she will."

Granberg: "Representative Krause, I just want to make sure that I get this straight. This would give the Department of Public Aid more flexibility in recovery of grant money."

Speaker McAuliffe: "Representative Krause."

Krause: "My understanding is so that it does give them more flexibility, but it is also to conform with what is being done on the federal level."

Speaker McAuliffe: "Representative Granberg."

Granberg: "And so this is at the Department of Public Aid's request. Is that correct?"

Speaker McAuliffe: "Representative Krause."

Krause: "It is their Bill and it is at their request for this change."

Speaker McAuliffe: "Representative Granberg."

Granberg: "And I assume we want to give them more access to grant money because they've done such a good job with Healthy Moms and Healthy Kids and programs such as that."

Speaker McAuliffe: "Representative Krause."

Krause: "I think that there is a benefit to move this Bill forward. There's an opportunity to secure some important funding for those three communities and I would urge your support, Representative."

Speaker McAuliffe: "Representative Granberg."

Granberg: "So I look at the board, Representative, and I see grant funds recovery. Now, would I think then that the Department of Public Aid would be a little more diligent in trying to pursue the five million dollars they misspent on the Healthy Moms, Healthy Kids program, if they're asking

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to do the ability to recover other grant funds?"

Speaker McAuliffe: "Representative Krause."

Krause: "With all seriousness, Sir, I think this is an important Bill and I don't think sincerely bringing that in, in any way, has any type of relevancy to what could be achieved if we supported this Bill."

Speaker McAuliffe: "Representative Granberg."

Granberg: "To the Bill. The Department of Public Aid has come into this Body seeking additional authority to spend money on grants. This is the same department that misspent five million dollars on Healthy Moms and Healthy Kids. This is the same department the Inspector General has refused to review the matter. This is the same department that has no authority whatsoever, no fiscal responsibility. The same department that misguessed on the Healthy Moms/Healthy Kids program by hundreds of thousands of people. The program that we patterned our Managed Health Care Program after and this department comes in and wants more authority for grant funds. It's ridiculous. They ought to look and decide what they're going to do on the money they've already misspent before we start dealing with matters such as this."

Speaker McAuliffe: "The Gentleman from DeKalb, Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker. I move the previous question."

Speaker McAuliffe: "The Gentleman's moved the previous question.

On that question, the Clerk please take the roll. All those in favor vote 'aye'; opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On the motion, there are 64 voting 'aye', 52 voting 'no' and the motion carries. Representative Krause to close."

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Krause: "Thank you, Mr. Speaker. Very briefly, I would urge support for this Bill. It gives us the opportunity to pass through over a hundred million dollars in federal funds to Chicago, Springfield, and East St. Louis and I would ask for a 'yes' vote."

Speaker McAuliffe: "The question is, 'Shall House Bill 2470 pass?' All those in favor vote 'aye'; and opposed vote 'nay'. 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. There's 114 voting 'aye', none voting 'no' none voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, committee reports."

Clerk Rossi: " Representative Churchill, Chairman from the Committee on Rules, to which the following Bills and Resolutions were referred, action taken on April 5th, 1995, reported the same back with the following recommendations: 'do approve for consideration' to the Floor. Amendment 2 to House Bill 2080. Amendment 6 to House Bill 2204. Amendment 1 to House Bill 2226 and Amendment 2 to House Bill 2332."

Speaker McAuliffe: "Mr. Clerk, for an announcement."

Clerk Rossi: "The House Committee on Executive will meet tonight at 6:00 p.m. in Room 114 in the Capitol to consider Floor Amendment 3 to House Bill 892. This will require the General Services ... Committee to move to 122-B. Repeating, the House Committee on Executive will meet tonight at 6:00 p.m. in Room 114 of the Capitol to consider Floor Amendment 3 to House Bill 892. This will require the General Services Approp. Committee to move to 122-B and meet at 6:00 p.m., also."

Speaker McAuliffe: "Mr. Clerk, please read House Bill 398."

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Clerk Rossi: "House Bill 398, a Bill for an Act to amend the Unemployment Insurance Act. Second...Third Reading of this House Bill."

Speaker McAuliffe: "The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this is the Bill that we've discussed time and time again, not only in committee but on the floor. It establishes in statute the identification and definition of the independent contractor. This is a problem that we've trying to address long before I got here, as a matter of fact, Representative Saltsman dealt with it for years, about 15 years ago, I picked up the ball a few years ago and we've been trying to get this situation settled for a long time. Thanks to the Speaker's offices, he called the players together, the trucking industry and also the folks from the Teamsters Union. We sat down over a lengthy meeting and really hashed this out. So this is, I guess, the best of the Agreed Bill process that now has established what is an independent contractor in law. And the department is signed off on it, the Teamsters have signed off on it and the trucking industry has signed off on it. I think we've debated this adinfitum and I'd be happy to answer any questions, Mr. Speaker."

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

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

Speaker McAuliffe: "He indicates he will."

Hoffman: "Representative, maybe...I just can't remember that far back but didn't we do this Bill or similar Bill or was that when this was on Second Reading for an Amendment? Didn't we already do a Bill that's similar to this or was that the

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Second Reading of this Bill?"

Speaker McAuliffe: "Representative Weaver."

Weaver: "That was the Amendment on Second Reading where we had a technical change that we had to put in there to help comply with federal law."

Speaker McAuliffe: "Representative Hoffman."

Hoffman: "And the Amendment as well as the Bill itself and the language that is in the Bill, it's my understanding that there was a previous Amendment that I guess was put on in committee, is that correct?"

Speaker McAuliffe: "Representative Weaver."

Weaver: "Yes Sir, that's correct. That became the Bill."

Speaker McAuliffe: "Representative Hoffman."

Hoffman: "And that Amendment is the Amendment that the AFLCIO, the Teamsters, as well as the trucking industry are all in agreement and in support of, is that correct?"

Speaker McAuliffe: "Representative Weaver."

Weaver: "That is correct."

Speaker McAuliffe: "Representative Hoffman."

Hoffman: "Is there anybody that you know of, any organization against this Bill, now currently as it's written?"

Speaker McAuliffe: "Representative Weaver."

Weaver: "If there is we haven't been able to find them."

Speaker McAuliffe: "Representative Hoffman."

Hoffman: "This is the Bill that would treat truck and tractor operators as independent contractors rather than employees and therefore would exclude them coverage under unemployment insurance, isn't that right?"

Speaker McAuliffe: "Representative Weaver."

Weaver: "Well, it sets forth in statute legal guidelines as to what makes up, what is an independent trucker and to be real honest according to the department's rules they were

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excluded from benefits before. It just...what this does is actually prevent the department from requiring the taxes be paid on those benefits that the independent truckers couldn't collect."

Speaker McAuliffe: "Representative Hoffman."

Hoffman: "It's my understanding that this Bill sets up a variety of criteria for independent contractors. So that then they will not be or they will be viewed as independent contractors rather than employees for the purposes of the coverage under the Unemployment Insurance Act. Therefore, the taxes wouldn't have to be paid by the trucking company, is that right?"

Speaker McAuliffe: "Representative Weaver."

Weaver: "I'm not sure I exactly understood your question. But what it does is set up the criteria for determining an independent trucker so those unemployment taxes will not have to be paid, if that what you meant."

Speaker McAuliffe: "Representative Hoffman."

Hoffman: "Real briefly, could you just briefly run through some of the high points of the criteria? Only because I think there may be a concern, I understand everybody's signed off on it but we don't want to put employees in a situation if they're legitimate employees and they would get laid off for some reason of not being able to collect unemployment and feed their family. So, if you could just briefly go through some of the criteria, we on this side of the aisle would appreciate it."

Speaker McAuliffe: "Representative Weaver."

Weaver: "Okay. First of all, the trucker would have to have a bountified equity interest in his or her rig and would have to be actually an operating business on their own. They would have to have the right to perform the same or similar



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services for other than that particular company. They would also not be able to dictate to truckers schedule other than respect to pick up or delivery within a certain period of time to the shipper or receiver. And fourth, the trucker would have to be responsible for all licensing and operating costs associated with his rig, his or her rig. And finally, the trucker would have to operate a separate business identity. They would not actually be an employee but they would actually be the business owner from the company he's...he's contracting with."

Speaker McAuliffe: "Representative Hoffman."

Hoffman: "Now the criteria of which...which you went through and I think it's...it's sufficiently specific enough that it wouldn't, probably wouldn't catch employees in that net. But that criteria, is that commonly met within the industry? I mean, normally when you own, I'm not that familiar with the industry but when you own a trucking firm and you contract these types of services out. Are normally, the people that drive your trucks for you, have those type of criteria or meet that type of criteria?"

Speaker McAuliffe: "Representative Weaver."

Weaver: "Yes."

Speaker McAuliffe: "Representative Hoffman."

Hoffman: "So this would remove...this would I guess it could possibly remove several maybe thousands of individuals from the unemployment insurance roles, is that right?"

Speaker McAuliffe: "Representative Weaver."

Weaver: "Well, what it would do would be to prevent trucking company..."

Speaker McAuliffe: "Representative Hoffman. Representative Weaver continue."

Weaver: "It would prevent trucking companies that contract or

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sub-contract with other companies from paying unemployment insurance benefits or taxes on those sub-contractors. But it specifies in clear language, see right now we function under what they call the a-b-c test which is vague at best. And the department feels kind of hog tied, they can't continue to function under what they have now but they have not been by rule able to change what...the way they're doing it. So they've asked us, through statute, to establish a more I guess lucid or clear criteria as to what makes up an independent contractor."

Speaker McAuliffe: "Representative Hoffman."

Hoffman: "Do you know of any court cases that may be contrary to this? I'm not sure, are there any court cases that would have interrupted the specific law, defining independent contractors that may be contrary to this statute? I don't know if there is or not. I'm in favor of the Bill, I just don't want it to be overturned in court later on if there are court cases that are contrary to it."

Speaker McAuliffe: "Representative Weaver."

Weaver: "In our view...in our view under this language I don't know of any currently under litigation."

Speaker McAuliffe: "...Cook, Representative Lang."

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

Speaker McAuliffe: "Indicates he will."

Lang: "Thank you. Representative, is there an Amendment on this relative to the Federal Unemployment Tax Act?"

Speaker McAuliffe: "Representative Weaver."

Weaver: "That's correct."

Speaker McAuliffe: "Representative Lang."

Lang: "What does that Amendment do, Sir?"

Speaker McAuliffe: "Representative Weaver."

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Weaver: "It adds...well actually it amends to the Underlying Bill an exemption of the section of Unemployment Insurance Act that requires the Illinois U. I. Act to comply with all definitions used in the Federal Unemployment Tax Act."

Speaker McAuliffe: "Representative Lang."

Lang: "Did you have more to say, Sir?"

Speaker McAuliffe: "Representative Weaver."

Weaver: "Actually, yes. This actually closes the back door which might have caused us some problems with the FED down the road and it was language that we had agreed to in our meetings with the Teamsters Union in our Agreed Bill process that we all had agreed to but simply was inadvertently not included in the Amendment that we added in committee."

Speaker McAuliffe: "Representative Lang."

Lang: "So the Teamsters and the AFLCIO who were originally against the Bill are no longer opposed to the Bill?"

Speaker McAuliffe: "Representative Weaver."

Weaver: "After quite a lengthy meeting in Chicago everybody came to an agreement on the Bill."

Speaker McAuliffe: "Representative Lang."

Lang: "And so this second Amendment that deals with the Federal Unemployment Tax Act, you're trying to put the State of Illinois in compliance with federal law, Sir?"

Speaker McAuliffe: "Representative Weaver."

Weaver: "Well, I don't know if I'd call it compliance, it would simply disallow them coming back at us in the future. I guess it would be in some degree a compliance, yes."

Speaker McAuliffe: "Representative Lang."

Lang: "So, I guess you believe we should be in compliance with the federal laws that are thrust upon the State of Illinois. Wouldn't that be fair to say?"

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Speaker McAuliffe: "Representative Weaver."

Weaver: "We all do our best to comply with the federal government."

Speaker McAuliffe: "Representative Lang."

Lang: "So would you entertain an Amendment on this, Sir? To require Illinois to comply with the Motor Voter Act that the United States Congress passed and the President signed?"

Speaker McAuliffe: "Representative Weaver."

Weaver: "I'm not sure I understood your question. You want truck drivers to vote in the rigs, is that it?"

Speaker McAuliffe: "Representative Lang."

Lang: "Well, Sir, you have a Bill here to require us to comply with federal law and I'm under...that's germane because there is another...several federal laws we haven't complied with. One regarding seat belts and certainly one regarding motor voter. If you're so interested in having the State of Illinois comply with federal law because you believe we ought to do that this would be a good place for that Amendment. Do you believe we ought to comply with the Federal Motor Voter Act, Sir?"

Speaker McAuliffe: "Representative Weaver."

Weaver: "Well, as I understand, that's currently under appeal and I really don't feel comfortable in commenting on a case that's currently before the courts."

Speaker McAuliffe: "Representative Lang."

Lang: "Well, you're not a litigant, Sir, you're not the lawyer, you're not the judge, you're not in the jury. I asked you whether you support the Federal Motor Voter Act and if you do why can't we just stick it in your Bill?"

Speaker McAuliffe: "Representative Weaver."

Weaver: "I found in my years of experience here that it is best

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to take steps, as small as possible, to get things accomplished. And perhaps we can tackle that another time."

Speaker McAuliffe: "Representative Lang."

Lang: "But apparently you do believe that the State of Illinois should follow the federal law? The federal government passes a law, requires the states to do x-y-or z, we ought to do those things, don't you think?"

Speaker McAuliffe: "Representative Weaver."

Weaver: "Well, I'm speaking only in context of this Bill and what we're attempting to accomplish here. There is a lot of things that FED does that I don't agree with, motorcycle helmets is one of them, you know that."

Speaker McAuliffe: "Representative Lang."

Lang: "Yes, I know that. Thank you, Mr. Weaver. To the Bill. This is the same argument as the argument I made on Representative Krause's Bill earlier. When are we going to have some consistency in this Body? We have Bills that require that we follow federal law when we feel like it. But when the State of Illinois and the Edgar Administration don't feel like it, when we have the Motor Voter Act which over the court...in the United States of America is registered thousands and thousands and thousands of new voters, for that law we're not interested. For that law we're interested in hiring lawyers and sending them to the courtrooms and paying them a lot of money and appealing the case and making the State of Illinois a laughing stock. We've been sued by the United States of America, Ladies and Gentlemen. The Attorney General of the United States, Janet Reno, found it necessary to sue the State of Illinois. And the Edgar Administration just let's it go, Edgar Administration is fighting it. And here we have

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little bitty legislation to say, well we think we ought to comply with federal law. If we're going to comply with federal law, Mr. Weaver, let's comply with all the federal laws and not just waste taxpayers dollars fighting the ones we don't like."

Speaker McAuliffe: "The Gentleman from DeKalb, Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker. I move the previous question."

Speaker McAuliffe: "The Gentleman has moved the previous question. On that question, we will have a Roll Call Vote. Mr. Clerk. All those in favor of moving the previous question signify by voting 'aye'; opposed vote, 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 64 voting 'aye', 51 voting 'no'. And the previous question has been moved. Representative Weaver, to close."

Weaver: "Thank you very much, Mr. Speaker. Ladies and Gentlemen. This is a very well constructed piece of legislation, a long overdue Bill, I appreciate all the help that the parties on both sides of the aisle and both sides of the issue have presented and I ask for an affirmative vote on this Bill."

Speaker McAuliffe: "The question is, 'Shall House Bill 398 pass?' All those in favor vote 'aye'; those opposed 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, please take the record. On this question, there are 115 voting 'aye', 1 voting 'no', none voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed."

Speaker Wojcik: "Representative Wojcik, in the Chair. We will

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now proceed to the Order of House Bills Third Reading. Mr. Clerk, read House Bill. For what purpose does the Lady from Cook, Representative Erwin, rise?"

Erwin: "Thank you, Speaker, on a Point of Personal Privilege, if I might? On the previous Bill, I'd like the record that I inadvertently voted the wrong way."

Speaker Wojcik: "The Journal will so state. Mr. Clerk, read House Bill 410. For what purpose does the Gentleman from Cook, Representative Lang rise?"

Lang: "Thank you, Madam Speaker, for your courtesy. I note that we're back to the beginning of the Calendar, but I note that we're back to skipping over Bills. I would make the same request of you, Madam Speaker, that I made of the prior speaker and that is why are we skipping over Bills? There are any number of sponsors prepared to call their Bills and we don't have an answer to the question. Now please don't tell me, you're going in order. I can see you're going in order, but you are skipping Bills and we would like an answer to the question of why we're doing that."

Speaker Wojcik: "Representative, I haven't skipped anything. Representative Lang."

Lang: "Well, we're on House Bill 410, Madam Speaker. Shall I read a list of Bills that come in the Calendar before House Bill 410?"

Speaker Wojcik: "Representative, pardon me. We just did House Bill 398 and the next Bill is House Bill 410 and I just ask the Clerk to please read House Bill 410. Representative Lang."

Lang: "Well, what about House Bills 525, 36, 84, 85, 88, 89, 90, etera, etera, etera, all the way up to House Bill 410? What about those? Representative Phelps has a wonderful

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Bill, House Bill 5. It's a Bill we ought to pass. Why can't we call it?"

Speaker Wojcik: "Representative, we'll get to that in due time. You're more than welcome. Mr. Clerk, please read House Bill 410."

Clerk McLennand: "House Bill 410, a Bill for an Act relating to student records. Third Reading of this House Bill."

Speaker Wojcik: "The Gentleman from Will, Representative Meyer."

Meyer: "Thank you, Madam Speaker. House Bill 410 is pretty straightforward. It provides that in addition to an unofficial record of a student's grades, the remainder of the student's school records shall be forwarded by a public school from which the student transfers to the school to which the student transfers. It denies the parent's right to challenge references in those records to expulsions or out of school suspensions if the challenge is attempted when the records are forwarded to the school to which the student is transferring. It requires the State Board of Education to develop a one page standard form that school districts are required to provide to any school or to any student who is moving out of the school district. The form must contain the information about whether or not the student is in good standing and whether or not his or her medical records are current and complete and for the record, good standing is defined as a student not being disciplined by a suspension or an expulsion and is entitled to attend classes. No school district is required to admit a new student unless he or she can produce a standard form from the student's previous school district enrollment. This had a good hearing in committee. It passed out of committee by a vote of 21 to 0 and I know of no opposition to the Bill. Be happy to answer questions."



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Speaker Wojcik: "Is there any discussion? The Lady from DuPage, Representative Cowlshaw is recognized."

Cowlshaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. To the Bill. Representative Meyer was kind enough to incorporate into his piece of legislation, a Bill that began as one of mine in which we negotiated very carefully with all interested parties, including the State Board of Education, the IL Education Association, the IL Federation of Teachers, the School Management Alliance, and all of them and it is the portion that requires the State Board to develop a one page standard form that all school districts in Illinois would be required to provide to any student who was moving out of that school district. All that one page form would provide is the information about whether the student is in good standing. That means that he or she is not presently either suspended or expelled and whether or not his or her medical records are up to date and complete. Steve Preckwinkel, who often speaks to us in behalf of the IL Federation of Teachers, told me a story about an experience his own wife had with a student who was transferred into the school and they had no idea what this student's background was in the prior school and caused a terrible disruption in Mrs. Preckwinkel's teaching experience and so all this says, is that a student has to ask for one of these forms from the district from which he or she is transferring and that no school district is required to admit a new student unless he or she can produce the standard form from the student's previous school district enrollment. The State Board of Education has agreed to produce the form. They have agreed that they can do it with existing resources. I think it would be a very wise plan and it would truly be helpful to school

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districts that are perfectly willing to accept students that are transferring in there, but they'd like to know whether those students are in fact, severe discipline problems and, or whether their medical records are up to date. I think it's a good Bill and I stand in support of it."

Speaker Wojcik: "Is there any further discussion? For what purpose does the Representative from Cook, Representative Davis rise?"

Davis, M.: "Will the Sponsor yield?"

Speaker Wojcik: "She states she will or he."

Davis, M.: "Representative, does this Bill have anything to do with the student who doesn't or hasn't paid his or her textbook fees or lost library book fees?"

Speaker Wojcik: "Representative Meyer."

Meyer: "Representative, there is a provision in the Bill that if the student is transferring from one school to another, the form must be submitted. The form does not require any of the fees to be paid, if that's what your question is driving at."

Speaker Wojcik: "Representative Davis."

Davis, M.: "Thank you, Madam Speaker, it is so nice to see you up there."

Speaker Wojcik: "Nice to see you, also."

Davis, M.: "If the student hasn't paid these fees, can they get this sheet? I mean, can a school accept you if you don't have this sheet that the state board is going to provide? If you don't have this sheet because you didn't pay a fee?"

Speaker Wojcik: "Representative Meyer."

Meyer: "There is a requirement that the form be transferred or be sent to the school and the student would not be enrolled without that form being present. The Bill does not require

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that part of the prerequisite of the form being signed that the school, the fees be paid, though."

Speaker Wojcik: "Representative Davis."

Davis, M.: "Suppose a student has not received his or her final grades and they want to go to another school and all those final grades are not done for whatever reason, can the student get that form in order to transfer to another school?"

Speaker Wojcik: "Representative Meyer."

Meyer: "The Bill is silent on what you're asking about. It's not a requirement and I guess that's the only way I know how to answer the question, Representative. It's not a requirement that the fees be paid prior to the form being filed."

Speaker Wojcik: "Representative Davis."

Davis, M.: "Is it a requirement that the student have this form before he or she is accepted at the new school?"

Speaker Wojcik: "Representative Meyer."

Meyer: "As I stated before, yes."

Speaker Wojcik: "Representative Davis."

Davis, M.: "Is this a mandate?"

Speaker Wojcik: "Representative Meyer."

Meyer: "I don't know why you would construe this to be a mandate. It's a requirement that the form be provided. There would not be any charge to the school for the form. It's provided by the State Board of Education."

Speaker Wojcik: "Representative Davis."

Davis, M.: "Alright, my final question is, in the City of Chicago, frequently we have children who move. Sometimes, they may move out of state and they come back from out of state. How, Representative, will they be affected if they don't have this form because in Arkansas or Alabama or

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California, they don't provide this state of Illinois form?  
What does that student do?"

Speaker Wojcik: "Representative Meyer."

Meyer: "That form is not required from students transferring in  
from out of state."

Speaker Wojcik: "Representative Davis."

Davis, M.: "If the student is coming from out of state, they  
don't have to have this state-produced form, but if they're  
transferring in state, they must have this form with all  
these things checked off."

Speaker Wojcik: "Representative Meyer."

Meyer: "They must have the form. The form will be developed by  
the State Board of Education. Basically, the form is going  
to state that the student is in good standing and is not in  
an expelled or suspended state from classes."

Speaker Wojcik: "Representative Davis."

Davis, M.: "Well, Representative Meyer, suppose the student was  
expelled, but the expulsion period is over. Suppose it was  
a three week expulsion and that period is over."

Speaker Wojcik: "Representative Meyer."

Meyer: "Then the form would be signed that they're no longer  
expelled."

Speaker Wojcik: "Representative Davis."

Davis, M.: "Can these forms be duplicated?"

Speaker Wojcik: "Representative Meyer."

Meyer: "I would assume any form could be duplicated."

Speaker Wojcik: "Representative Davis."

Davis, M.: "My question, Representative, is, as a transferring  
out student who has this piece of paper in hand who has  
checked off, I guess the medical records are there, the  
last year's fees are all paid and this is a student in good  
standing and this student on the way to the new school

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loses that form. What does he or she do?"

Speaker Wojcik: "Representative Meyer."

Meyer: "They would have to obtain a signed form."

Speaker Wojcik: "Representative, I'm extending your questioning to one more minute. Representative Davis."

Davis, M.: "Thank you. Does this form finally end up in the student's folder at the new location?"

Speaker Wojcik: "Representative Meyer."

Meyer: "Yes."

Speaker Wojcik: "Representative Davis."

Davis, M.: "My final question is, how will this improve education?"

Speaker Wojcik: "Representative Meyer."

Meyer: "Well, I believe that it does improve education by allowing the school that is receiving that student to understand what that student's problems are. I have a letter here that is written by and I'd just like to read a part of this into the record, Representative. It's written by a gentleman who happened to have taught in the Chicago school system for 25 years and a total has been a teacher or a counselor in school systems for 28 years. His closing remarks to the letter and that was ... and my contact with this individual is really the genesis for why I had introduced House Bill 410 to start with. In part, he writes, our schools have much to offer students in the way of social work or assistance, outside interventions, parental workshops, and many other programs designed to help students with problems. The difficulty we encounter by not having the complete set of student records is simply that we don't know about a student's needs and therefore, cannot offer assistance from the start. I believe that many students find it most traumatic leaving one school and

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coming to another. This trauma could be greatly reduced by our awareness of the student's needs and the opportunity to offer whatever assistance is necessary. Those of us in the schools feel very discouraged when we find out after the fact that a student came to us with a problem and we didn't help because of our ignorance of that problem. I cannot urge you strongly enough to implement the necessary legislation to allow us to know all about our students. It is imperative that you understand the nature and severity of this problem, especially in the light of increasingly transitory nature of our society. I think that if you comprehend the problem, you will do what is right and allow us to help young people of Illinois and Representative, in answer your question ..."

Speaker Wojcik: "Representative, if I just may stop you for a moment, we have a distinguished guest in the House. Attorney General, Jim Ryan, is visiting with us. Representative Meyer."

Meyer: "Thank you, Madam Speaker. I assume he came over in support of my Bill. Just in closing, the reason why I want to see this Bill passed is that I feel we can help our young children and if we can help our young children in this state, I think it does improve education."

Speaker Wojcik: "Representative Davis."

Davis, M.: "I just want to also welcome, Attorney General, Jim Ryan. We were with the former Attorney General, Roland Burris, yesterday."

Speaker Wojcik: "Representative, I want you to know you're on your final minute."

Davis, M.: "Okay, my final minute is to say that I know the intent that you have with this Bill and that's to let new people to a situation involving a child be more able to

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help that child with a greater amount of information and we support your Bill. We do support your Bill."

Speaker Wojcik: "Any further discussion? The Gentleman from Cook, Representative Lang is recognized."

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

Speaker Wojcik: "He states he will. Representative Lang."

Lang: "Thank you. What student Speaker

Wojcik: "Representative Meyer."

Meyer: "The school student record is referred."

Speaker Wojcik: "Representative Lang."

Lang: "I don't have any idea of what you just said to me. What kind of records are these?"

Speaker Wojcik: "Representative Meyer."

Meyer: "The records that are referred in this legislation include the school student record, a form that will be filed. As a part of the Bill, there are grades and medical records that already are required. Those are the basic records that are referred to in the Bill."

Speaker Wojcik: "Representative Lang."

Lang: "Thank you. Well, does this mean all records, grades, psychological profiles, disciplinary records, health records, suspension records, expulsion records, everything?"

Speaker Wojcik: "Representative Meyer."

Meyer: "Representative, I've already responded to that question. Those are definitions that are in the law. I don't know how else to respond to your question. I think I have answered it, regardless of whether you feel I have or not. These are definitions that are legal definitions that are part of the current law and again, I just refer you back to my answer."

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Speaker Wojcik: "Representative Lang."

Lang: "Well, thank you, but Sir, you see the Board says disciplinary records and I wanted to clear up for you, Sir, so that you people understood your Bill, what the Bill does. So I think that's pretty nice of me, apparently you don't. we'll go on to the next question. Are these types of records currently transferred to a new school?"

Speaker Wojcik: "Representative Meyer."

Meyer: "Current law requires all public, private, or non-public elementary and high schools to forward within 10 days, notice of the student's transfer an unofficial record of the student's grades if the student transfers to any other public elementary or high school located in this or any other state. Each public school at the same time must also forward the student's current mathematics and language arts placement levels, health records, and most current set of standardized test reports. Each public, private, non-public elementary or high school shall within 10 days after the student has paid all of his or her outstanding fines and the fees at his own expense, forward an official transcript of the scholastic records of each student transferring from that school."

Speaker Wojcik: "Representative Lang."

Lang: "Well, I'm sure nobody had any idea what you just said to us, Representative. You read from something and it would be nice if you knew the Bill. Let me ask you this question. Why should parents be kept from challenging expulsion records that are in this packet?"

Speaker Wojcik: "Representative Meyer."

Meyer: "Representative, in answering you questions, I'd be happy to respond to a decent question. I'm not going to respond in a positive way to your insults that I don't know the



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Bill. I think I've been pretty straight forward on testimony, both in committee and also, here on the House Floor in presenting this issue. It's insensitive to you to just throw those terms around. I really resent that."

Speaker Wojcik: "Representative Lang."

Lang: "Well, thank you, but I just asked a very straight forward question which is, why should the parents not have the right to challenge these records?"

Speaker Wojcik: "Representative Meyer."

Meyer: "Under current law, parents have a right at any time to evaluate the records of their children. There's a process that they can go through to do that. The only thing that this Bill does is say that at the time the records are being transferred from one school to another, then it's too late."

Speaker Wojcik: "Representative Lang."

Lang: "But why should it be too late? What's the policy reason behind putting any statute of limitations on a parent's ability or right to challenge faulty records?"

Speaker Wojcik: "Representative Meyer."

Meyer: "In talking to teachers and to school officials, it is told to me that there are a number of parents that challenge at the time that a child or a young adult has been expelled from school. They challenge because they're having a hard time maybe getting their child into another school. I think that, that receiving school has a right to understand the student that's being transferred in and the fact that they are a student in good standing."

Speaker Wojcik: "Representative Lang."

Lang: "Who initiated this legislation, Sir? Who was it for?"

Speaker Wojcik: "Representative Meyer."

Meyer: "Sir, if you would have listened to my previous comments

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to Representative ... that asked me questions previous to yours, I indicated that it came from an individual that had been in the Chicago school system for 25 years. In total, had been in school systems either as an English teacher or a counselor for 28 years, that saw a problem and that was the genesis of my Bill. Representative Cowlshaw, who also spoke in favor of the legislation had a similar Bill that came from a different genesis and she spoke to that on the House Floor and the Record, too."

Speaker Wojcik: "Representative Lang, one more minute. Please bring your remarks to a close, Representative."

Lang: "Thank you. Just a couple more questions. This requires the State Board to develop a standard form for transferring students. Does the State Board want to do this?"

Speaker Wojcik: "Representative Meyer."

Meyer: "The State Board is not opposed to this Bill. They have filed a State Mandate's Act Fiscal note and a fiscal note as the Bill has been amended. I read from the notes fiscal impact of the IL State Board of Education is expected to be minor with costs associated with developing the form, testing it with a sample market, and making revisions if necessary. Printing and postage costs would also be incurred by the IL State Board of Education."

Speaker Wojcik: "Representative Lang."

Lang: "Thank you. Is this not a mandate on schools? You say that they have to fill out this form. They have to take this form in. Isn't this a mandate on them?"

Speaker Wojcik: "Representative Meyer."

Meyer: "I believe this is a requirement on schools to communicate and transfer the necessary records so that the receiving school has the necessary information available to properly help the young adult or the child that's being transferred

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into that school."

Speaker Wojcik: "Representative Lang."

Lang: "Sir, isn't the requirement on schools, a mandate on schools?"

Speaker Wojcik: "Representative Meyer."

Meyer: "That's your definition. I think it's good common sense."

Speaker Wojcik: "Representative Lang."

Lang: "Thank you. Representative, why did you resist the amendment for fund education first going on your Bill?"

Speaker Wojcik: "Representative Meyer."

Meyer: "I believe that we're going through an appropriation process at the current time with appropriations committee's meeting on appropriations matters. This is a straight forward records transfer and it should be considered as such."

Speaker Wojcik: "The Chair recognizes Representative Wirsing. Representative Wirsing, the Chair recognizes you."

Wirsing: "Thank you, Madam Speaker. I move for the previous question."

Speaker Wojcik: "The previous question has been moved. All those in favor signify by voting 'aye'; all those opposed signify by voting 'nay'. The Board is open. Have all voted if you wish? Have all voted if you wish? Have all voted if you wish? Mr. Clerk, take the record. There are 65 'yeas', 51 'nays', 0 'present'. The motion carries. Representative Meyer to close."

Meyer: "Thank you, Madam Chairman. Just very briefly, I appreciate Representative Cowlshaw's allowing me to carry a part of her language as a part of my Bill and thank her for assistance in securing a good committee hearing. I encourage the Members of the House to vote 'yes' on this Bill. It is meant to protect children and provide

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information that will help in their education and I so therefore ask for a 'yes' vote."

Speaker Wojcik: "The question is, 'Shall House Bill 410 pass?' All those in favor vote 'aye'; all those opposed 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 117 'ayes', no 'nays', no voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 473."

Clerk Rossi: "House Bill 473, a Bill for an Act to create the Public Education Affinity Credit Card Act. Third Reading of this House Bill."

Speaker Wojcik: "The Chair recognizes the new Representative Frias. Welcome."

Frias: "Thank you, Madam Speaker, Ladies and Gentlemen of the General Assembly. I would like to introduce House Bill 473. House Bill 473 would create the Public Education Affinity Credit Card Act. It provides for donation from credit card use to be deposited in a trust fund by the state treasurer as ... custodian of the fund and from there distributed by the state treasurer to school district accounts in the 11 public treasurer's investment pool. This Bill allows card holders to designate a specific school district to benefit from their use of the card. School districts shall be identified by the school district codes published by the IL Department of Revenue. Additionally, this Bill allows the new fund to be created in the state treasury, the Public Education Affinity Credit Card Trust Fund in which donations made by the credit card issuer shall be deposited. The donations shall remain in

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the trust fund until they are distributed by the treasurer on a regular basis to the school district accounts in the IL Public Treasurer's Investment Pool. From this point, the school district may utilize an IL Public Treasurer's Investment Pool account to receive its distribution. I recommend a favorable vote for House Bill 473. If there are any questions, I will answer them to the best of my ability."

Speaker Wojcik: "Is there any discussion? The Gentleman from Vermillion, Representative Black, is recognized."

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

Speaker Wojcik: "He states he will."

Black: "Representative, what's the genesis of this Bill? What is this, the American Express Bill or where did this thing come from?"

Speaker Wojcik: "Representative Frias."

Frias: "Would you repeat that, please?"

Speaker Wojcik: "Representative Black."

Black: "Yes, I'm interested in the history of this Bill. Where did this Bill come from? Who's asking for this Bill?"

Speaker Wojcik: "Representative Frias."

Frias: "The Bill was sponsored by my brother. I'm not too familiar with it."

Speaker Wojcik: "Representative Black."

Black: "I have an Inquiry of the Chair. I have an Inquiry of the Chair."

Speaker Wojcik: "State your Inquiry."

Black: "Yes, first of all, I'd like the Chair's permission to treat this Representative as a hostile witness. I see he isn't gonna answer the questions, alright. Secondly, has the sponsorship of this Bill really been changed? Which

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Frias is the true Sponsor of this Bill?"

Speaker Wojcik: "Will the real Frias, please stand up?  
Representative Frias."

Frias: "The Bill was initially introduced last year by Tom Holmer  
and there was a vote cast, 111 'yeas', 3 'nays', and 1  
'present'."

Speaker Wojcik: "Representative Black."

Black: "Well, you know, that could be the reason Representative  
Holmer isn't back here, is that, he sponsored this Bill.  
I don't know and a fine, fine Gentleman he was, but,  
Representative, didn't we try to amend this Bill in  
committee to put on the truth in lending amendment? And  
you resisted that amendment as I recall. Are you in  
opposition to our truth in lending amendment?"

Speaker Wojcik: "Representative Frias."

Frias: "The answer is no."

Speaker Wojcik: "Representative Black."

Black: "Thank you very much, Representative. As I recall, we  
tried to add a bank on every corner amendment to this Bill.  
I think it's a good consumer legislation, a bank on every  
corner and I don't see that amendment on that Bill. Do you  
not favor that amendment?"

Speaker Wojcik: "Representative Frias."

Frias: "I haven't any recollection with that."

Speaker Wojcik: "Representative Black."

Black: "Representative, one of the things that disturbs me about  
this Bill and did last year, how are going to determine  
what credit card becomes the affinity? I mean, if Citibank  
becomes the affinity credit card for my school district,  
but Harris Bank and Trust becomes the affinity bank card  
for the Chicago school district, you see we're in a  
disadvantage. My school district's much smaller than

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Chicago's. Does that mean that Chicago gets more money than my district?"

Speaker Wojcik: "Representative Frias."

Frias: "I hope so."

Speaker Wojcik: "Representative Black."

Black: "Now that's the most ... refreshingly honest answer I've heard here in a long, long time. I congratulate you on that, but is there any opposition to this Bill? At one time, I know the community bankers had some concerns with this Bill? Was that addressed in Amendment one?"

Speaker Wojcik: "Representative Frias."

Frias: "Yes, it is and it passed out of committee without any opposition."

Speaker Wojcik: "Representative Black."

Black: "Alright, in amendment 1, if you have that there and could have staff review that, my copy says that the money would then go to the school district's account in the IL public pool. You know, in a time when we can't afford to put the money we need in education, what are we doing putting it in the pool? Is this a swimming pool?"

Speaker Wojcik: "Representative Frias."

Frias: "Could you repeat the question?"

Speaker Wojcik: "Representative Black."

Black: "Well, thank you very much, Madam Speaker, Ladies and Gentlemen of the House. To the Bill. Unfortunately, I couldn't get some of my questions answered. You know, it appears to me to be once again putting legislation on credit. I mean, that's what it says, creates the Public Education Credit Card Act and I've heard people on that side of the aisle say all day today about the funding mechanism and here. We are, here we are creating not one, but literally, I think there are 954 districts. We could

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have 954 credit cards out there for the public school system in Illinois. I'm not sure how this Bill works. I'm shocked. I'm outraged, outraged that a Bill of this magnitude would be given to a legislator who has not even been here a full 24 hours, Madam Speaker. Well, I give up. I've tried to get questions answered. I guess that you could say, if this Bill passes, you'll just have to tell all the school kids in Illinois, don't leave home without it."

Speaker Wojcik: "We have another distinguished Gentleman in the House, the President of the Senate, President Philip. Is there any further discussion? The Lady from Cook, Representative Jones is recognized."

Jones, S.: "Representative Frias?"

Speaker Wojcik: "Representative Frias."

Jones, S.: "Will you yield to me?"

Speaker Wojcik: "He states he will. Representative Jones."

Jones, S.: "And this Bill is for all public schools?"

Speaker Wojcik: "Representative Frias."

Frias: "Yes, it is."

Speaker Wojcik: "Representative Jones."

Jones, S.: "I think think this is a bad Bill. One reason why I think this is a bad Bill, is because everybody in here got kids going to school and they know that they cannot have a credit card. So how are you going to pass a Bill like this here for kids to go to the store to get credit on a credit card? My daughter is 14 years old, can she get one? She goes to a public school. Can she get a credit card? Do you have an age limit on this credit card?"

Speaker Wojcik: "Representative Frias."

Frias: "She can get a credit card if you co-sign for her."

Speaker Wojcik: "Representative Jones."



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Jones, S.: "I didn't hear you."

Speaker Wojcik: "Representative Frias."

Frias: "She'll receive a credit card, if you co-sign for her."

Speaker Wojcik: "Representative Jones."

Jones, S.: "You said co-sign? Co-sign, now you want people to co-sign for something? What's wrong with you? I think you better bring your brother back to this Chambers here, honey."

Speaker Wojcik: "Representative Frias."

Frias: "I'm sorry, I didn't understand the question."

Speaker Wojcik: "Representative Jones."

Jones, S.: "I said, that you don't need to be here talking about somebody co-signing. Maybe you have to bring the other Frias back here. You got parents co-signing for kids. What's wrong with you?"

Speaker Wojcik: "Representative Frias. Representative Frias."

Frias: "Is that a question?"

Speaker Wojcik: "Representative Jones."

Jones, S.: "I think everybody in this Chamber should vote 'no'. Thank you."

Speaker Wojcik: "Is there any further discussion? The Gentleman from Coles, Representative Weaver is recognized."

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

Speaker Wojcik: "He states he will."

Weaver: "I have to agree with the previous speaker. I think this is a bad Bill and I think they're playing a trick on you over there. I understand that you allowed an amendment put on this Bill to help us comply with the federal Motor Voter Act and when they apply for a credit card, they register to vote. Is that true?"

Speaker Wojcik: "Representative Frias."

Frias: "That is not my understanding."

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Speaker Wojcik: "Representative Weaver."

Weaver: "I'm sorry, I didn't hear your answer."

Speaker Wojcik: "Representative Frias."

Frias: "That is not my understanding."

Speaker Wojcik: "Representative Weaver."

Weaver: "So, it's your intention with this Bill, that when they apply for a credit card that they cannot vote?"

Speaker Wojcik: "Representative Frias."

Frias: "It doesn't have anything to do with voting. This Bill does not have anything to do with voting."

Speaker Wojcik: "Representative Weaver."

Weaver: "Well, what have you got against voting?"

Speaker Wojcik: "Representative Frias."

Frias: "I think you're referring to Representative Lang's Motor Voter Bill."

Speaker Wojcik: "Representative Weaver."

Weaver: "Well, I just would assume that as a fellow coming in on his very first day, that you would listen to your own leadership. Don't they want you to help them comply with the Motor Voter Act of the federal legislation?"

Speaker Wojcik: "Representative Frias."

Frias: "Well, I'll address that issue when we get to it, Representative."

Speaker Wojcik: "Representative Weaver."

Weaver: "Does this Bill have an Amendment that provides a policeman on every block?"

Speaker Wojcik: "Representative Frias."

Frias: "No, it doesn't."

Speaker Wojcik: "Representative Weaver."

Weaver: "Are you aware that it's highly unusual for not only a Freshman on his first day, but to have his first Bill and also to be put in the position as the previous speaker

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said, a very bad Bill?"

Speaker Wojcik: "Representative Frias."

Frias: "Yes."

Speaker Wojcik: "Is there any further discussion? The Gentleman from Cook, Representative Giles is recognized."

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

Speaker Wojcik: "He states he will."

Giles: "Representative Frias, I'm sure in your district, especially in my district, we have a number of students, the parents of students who have bad credit and who simply cannot get financing or can actually get a credit card. Would you agree with me on that?"

Speaker Wojcik: "Representative Frias."

Frias: "I do. Yes, I do."

Speaker Wojcik: "Representative Giles."

Giles: "Could you tell me how can the parents get around actually getting a credit card, if they do not apply? I mean, if they do not qualify for getting credit?"

Speaker Wojcik: "Representative Frias."

Frias: "Representative Giles, this Bill does not address applying for and being approved for credit. It applies for funds to be deposited into the account when a credit card that has been issued is used."

Speaker Wojcik: "Representative Giles. See what happens when they talk to me."

Giles: "So, Representative, I'm trying to understand exactly how this credit card thing works. How does it work? How can a parent apply and actually get a credit card in order to have funds for their students to go to school? Can you explain that for me?"

Speaker Wojcik: "Representative Frias."

Frias: "The process for applying for a credit card wouldn't

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change. The requirements for approval wouldn't change."

Speaker Wojcik: "Representative Giles."

Giles: "Now you know many credit cards have very high interest rates. Now, you're asking a parent to pay a considerable amount of money in order to educate their kids. Is that what you're asking in this Bill?"

Speaker Wojcik: "Representative Frias."

Frias: "No, not at all. This is strictly to used by people who already have credit cards or have been approved to have credit cards."

Speaker Wojcik: "Representative Giles."

Giles: "Also, Representative Frias, in my district and I'm sure in yours, we have a very bad unemployment rate where people don't have jobs in which they can't pay payments on their credit card, so can you explain that scenario for me?"

Speaker Wojcik: "Representative Frias."

Frias: "No, Representative Giles, I can't."

Speaker Wojcik: "Representative Giles."

Giles: "Also, Representative Frias, you know I'm sure in your district and my district especially in a particular high school, there's a very high drop out rate in the high schools and how can I apply for this credit card and it will keep my kids from dropping out of school?"

Speaker Wojcik: "Representative Frias."

Frias: "It isn't the intent of this Bill to keep your children from dropping out of school."

Speaker Wojcik: "Representative Giles."

Giles: "Madam Speaker, to the Bill. I just can't support this legislation. I think this is a very bad Bill. I think the Sponsor needs to go back and do some work on this Bill and I would urge all of my colleagues on both sides of the aisle to really consider what this Bill does. It actually

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does nothing. Now, I wish Representative Frias's brother would come and try to help him out on this Bill. I just think it's a terrible Bill and I will be voting 'no' for this Bill. Thank you."

Speaker Wojcik: "Is there any further discussion? The Gentleman from Cook, Representative McAuliffe is recognized."

McAuliffe: "Thank you, Madam Speaker. I move the previous question."

Speaker Wojcik: "The previous question has been moved. All in favor signify by saying 'aye'; all opposed say 'no'. The motion is carried. Representative Frias to close."

Frias: "I ask for your support on House Bill 473."

Speaker Wojcik: "The question is, 'Shall House Bill 473 pass?' All those in favor vote 'aye'; all those. Representative Black, for what purpose do you rise?"

Black: "I will be requesting a verification if this thing even gets anywhere near close to passage."

Speaker Wojcik: "All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. This is final action. Have all voted you wish? Have all voted if you wish? Have all voted you wish? Mr. Clerk, take the record. On this question, there are 115 'ayes', no 'nays', none voting 'present'. And the Bill, having received a Constitutional Majority, is hereby declared passed. Representative, do you still wish to have a verification?"

Black: "Let me look around here for a second. No, I'll withdraw my request for a verification."

Speaker Wojcik: "That's a very noble gesture. Mr. Clerk, read House Bill 497."

Clerk McLennand: "House Bill 497, a Bill for an Act that amends the Counties Code. Third Reading of this House Bill."

Speaker Wojcik: "The Chair recognizes the Lady from DuPage,

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Representative Biggert."

Biggert: "Thank you, Madam Speaker. This is House Bill 497, which amends the Counties Code concerning permits the Department of Probation and Court Services in a county of three million or less, with the approval of the county board to operate an impact incarceration program for delinquent minors. It also allows two or more counties to enter into an inter-governmental agreement and operate a boot camp. I did bring before you in February, House Bill 186, which was to have a boot camp for first time in youthful offenders. The county board which had suggested this Bill and House Bill 186 thought that this was such a good idea that they requested that I bring before you a juvenile boot camp, so this is a program for, boot camps for offenders, first time offenders who are between the ages of 13 and 17 and I would ask for due consideration and would be happy to answer any questions."

Speaker Wojcik: "Is there any discussion? The Gentleman from Bureau, Representative Mautino, is recognized."

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

Speaker Wojcik: "She states she will."

Mautino: "As I read the synopsis on the Bill, this would allow the county boards and the counties themselves to establish the impact incarceration centers?"

Speaker Wojcik: "Representative Biggert."

Biggert: "That is correct or to enter into an inter-government agreement with the Department of Corrections to provide for regional boot camps."

Speaker Wojcik: "Representative Mautino."

Mautino: "Is there any cost impact on this to the Department of Corrections?"

Speaker Wojcik: "Representative Biggert."

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Biggert: "There would be no cost impact at this time. With this Bill and with the previous Bill there has been no cost put on this as of yet. This mirrors what was done in Cook County where there was...this is the substantive law in Cook County then funding was found through state funding, federal funds, and local funds. This allows the county to create a boot camp, but it does not provide the funding at this time. It would be up to the county then to then to find the funds to provide for such a boot camp."

Speaker Wojcik: "Representative Mautino."

Mautino: "What type of training is...or does the Bill lay out any type of training or qualifications for the guards or those who would oversee and manage the facilities?"

Speaker Wojcik: "Representative Biggert."

Biggert: "According to the Bill, I think it spells out what will be the training for the delinquent youth which would include mandatory physical training and labor, military formation and drills, regimented activities, uniformity of dress and appearance, education and counseling including drug counseling if appropriate and must impart to the delinquent minor principles of honor and integrity, self sufficiency, self discipline, self-respect and respect for others. I think this then means that anyone who is going to be part of the guards or involved in this program would have to have according to the rules that would be set forth by the probation and court services would promulgate the rules as to who the guards would be. And would have to be able to institute these programs."

Speaker Wojcik: "Representative Mautino."

Mautino: "Now, I understand that that is what...I guess that's what the program would consist of, but the training I was looking for specifically was for the guards and those in

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the oversight positions. I'm very familiar with the impact and incarceration system run by the the Department of Corrections. It is a very military, it's a militarized program and you need a certain level of staffing. Personnel must really be trained to deal with the use in this. Now, would the corrections be responsible under your legislation for training those who will handle the juveniles throughout the system?"

Speaker Wojcik: "Representative Biggert."

Biggert: "I believe that it is the probation and court services that would provide the personnel. They would determine the rules, but certainly since this has been successful in other areas. This is the way that this is established under the juvenile code that they would take those rules and promulgate the requirements for the guards based on the Department of Corrections."

Speaker Wojcik: "Representative Mautino."

Mautino: "I understand what the intent of the legislation is. I guess my concern would be that the...we have a level of staffing and training which is adequate to insure the safety of the guards who will work inside of these facilities."

Speaker Wojcik: "Representative Biggert."

Biggert: "I don't believe that's spelled out in the Bill."

Speaker Wojcik: "Representative Mautino."

Mautino: "I think that's an area that does need to be addressed because in setting up these facilities, I do support the facilities. But one, they will cost money. We don't have enough money to fund our current attention homes throughout the State of Illinois. We must from that if we're going to expand into a different program or allow the counties themselves to go in I would want to make sure those that



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oversaw these facilities had appropriate training and that the dollars were available. I would like to see what a program like this would cost."

Speaker Wojcik: "Is there any further discussion? The Lady from Cook, Representative Flowers is recognized."

Flowers: "Madam Speaker will the Lady yield?"

Speaker Wojcik: "She states she will."

Flowers: "Representative Biggert is this a coed boot camp?"

Speaker Wojcik: "Representative Biggert."

Biggert: "It does not spell it out. There have been some that have been set up that have been coed and some are not. This is a new concept as far as going to juvenile. I think this again is for the rules to be determined by the county and the probation and court services how they would like to run this. This is permissive and this really is enabling legislation."

Speaker Wojcik: "Representative Flowers"

Flowers: "So there is a possibility that this could be coed. There's a possibility."

Speaker Wojcik: "Representative Biggert."

Biggert: "Again it depends on the courts as far as sending somebody to them and also on what the counties want to do as far as their rules."

Speaker Wojcik: "Representative Flowers."

Flowers: "I guess in order to ask my next question I need to know specifically if there is the possibility that this could be coed, because if it could be therefore we would have to take into consideration again teen pregnancy. What if a teenage girl became impregnated while she is in this boot camp. I need to know how would that be handled. Would she be able to get an abortion and if so who would she have to get permission from? Would it have to be from the courts

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or either her parents or whoever considering the fact that there's a possibility that this could be a coed boot camp."

Speaker Wojcik: "Representative Biggert."

Biggert: "Again I guess the only answer that I can give you is that this is permissive and it would be up to probation and court services to make that determination. As I said before this is enabling legislation to do this. There's a lot to be done before these boot camps could actually be established. One of those would be to make that determination."

Speaker Wojcik: "Representative Flowers."

Flowers: "You know in light of what is happening with women who are incarcerated who become impregnated in some kind of way there's that problem there. So if we had coed boot camp I would hope whoever writes the enabling legislation or the procedures for this would take that into consideration. Also my last point if that be the case, I noticed that you talked about teaching self respect and respect for others would you also be amenable to probably amend this to have them to put in teaching parenting skills?"

Speaker Wojcik: "Representative Biggert."

Biggert: "Representative Flowers I think that what I stated as far as what are the matters that would be...would be given to those that are incarcerated would probably include the skills that would enable these young people to make decisions which would be appropriate. They are going to be given education counseling, including drug counseling if appropriate and imparting to the delinquent minor principles of honor, integrity, self-sufficiency, self-discipline, self-respect and respect for others. So hopefully this type of program would cause those things that you are talking about not to happen."

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Speaker Wojcik: "Representative Flowers."

Flowers: "I agree, but in light of our society being as it is I think it's important since you specifically spelled out those other things that you would like to see done that this too should be addressed because there's always that possibility that it could happen. That's all I'm asking. Thank you very much."

Speaker Wojcik: "Is there any further discussion? The Lady from Cook, Representative Davis is recognized."

Davis,M.: "Thank you, Madam Speaker will the Sponsor yield?"

Speaker Wojcik: "She states she will."

Davis,M.: "Representative you stated that the 13 year olds who would be sent to the boot camps could be sent there for misdemeanors as well as felonies?"

Speaker Wojcik: "Representative Biggert."

Biggert: "Correct."

Speaker Wojcik: "Representative Davis."

Davis,M.: "So you're saying that a child who commits a misdemeanor will be incarcerated in a boot camp along with someone who has committed an awful class X felony?"

Speaker Wojcik: "Representative Biggert."

Biggert: "No that's not correct. That type of felony would not involve a Class X felony."

Speaker Wojcik: "Representative Davis."

Davis,M.: "What kind of felony would it...you know...would a person have to commit? What kind of felony are we talking about?"

Speaker Wojcik: "Representative Biggert."

Biggert: "The type of felony would be a minor who commits a Class X felony. A criminal sexual assault, first degree murder, aggravated kidnapping, second degree murder, armed violence, aggravated criminal sexual abuse, or a subsequent

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conviction for a criminal sexual abuse, forcible detention or arson would not be sent to a boot camp."

Speaker Wojcik: "Representative Davis."

Davis: "What kind of misdemeanors would get a child of 13 sent to this boot camp?"

Speaker Wojcik: "Representative Biggert."

Biggert: "A misdemeanor that a judge thought would be a good reason for a juvenile to go to such a place. You have to remember that a sentence for a misdemeanor is for a short period of time as compared to someone who would be serving for a felony."

Speaker Wojcik: "Representative Davis."

Davis, M.: "Representative is this boot camp modeled after Hitler's youth camps?"

Speaker Wojcik: "Representative Biggert."

Biggert: "No I don't think so. I think it's modeled after boot camps that have been established by the State of Illinois on a voluntary program for youth who are having problems and voluntarily commit themselves to these."

Speaker Wojcik: "Representative Davis."

Davis, M.: "Representative first time offenders are usually counseled or sent to a counseling organization where a child can be talked to. Do parents have to approve of their child being sent to these boot camps, or youth camps, or Hitler camps, whatever you choose to call them?"

Speaker Wojcik: "Representative Biggert."

Biggert: "No."

Speaker Wojcik: "Representative Davis."

Davis, M.: "To the Bill, Madam Speaker. My main concern here is that in the State of Illinois we are going to have people coming to visit and we'll be able to show them the boot camps we have for people 17 or over, but we'll be able to

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also show them boot camps for our 13 year olds. And we should listen up to this because it says the minor has to be physically able to participate in strenuous physical activity and labor. Now are these going to be labor camps? Labor camps or Hitler youth camps?"

Speaker Wojcik: "Representative Biggert."

Biggert: "Neither Representative. Neither."

Speaker Wojcik: "Representative Davis."

Davis,M.: "This is exactly what it says. And we do have children who should be incarcerated, but those who commit crimes that are extremely serious should not be placed with those who commit misdemeanors. So now we're going to lock up first time offenders who commit little misdemeanors things that you in this Body have done and had a teacher shake a ruler at you or send for a parent. Well now we're going to put them in a boot camp similar to Hitlers camp where their wearing uniforms and everything they learn will learn to say 'Heil Ol'Edgar'. I don't think we want to do that. I don't think we want to do that. We don't want to have places where young people are learning to salute...where they are learning to salute and learning to create or shall I say commit more serious offenses from those who are in there with them. What kind of Body are we when all we can think of is how..."

Speaker Wojcik: "Bring your remarks to a close, Representative."

Davis,M.: "Thank you very much. What kind of Body are we when all we can consider is how we can punish, punish, punish? When is the positive legislation that gives children some serious alternatives in reference to education and recreation. To send a 13 year old to a boot camp who has committed a misdemeanor in the same place with the person who has committed a Class X felony like murder or something

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as serious in my opinion is simply ludicrous, stupid, and it smacks Hitler of me."

Speaker Wojcik: "Is there any further discussion? The Gentleman from Cook, Representative Pugh is recognized."

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

Speaker Wojcik: "She states she will."

Pugh: "Representative, under this legislation could you define the difference between a juvenile impact incarceration program and a secured cared facility?"

Speaker Wojcik: "Representative Biggert."

Biggert: "The difference between the secured care facility would be a facility that does not provide the various requirements for being in the incarceration program which would be the military style, the hard work that these youthful offenders would have to perform."

Speaker Wojcik: "Representative Pugh."

Pugh: "Representative Davis eluded to the hard work aspect of the program. Could you explain to me what kind of physical strenuous activity will these individual be doing?"

Speaker Wojcik: "Representative Biggert."

Biggert: "The program would include the mandatory physical training and labor,

military formation and drills, regimented activities, uniformity of dress and appearance. Those probably are the things that would separate this from the secured care. The mandatory physical training and labor would something like an outward bound program or Marines...Marine style of training which would be calisthenics, and climbing doing exercises, marching, drilling, this really is to be more of a military type of camp."

Speaker Wojcik: "Representative Pugh."

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Pugh: "And these type of activities these strenuous types of activities would be taking the place of any rehabilitative programming. Will these individuals be taught any basic values? Will they be taught how to read and write? Will they be taught any transferable skills that will allow them to reintergrate into society?"

Speaker Wojcik: "Representative Biggert."

Biggert: "Absolutely, Representative Pugh. This is the whole concept of the boot camp. It is to provide these young people with the education the self-discipline the self-sufficiency, self-respect so that they are not going back to another type of prison. This is not really a prison, this is to avoid the recidivism that we see everyday with young people going back to prison for committing another crime. If we could raise the self-esteem, give them the structure in their lives that is lacking and to provide them with the means and the tools, the education to go out and be productive members of society. This to me is the whole reason for this. It is not a camp that is to force them to do work that is menial or self degrading. It is to raise their self-esteem."

Speaker Wojcik: "Representative Pugh."

Pugh: "And often times Representative, we develop legislation here in Springfield with all the best intentions. Often times the intent of the legislation get skewed or lost or just forgotten in the actual implementation of the program. I submit to you that the boot camp program is one of those programs. Let me give you a scenario from a real life situation. This individual, who was a first time offender had never convicted on anything was incarcerated into the boot camp program for a four month period. During that time because of the physical nature of the program he broke

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his shoulder. As a result of him breaking his shoulder in the program he was sent to a full term prison in order to finish at another part of the system and I'm saying that to say that there are some flaws inherent in the program and until we address the flaws in the program I don't think that we should be increasing the age of youth whose going to participate in this until we begin to address the flaws. We start with the thirteen year olds. Where do we end, with the ten year olds, the five year olds? Do we just send them instead of sending them to kindergarten let's just send them to a boot camp. Let's not even have secondary education. Let's just send them straight to prison. Let's not give them any options and that's what we're doing. On one end we are cutting off the funding for education and on the other end we are creating more and more boot camps..."

Speaker Wojcik: "Representative bring your remarks to a close."

Pugh: "Where are we going to get the money to pay particularly for these programs? If one of the means I know is for us..."

Speaker Wojcik: "Representative...Representative Pugh."

Pugh: "Will be used for. How can we create programs we don't even though we are going to have the money to support these programs. Once we support these programs, the programs are not working. They are not doing what we described them to do. So are we funding something that is not going to work with money that we don't have?"

Speaker Wojcik: "Any further discussion? The Gentleman from DeKalb, Representative Wirsing is recognized."

Wirsing: "Thank you, Madam Chairman I move for the previous question."

Speaker Wojcik: "The previous question has been moved. All in



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favor signify by voting 'aye'; all opposed signify by voting 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. There are 64 'ayes', 52 'nays'. The Motion carried. Representative Biggert to close."

Biggert: "Thank you, Madam Speaker. I think that we've had this same discussion when we did House Bill 186, with the youthful offenders..."

Speaker Wojcik: "Order."

Biggert: "I would say that the boot camp theory is simple. Through discipline hard work and structured environment, youthful criminals, many of whom are involved in drugs can be rehabilitated. The goal is to reduce recidivism without taxing an overburdened state correctional system. I would urge due passage."

Speaker Wojcik: "The question is, 'Shall House Bill 497 pass?' All those in favor vote 'aye'; all those opposed 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 107 'ayes', 6 'nays', 3 'not voting'. And the Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 636."

Clerk McLennand: "House Bill 636, a Bill for an Act that amends the Public Utilities Act. Third Reading of this House Bill."

Speaker Wojcik: "We are pleased to have a number of dentists with us in the gallery today. I extend a welcome to the Illinois State Dental Society. Representative Wirsing."

Wirsing: "Thank you, Madam Chairman. House Bill 636, very simply what it does it repeals the article of the public utilities Acts that established to the office for public council and

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what House Bill 636 is doing is to eliminate that public office which has not been in use basically since it's been put in place and has not been funded for the current fiscal year. It simply is a Bill that is eliminating an office that the initial intent of it was written...as I understand it was never totally used. It just needs to get it off the books and shut the door on that particular office."

Speaker Wojcik: "Is there any discussion? The Gentleman from St. Claire, Representative Hoffman is recognized."

Hoffman: "Thank you, Madam Speaker. If I could with the Chairs indulgence I would just like...I had my light on for the entire previous Bill. I understand that sometimes on this House Floor in the past few days people may think that we are attempting to stall, but when you have a Bill that is going to have the wide ranging implications and Representative Giles had his light on, Representative Harold Murphy had his light on and what we do what we are doing here..."

Speaker Wojcik: "Representative would you address the Bill please. Would you please address the Bill."

Hoffman: "I think as a floor leader, Madam Speaker, I would just like to address it real briefly as a point of personal priveledge..."

Speaker Wojcik: "You did not. You asked to be recognized, Sir. Please speak to the Bill."

Hoffman: "Well Madam Speaker how do I get recognize for a point of personal priveledge? After this Bill will you then recognize me for a point of personal priveledge?"

Speaker Wojcik: "After the Bill. Yes."

Hoffman: "Well I don't have anything on this Bill."

Speaker Wojcik: "Representative you were the first light on in this Bill. So you do not wish to speak? For what purpose

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does the Gentleman from Cook, Representative e Lang rise?"

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

Speaker Wojcik: "He states he will."

Lang: "Representative what functions does the office of the public council currently perform?"

Speaker Wojcik: "Representative Wirsing."

Wirsing: "It currently doesn't perform anything."

Speaker Wojcik: "Representative Lang."

Lang: "They do nothing at all?"

Speaker Wojcik: "Representative Wirsing."

Wirsing: "That's correct."

Speaker Wojcik: "Representative Lang."

Lang: "What did they do previously? If we have to eliminate this office it must exist for some reasons so maybe you can enlighten us."

Speaker Wojcik: "Representative Wirsing."

Wirsing: "Yes, the public council office was created in 1985 and by the sunset rewrite by the public utilities Acts at that time. The purpose for the office was to be a council for those people who had problems with public utility entities. They were to work in concert with CUB with the Citizen utility board what ultimately evolved was that there just wasn't the need for that office as it was initially set up as a litigating office. What happened then in 1993 there was an appropriation of \$440,000 made to that office and in that appropriation in '94 was reduced to \$110,000 and as I said earlier in the '95 budget there was no funding provided. I guess my concern when this issue was brought to me was the fact that if the office continues to be there somewhere down the road somebody might decide to fund it again. It's already a proven fact that it's a unnecessary office."

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Speaker Wojcik: "Representative Lang."

Lang: "Does CUB agree with you that it's an unnecessary office?"

Speaker Wojcik: "Representative Wirsing."

Wirsing: "Yes. CUB does, I'm sorry yes."

Speaker Wojcik: "Representative Lang."

Lang: "You said that CUB agrees with you that this office should be eliminated?"

Speaker Wojcik: "Representative Wirsing."

Wirsing: "Yes. Let me state it this way. There is no opposition from CUB on this Bill."

Speaker Wojcik: "Representative Lang."

Lang: "Well the...as I understand it you want to eliminate the office not so much because the defined duties are worthless, but because we haven't been funding the office. Is that correct?"

Speaker Wojcik: "Representative Wirsing."

Wirsing: "There's two. One is that the office that was determined was not needed as a litigating office, Okay? And then as the years progressed in the recent years the funding decreased because the office really there was not a need it was determined that there really was not a need for that office from a litigating aspect."

Speaker Wojcik: "Representative Lang."

Lang: "Well who made that determination, Representative?"

Speaker Wojcik: "Representative Wirsing."

Wirsing: "My understanding is that the ultimate decision was within the General Assembly when they ceased to fund the office."

Speaker Wojcik: "Representative Lang."

Lang: "Thank you. The definition of this office and this statute is to insure adequate and effective representation of public rights and interests in utility and

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telecommunication rates and services. Thereby to improve the quality and fairness of Illinois utility and telecommunication regulation. Does this sound like an office we would want to do away with?"

Speaker Wojcik: "Representative Wirsing."

Wirsing: "But the point is that the office did not fulfill that. Okay? That's ultimately what happened. The reason for the office the idea for the office and the purpose for the office in the beginning was a good idea. But the ultimate outcome was that the office did not fulfill...it was actually set up to be a service and I'm ombudsman for those constituents. It was turned into an office...as a litigating office. It just didn't work. It was not fulfilled."

Speaker Wojcik: "Representative Lang."

Lang: "Well why don't we see to it that they can do this? Who else is protecting the rate payer out there? Is there anyone protecting your constituents and mine and the area of utility rate making?"

Speaker Wojcik: "Representative Wirsing."

Wirsing: "I think there is a couple of things we can look at and that certainly we have the CUB organization which is there alive and well and working in that realm which was a part of this whole process and when this office was created. The Commerce Commission which certainly has a charge to deal with certain issues as well. You may not totally agree with that, but that is one of its roles that it's supposed to fulfill. And also the Attorney General's office is involved in that aspect of protecting constituents or individuals rights."

Speaker Wojcik: "Representative Lang."

Lang: "I find it very interesting that you would think that the

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Commerce Commission is protecting consumers from rate making. Seems to me that this is why the office of public council was put in to be a counterpoint to the damage that can be done to consumers at the ICC..."

Speaker Wojcik: "Representative, please bring remarks to a close."

Lang: "Thank you. Let me ask you just this one more question. You've indicated that CUB is protecting the consumers. Does that mean that if a Bill comes over from the Senate to do away with CUB you will be opposed to that?"

Speaker Wojcik: "Representative Wirsing."

Wirsing: "Well that's a separate issues and that's not relative to the Bill. CUB was created to do the very same thing. Okay, and I think the bottom line no matter where we stand as individuals in regards to CUB that's what CUB was created to do by this legislature for that purpose. So all of a sudden there was a double entity there. One wasn't needed."

Speaker Wojcik: "Representative Lang."

Lang: "Thank you, to the Bill to continually do away with the protections that consumers have in our society particularly in the area of utility and telecommunications rate making. Seems to me not to be a good idea. I recognize this office is not funded now, but rather than do away with the office because it's not funded we ought to fund the office and make it work to protect our taxpayers to protect the consumers of these services. So accordingly I don't think this is a very good Bill. I would expect no votes."

Speaker Wojcik: "Representative Wirsing to close."

Wirsing: "Thank you, Madam Chairman. Once again as we look at government and we look at the need for government and we

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also have to look at those areas where there is not a need for government and what this Bill does, which Bill 636 does is saying that here's an office that has not been funded. Does not need to be there because there are other entities that are there for protection for individuals in regards to the public utility acts. And I think keeping that in mind I would ask for your 'yes' vote in support of House Bill 636."

Speaker Wojcik: "The question is, 'Shall House Bill 636 pass?' All those in favor vote 'aye'; all those opposed 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 90 'ayes', 17 'nays', 7 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. We have a Motion from Representative Hoffman to reconsider the vote on House Bill 496. Mr. Clerk, read the Motion."

Clerk McLennand: "pursuant to rules..."

Speaker Wojcik: "497."

Clerk McLennand: "Pursuant to rule 715 having voted on the prevailing side I move to reconsider the vote by which House Bill 497 passed. Filed today by Representative J. Hoffman."

Speaker Wojcik: "All those in favor of the Motion vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish. Mr. Clerk take the record. On this question there are 50 'ayes', 63 'nays', 2 voting 'present'. And this Bill having received...Mr.. Clerk..wait I have to read this. The Motion fails. Mr. Clerk read House Bill 859."

Clerk McLennand: "House Bill 859, a Bill for an Act that amends

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the Illinois Municipal Code. Third Reading of this House Bill."

Speaker Wojcik: "Representative Scott. Representative Scott. Representative Scott to the Bill."

Scott: "Thank you, Madam Chairman. I believe though that you had indicated that Representative Hoffman would have a chance for his point of personal priveledge after the last Bill?"

Speaker Wojcik: "Would you like to present your Bill, Representative Scott."

Scott: "I would."

Speaker Wojcik: "Proceed."

Scott: "Thank you, Madam Speaker, Members of the House. House Bill 859 makes two changes to the municipal code that allows for non home rule municipalities to provide for the removal of graffiti within buildings within their territory the same way that it's now allowed to remove blighting influences through garbage being on property and also to board up the houses. Provides for a lien repayment and the same method as those two items are compensated for right now. It also would allow municipalities to license demolition contractors. We think these two things are very important for a couple of reasons. Number one, with respect to the graffiti elimination. There are many neighborhoods that we have now in small municipalities as well as the large where graffiti has become a very blighting influence on neighborhoods, driving down property values. What this would do would allow municipality after notice to the rightful property owner and if the graffiti was not removed within a certain period of time to go in and remove the graffiti and place a lien on the property. Then recover the money in that way. The second portion of the Bill allows municipalities to license demolition



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contractors. I think the importance of this it should be fairly obvious, most...many home rule municipalities do this. Of course, demolition is a very dangerous occupation in involves many times closing off public rights of way. It involves destruction of buildings and possible damage to people and property and allowing municipalities provide for licensing bonding requirements et. cetera. It seems to make good sense and seem to work in many different municipalities and so I would ask a favorable vote on this Bill."

Speaker Wojcik: "Is there any discussion? The Lady from Dupage, Representative Cowlshaw, is recognized."

Cowlshaw: "Thank you very much, Madam Speaker. I rise on a point of personal priveledge as well as to seek help. I have developed a very bad tooth ache. Thank you."

Speaker Wojcik: "Is there any further discussion? The Lady from Will, Representative Ciarlo is recognized."

Ciarlo: "Thank you, Madam Speaker. I rise in support of this Bill. It came out of committee with no opponents and it is a good Bill and it deserves all of our 'yes' votes. Thank you."

Speaker Wojcik: "Representative Scott to close."

Scott: "Thank you, Madam Speaker. I think this is a good Bill for municipalities. It allows them to address issues that involve the public health safety and welfare within their communities. Allows them to remove some blighting influences within their communities and I would ask a favorable support on the Bill, thank you."

Speaker Wojcik: "The question is, 'Shall House Bill 859 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all

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voted who wish? Mr. Clerk take the record. On this question there are 113 'ayes', 1 'nay', no voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. What purpose does the Gentleman from St. Clare, Representative Hoffman rise?"

Hoffman: "Thank you, Madam Speaker. I appreciate you recognizing me. With all due respect to the Speaker I have a lot of respect for you. I know that you wouldn't have made the promise without going back to me the promise that you have recognized me on a point of personal priveledge. I just think that a point, Madam Speaker needs to be made. The point that needs to be made is that what we are doing here is we are cutting off debate for Representative Giles, we're cutting of debate for two of the floor leaders we are cutting of debate for Representative Murphy. We're cutting off debate for everybody in this House that wants to ask questions about a Bill that greatly concerns the criminal justice system in the state of Illinois. That's the only reason that I wanted to rise. And the reason that I rise is to say, if we are going to continually do this and we are going to pass hodge podge laws that provide for a patchwork system of criminal justice in this state and we're going to continue not to call issues such as truth in sentencing, more police on the street and we are going to continue to not allow individuals who have certain questions that they believe is important to the people in their district that they have been sent down here to represent. Well I don't want to be a part of it. I think it's absolutely ridiculous that we can't on a Bill that's going to allow juveniles to serve in some felony cases only six months in a boot camp. We can't allow debate on that issue. It's absolutely ridiculous. I say to you...I say

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to you, Madam Speaker, you're better than that, the process is better than that, the colleagues on that side of the isle are better than that. When we have a motion to look at and to reconsider a vote I would think that that's debatable and when you have your light on for a total of fifteen minutes and we can't even get recognized it's absolutely ridiculous."

Speaker Wojcik: "Mr. Clerk, please read House Bill 965."

Clerk McLennand: "House Bill 965, a Bill for an Act that amends the State Finance Act. Third Reading of this House Bill."

Speaker Wojcik: "The Chair recognizes Representative Ryder."

Ryder: "Thank you. House Bill 965 is commonly known as Conservation 2000. It passed out of the committee with the vote of 28 to 0. I appreciate the support that it received in the committee. It has bipartisan sponsorship. I thank those who have co-sponsored the Bill with me for their support. Conservation 2000 is different from last year in the fact that it does not contain any eminent domain or quick take legislation. It does call for creation of 2 funds that will be used in this year and future years to accomplish several goals that affect agriculture conservation and preservation of natural resources. I am glad to have the support of a number of groups including the Environmental Council and the Illinois Farm Bureau. I would be happy to answer questions on this Bill."

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

Granberg: "Thank you, Madam Speaker. Question point of order ma'am. When...is the policy now going to be recognize certain people on certain Bills?"

Speaker Wojcik: "Did you wish to speak on the Bill, Representative? That's why I recognized you."

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Granberg: "Yes I do, Madam Speaker, but we've had members whose lights have been on for a half and hour. We have important questions Madam Speaker..."

Speaker Wojcik: "To the Bill."

Granberg: "Why don't we talk about medicaid and paying dentists and doctors..."

Speaker Wojcik: "To the Bill, Representative."

Granberg: "1.5 billion dollars that we owe our nursing homes and hospitals. Instead you run roughshod over all members when they want to ask questions. Is this going to be the policy of the Chair the rest of the evening? That you will not recognize members to speak?"

Speaker Wojcik: "Representative the Members were recognized. There happens to be a little box up here that has the names of the persons who want to speak. At the time that we went to moving of the previous question there were only two lights. Representative Giles came on at the very last moment when we went to Representative Wirsing. Now would you like to speak to the Bill? If not we will recognize someone else to the Bill."

Speaker Wojcik: "I will talk to the Bill, Madam Speaker, but clearly there were other members that had their lights on. You are wrong on this and you're ignoring..."

Speaker Wojcik: "You were recognized to speak to the Bill right now, Sir. If you would like to speak to the Bill we would like to hear you comments. If not there are other people who would like to speak to the Bill."

Granberg: "I will speak to the Bill Madam Speaker if you will tell us are you going to recognize other members after I'm done?"

Speaker Wojcik: "I will recognize the lights that are up on this board. Would you like to speak to the Bill. I will do the

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recognizing up here."

Granberg: "Thank you, Madam Speaker. Clearly you didn't do that in the past so I hope you will change your policy from this point on. First of all I would like to and am joined by the requisit number of colleagues to take this Bill off of Short Debate."

Speaker Wojcik: "First of all, Representative, let me tell you, I have recognized everybody on this floor. You can ask Representative Lang. Now to the Bill."

Granberg: "Representative Ryder I appreciate your answering questions obviously the Chair doesn't want other people to address those issues, but let me ask you just a couple, on the provisions with this Bill as opposed to last year you say the eminent domain visions have been removed. So just remove the opposition of the Illinois Farm Bureau. I assume that's correct?"

Speaker Wojcik: "Representative Ryder."

Ryder: "Thank you, Representative Granberg that is correct. We have removed that. In fact we removed it coming out of committee a year ago. There was a version that came out of the Senate that had some different language, but the direct answer to your question, and Mr. Granberg I will answer you question directly, is that portion was removed and the Illinois Farm Bureau does support the Bill."

Speaker Wojcik: "Representative Granberg."

Granberg: "Thank you, Representative. Now to the Bill itself. I believe there were some provisions on the funding mechanism. This will create special funds to fund various programs including sustainable agriculture. Is that correct?."

Speaker Wojcik: "Representative Ryder."

Ryder: "Yes."

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Speaker Wojcik: "Representative Granberg."

Granberg: "And how would those funds...how would those areas be funded after the special funds are initiated?"

Speaker Wojcik: "Representative Ryder."

Ryder: "The creation of the special funds simply indicates the category or an accounting principle under the laws of the State of Illinois. Should you and I determine when you and I vote for appropriations that will determine whether those funds receive any funds. Calculations for the first year under the program would call for an appropriation of \$3.5 million."

Speaker Wojcik: "Representative Granberg."

Granberg: "So we would actually fund this through GRF. Is that correct, Representative?"

Speaker Wojcik: "Representative Ryder."

Ryder: "I apologize. I thought, I said yes. Were you waiting to hear from me? I'm sorry the answer to your question was yes."

Speaker Wojcik: "Representative Granberg."

Granberg: "There was some concern addressed last year, Representative that the department or the Governor can actually do this on it's own without implementing legislation. This could be done in fact by executive order. Is that still the same case?"

Speaker Wojcik: "Representative Ryder."

Ryder: "Representative the Governor can not fund it by executive order. You and I have to appropriate the money to do that. There is a transfer so that the money comes out monthly and that's part of the Legislation. There was some concern that the Governor could specify in an executive order some of the other substantive parts of the Bill, not the funding portion. While you and I can debate that and perhaps you

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intend to, I don't know. While we could debate that clearly the funding portion requires legislative action."

Speaker Wojcik: "Representative Granberg."

Granberg: "So the Governor or the administration could, on it's own fund these areas without the implementing legislation."

Speaker Wojcik: "Representative Ryder."

Ryder: "I don't believe that they could fund it, Representative without our ability to make the appropriations. That's a separate issue that you and I

will find it necessary to decide when the appropriation comes before us."

Speaker Wojcik: "Representative Granberg."

Granberg: "So the Governor in his budget could have allocated certain funds for these programmatic areas. We are going to have to fund those areas with the budgets by May 30 or whenever. So you and I are going to be debating whether we should be paying our dentists all the money that's owed them or in fact we are going to initiate new programs and use general revenue funds for those areas. Is that correct?"

Speaker Wojcik: "Representative Ryder."

Ryder: "Representative I'm certain when the budget comes before us that you and I will be debating many issues. I'm certain that there will be a discussion of how many of the old Bills we will be able to pay under the budget that will be produced and hopefully voted on by this chamber. On that individuals can differ. When that appropriation comes up I think it's entirely likely that you or other members of your delegation might suggest that they would prefer the money spent in different ways. That's part of the negotiation on the budget. This Bill does not appropriate

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any money. This Bill simply indicates that should money be appropriated. Should money be appropriated that the preservation, conservation, and other criteria under the budget would be the manner in which the funds were expended. Whether it is funded is up to you and I. I look forward to that debate in fact it will continue all spring long. I have great confidence in your ability to keep that issue before us in a fresh timely and informative manner."

Speaker Wojcik: "Representative Granberg bring your remarks to a close."

Granberg: "Well it's certainly going to be an interesting budget here, Representative. So the priorities of this state certainly haven't been to pay our old Bills or to pay the 2 billion dollars we owe our nursing homes or our doctors or our hospitals. We certainly haven't put any priority on dealing with the resolution of the teachers health insurance crisis. Now we are going to start new programs that would have priority if monies are available. So thank you, Representative Ryder for answering my questions. I too look forward to some discussion of those issues since we have been unable to bring those issues to the floor for our votes and having to deal with the teachers retirement crisis and other very important areas."

Speaker Wojcik: "Is there any further discussion? The Gentleman from Effingham, Representative Hartke is recognized."

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

Speaker Wojcik: "He states he will."

Hartke: "Representative Ryder, although I voted for this Bill in committee you know that we had an extended discussion on the issues. I would like to inform the Body of some of those discussions. Since then I have thought of a few



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more. I'm kind of caught in a box on this because being a farmer here in the Illinois House on this side side of the aisle, one of the only ones, to speak against conservation 2000 would maybe not be looked favorable upon on my record by many of my constituents, however I think that they have to understand the total, realm of the issue. Conservation 2000 was an issue that was put out here last year and was not passed simply because of a lack of funding and available funds. I understand that you're saying now that we have to work this thing out. If we can find the funds we will fund the program. If we don't, we won't. And I appreciate that, but in a world if we had all the money that we want to do and what would be your hopes of budget in 1996 for the Conservation 2000 program?"

Speaker Wojcik: "Representative Ryder."

Ryder: "Representative Hartke, I truly understand the rather delicate position in which you find yourself. I think that the amount of money that we appropriate to this cause should be an item of discussion in committees, on the floor of the house, and ultimately when the budget is before us. So I look forward to that debate. The Governors Budget at this moment is a line indicating an appropriation of \$3,500,000 this year."

Speaker Wojcik: "Representative Hartke."

Hartke: "Yes, that is what I understand. \$3.5 million that is going to have to come from somewhere if this program is to get off the ground. A couple of years ago I sponsored a piece of legislation out here called the Fertilizer Research and Education Council and if you're familiar with that that's where the fertilizer dealers in the State of Illinois agreed to a self-imposed tax on the sale of fertilizers to do research and so forth. As we pass that

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piece of legislation that was to garnish some \$400,000 from fertilizer sales in the State of Illinois. But also part of that Bill was the agreement by this house and the Governors office that we would match those dollars. Dollar for dollar from the general revenue fund so that we would have some \$800,000 to protect the ground water and so forth from running off and leaching of fertilizer in the State of Illinois. Well we ran into a financial problem. We started looking at what we could and could not fund. We came into veto session and we decided well, no we won't fund the general revenue portion of those Bills. And at that time I asked the director if she was ever going to seek funds to refund that \$800,000 or the \$400,000 each and every year for the last four years to that program and she committed to me that before she started any other new programs that she would fund the Fertilizer Research and Education Council. Has she supported this Bill, a new program? Has she forgotten about her commitment to me and Members of the General Assembly that she would seek those funds for the Fertilizer Research Funds and Education Council."

Speaker Wojcik: "Representative Ryder."

Ryder: "Representative, what you express is one of the...one of the problems that we as legislators face each and every time. We face it twice. First of all someone comes to us like someone came to you and said we think this is a good program and we think that you ought to establish the program. If we can establish the program we'll talk about funding later. Then we have budgetary problems we have financial problems. And as a result, it's difficult to reach the conclusion as to what our priorities are. I'm suggesting that this is a program that has developed a very

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broad consensus among groups all over the state. I also acknowledge that you and I will have to make a tough decision when it comes time to say do we put money in this budget or not? If that money is in the budget then you will have to make a decision whether it's more important to say yes to this or not and that's an individual decision we are all going to have to make."

Speaker Wojcik: "Representative Hartke."

Hartke: "Well, you know I don't have any problem making those decisions and so forth. But when we make decisions when we go ahead with a program and a piece of legislation that was near and dear to my heart as we move forward with it and it was a tax, a fertilizer tax on the farmers in the state of Illinois. When we made that commitment we lived up to that commitment, but when the director of the department of agriculture makes a commitment I expect commitments to go both ways. It seems to me like we are not living up to our commitments, Representative Ryder and I know it's not your fault maybe it's all of ours collectively, but we have never lived up to our commitments. We have now lived up to our commitments to the retired teachers. We have a medicaid plan that is out there that is not being funded, our hospitals, our nursing homes. I'm not going to go through the whole sermon of things that noise or us has been putting out here lately, but believe me I think it's absolutely wrong that here we are starting another program a very good worthwhile program that we really have to find fund for. If the funds are not there why are we even suggesting starting new programs? I would suggest..."

Speaker Wojcik: "Representative, please bring your remarks to a close. I have given you and extra two minutes."

Hartke: "Well, I don't know if we can talk about this big of

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program in two minutes. Representative Ryder over all in the six year plan what is the projected cost of the Conservation 2000."

Speaker Wojcik: "Representative Ryder."

Ryder: "Representative, over the entire plan, it is 60 million, six zero million, but again let me suggest to you that that is only the proposal. If you and I decide that in the first year we are not going to be able to afford to fund it at 3.5 million and we only do it at 2 million that is our decision. If we can't afford it next year then we will again then fund it at the level that we can afford."

Speaker Wojcik: "Representative Hartke."

Hartke: "Well you know, if we save maybe a million here and a million there before long we would wind up with some 65, 66 million dollars..."

Speaker Wojcik: "Representative you are on your third extra minute you have eight minutes so far. I want to know how fair I am in the Chair to you."

Hartke: "Thank you very much, Mr. Speaker I appreciate it. Just maybe if we had you know a million here and a million there we could find a way to fund the Teachers Retirement Health Insurance Plan. I don't know. I think that we here in the General Assembly should live up to our commitments and I think the governors office should too and before we start new programs all across the State of Illinois good worthwhile programs we ought to look at some method to fund those things. Either we pass the tax to finance the thing or we don't suggest it and raise hopes in the agriculture community. Why should we make promises when we can't live up to those promises? Thank you very much Madam Speaker."

Speaker Wojcik: "You're welcome. Any further discussion? The Gentleman from Cook, Representative Dart is recognized."

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Representative Dart. The Lady from Cook, Representative Erwin in recognized."

Erwin: "Thank you, Speaker, very briefly and we will let the lead Sponsor close. I just rise of support in House Bill 965. I hope that a number of my colleagues in this chamber remember that when this...when Conservation 2000 was first proposed that the environmental groups in this state were really unified in their support of this. Indeed the Sierra Club I think a number of other environmental groups, Illinois Environmental Council, have strongly urged a more cohesive cooperative approach to all of the agencies of state government that deal with sort of the earth agencies if you will. So I think that this is in fact, some might not think that this goes far enough, but I think that Conservation 2000 is absolutely going in the right direction. I think that our efforts to preserve open space and to make sure that our environment which we hold very dear whether you are in a urban area suburban or rural is critical. I commend the lead Sponsor. I would urge an 'aye' vote."

Speaker Wojcik: "Any further discussion? The Gentleman from Kankakee, Representative Novak is recognized."

Novak: "Dubza, Madam Speaker, dubza. Will the Sponsor yield? Representative Ryder I will be very brief. I know I am with you blessing I'm a hyphenated cosponsor with you. I do rise in support of this legislation. I think the previous speakers have pointed out correctly about the difficult decisions we have faced with respect of funding this program and getting it off the ground. We have passed fees over the last couple of years in the Department of Conservation to increase licenses, to capture more federal dollars to put some of the programs that we had to phase

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down and close out in the early 1990's and put those back on track to provide more recreational opportunities for individuals as Representative Hartke indicated we had fees on some fertilizer, fertilizer substances to provide for educational programs. This is important that we pursue this legislation. This is a good green vote, the problem is is when we get down to the budget formulation period we are going to have to make some difficult decisions because as was indicated earlier we need 65 million dollars for retired teachers insurance. There's a billion and a half dollars in outstanding Bills and among other pressing social issues that we have to take responsibility for. So even if there isn't a dime worth of funding for this program this year, course you know, we are a little bit premature in making those statements. However, I think it's good that we get this legislation and move it along, move it on to the Senate. It's a common practice down here that good programs sometimes have to wait because of dollar limitations. I can remember a few years ago where the senior citizens Elder Abuse Hotline Legislation was passed I think Representative Dejager may have been the chief sponsor then and that law was on the book for two or three years before it finally became funded. So, there is instances like this in the past. So I would ask all my colleagues to support this worthwhile legislation."

Speaker Wojcik: "Is there any further discussion? The Gentleman from Macoupin, Representative Hannig is recognized."

Hannig: "Thank you, Madam Speaker will the Sponsor yield?"

Speaker Wojcik: "He states he will."

Hannig: "Representative, this is a new program you told us. Is that correct?"

Speaker Wojcik: "Representative Ryder."

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Ryder: "Yes it is."

Speaker Wojcik: "Representative Hannig."

Hannig: "And I didn't believe that you told us that there was any funding source. Is there any new revenue or dedicated fund that goes with the program to fund it?"

Speaker Wojcik: "Representative Ryder."

Ryder: "Representative, you and I have spent many long hours in the appropriation process. I trust your judgment I know you have read the Bill. I know that you are well aware of the answers I gave previously. This Bill simply sets up funds. It's our decision in the appropriation process from the General Revenue fund, whether we wish to fund it. This Bill does not appropriate a single dollar. It does not create a single new fee. It does not create a dollar of revenue. It simply says that this is a program to which we believe worthy. It creates two funds but as a previous speaker indicated it does not appropriate a dollar for those funds. That's up to you and I and the appropriation process Representative Hannig."

Speaker Wojcik: "Representative Hannig."

Hannig: "Now my analysis of the Bill says that it directs the State Comptroller and the Treasurer to automatically transfer monies into these dedicated funds automatically. Is that correct?"

Speaker Wojcik: "Representative Ryder."

Ryder: "In the event that we appropriate the dollars for that from the General Revenue fund to the funds that are indicated then indeed that they will be in...they will automatically transfer those funds. That is correct. We have to do the appropriation Representative not the Treasurer or the Comptroller."

Speaker Wojcik: "Representative Hannig."

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Hannig: "I'm just trying to make sure that I'm clear. I thought that the Bill called for the Comptroller and the Treasurer to transfer money from GRF into the dedicated fund on a monthly basis. We in turn would appropriate that money. Is that what you said or am I mistaken?"

Speaker Wojcik: "Representative Ryder."

Ryder: "Representative, you're a fine Legislator and you read the Bill rather well. We have to appropriate the funds that they then transfer. We have to say this is the money for that transfer into those funds. If we don't appropriate anything in that line item to be transferred to these two funds then the Treasurer and the Comptroller transfer one twelfth of zero. I haven't done the math on that, but I think the one twelfth of zero is zero, Sir. That is the intension of the Sponsor of the Bill."

Speaker Wojcik: "Representative Hannig."

Hannig: "Okay thank you, Mr. Ryder. Now is there any reason that if you and I, if this Bill for some reason should fail in the Legislative process as a substantive Bill is there any reason why we couldn't just do this through the appropriation process anyway?"

Speaker Wojcik: "Representative Ryder."

Ryder: "We can not through simple appropriation do what this Bill calls upon us to do. We can not simply by appropriating money have it go to the funds because the funds would not be established. We can not direct the departments of agriculture, conservation, energy, natural, resources environmental protection agency to do what this Bill does because it would be no enabling legislation. We would simply be as you well know in the appropriation process putting some money in a line item without any ability to direct the way that it is spent. I don't want to do that.



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What I want to do is to know how the money will be spent. It's only by doing two things that we can accomplish that Representative Hannig. One, is by making the specific line item appropriation and two by creating the funds so that we can direct the way that it is to be spent. Otherwise you're simply saying that either the funds won't be spent. In the way that we want or the funds aren't there to be spent. You have to do both items Sir."

Speaker Wojcik: "Representative Hannig."

Hannig: "Well, for example Representative, when you do the IDOT budget we give them some money and it's broken out by certain line items, but we don't necessarily have to appropriate a certain amount for route 67 or a certain amount for another route. I'm not sure that in this Bill, in this proposal that we could not take the money out of General Revenue and still direct it into the areas that we so choose in the amounts that we so choose without having this underlying substantive Legislation. Would it not be possible to do that Representative?"

Speaker Wojcik: "Representative Ryder."

Ryder: "Representative Hannig, I'm surprised that a member of the minority party would be suggesting that. Because what you would then be doing is giving money to the Department of Conservation or to the Department of Agriculture or the EPA to spend, but you would have no control over the way they spend that. Now they may spend it according to the way I would like for them to, but I'm not sure they would spend it the way you want them to. As a member of the Legislature and we are all equal on that regard. The only way that you and I can guarantee that this money is spent the way that we want it to be spent is to say in a substantive Bill here is how you spend it. And then

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appropriate the amount of money that you and I as Independent Legislators say that ought to go to that fund. You and I have that decision. I want to make that decision. I think probably you do too. I don't necessarily want the director of the agency or some other person bureaucrat within that agency to have free rein over how those funds are to be spent."

Speaker Wojcik: "Representative Hannig, please bring your remarks to a close."

Hannig: "Yes, thank you, Madam Speaker. I'm not certain that we couldn't draft through the appropriation process tight enough language to direct those monies in the ways that we would like to do so, Representative, but in any event my time is nearly expired. I would just simply say that I think we're again starting a new program. We have not funded many of our old programs. It is indeed a difficult road to go down as Members of the Legislature and try to make these decisions. And I just hope that as the process unfolds and we come to the end of the session that we can find a way to keep all these balls in the air for another year or so to speak and keep all of our folks happy. So thank you Representative for your answers."

Speaker Wojcik: "The hour of 6:00 has arrived. However, we have more Bills to take up this evening. So therefore the committees will be delayed. They will proceed at the end of session. Any further discussion? The Gentleman from Champaign County, Representative Johnson, is recognized."

Johnson: "Move the previous question."

Speaker Wojcik: "The Gentleman moves the previous question. All in favor signify by saying 'aye'; all opposed 'nay'. Motion is carried. Representative Ryder to close."

Ryder: "Speaker, thank you. Ladies and Gentleman of the House.

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Thank you, for your debate. It is not an easy issue. I don't contend that it is, nor should you take it as such. It is not an easy decision to appropriate money to preserve natural resources. It is not an easy decision to create a program to preserve soil, water, and the environment. It is not an easy process to develop a Bill that is supported by Illinois Farm Bureau and the Illinois Environmental Council, but that is the task before us. It doesn't spend money. It says if you and I appropriate the money how the money will be spent. It doesn't spend, it you and I have that decision later this year. What it does do however, is for the first time to suggest that we need to come together as a agency and as a general assembly to say we need to protect some natural resources. Farmers know that, folks in the suburbs know that. Folks in the city know that. And if you will examine the Sponsors that I am proud to have on this Bill you'll see that all of those areas are represented. Because all over the state folks understand the very importance of this piece of legislation. I ask you to make the tough decision to support the environment, to preserve our natural resources and hopefully later on this year we will ask for your help again when we consider an appropriation. It's always a difficult thing for me to describe whether it's the chicken or the egg that comes first. But in this situation I think that I would suggest to you that we need to plant this seed so that flowers can grow. Later on we'll see if there's water available to make it bloom. Thank you."

Speaker Wojcik: "The question is, 'Shall House Bill 965 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all

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voted who wish? Mr. Clerk, take the record. On this question there are 114 'ayes', 2 'nays', none voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1731."

Clerk Rossi: "House Bill 1731, a Bill for an Act to recodify the Fees and Salaries Act. Third Reading of this House Bill."

Speaker Wojcik: "The Chair recognizes, Representative Black."

Black: "Thank you very much, Madam Speaker Ladies and Gentleman of the House. This Bill, I believe we took out of the record earlier today so that staff could more closely examine some of the material. I think they have done that as far as I know there are no objections on the other side of the aisle and I would ask a favorable vote on House Bill 1731. This is the Legislative Reference Bureau Revisory Act Amending the fees and salaries Act. I think staff has taken a look at it. Thank God we have good staff on both sides of the aisle. I think the Bill is as it's purported to be and makes no substantive changes."

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

Granberg: "Thank you, Madam Speaker. I just want to take this opportunity to thank Representative Black for taking the Bill out of the record earlier. We thought there might have been a substantive provision in the Bill. Our staff did get together work with the Reference Bureau and the Supreme court. That was not the case. We just wanted to make sure, but I do appreciate the Gentleman at our request taking the Bill out of the record so that we could make sure that those changes were in fact technical in nature. We rise in support of the Bill."

Speaker Wojcik: "Is there any further discussion? The Gentleman

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from Cook, Representative Lang is recognized."

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

Speaker Wojcik: "States he will."

Lang: "Thank you. Representative, I just want to make sure that there are no plan changes in the Senate just regular old LRB Bill, like we do every year and that it's not coming back with anything else that we are not aware of today."

Speaker Wojcik: "Representative Black."

Black: "And I appreciate you asking that question, Representative. It is absolutely my intent that this be an LRB Bill. If it comes back and it's under my sponsorship we will strip anything out that the Senate might wish to have in there. These four Bills must be kept for the Legislative Reference Bureau and that is my intent."

Speaker Wojcik: "There being no further discussion the question is, 'Shall House Bill...oh Representative Black to close.'"

Black: "Thank you very much, Madam Speaker and Members of the House. I think the Bill has received a very thorough and fair examination by both sides of the aisle and our very capable and competent staff. The Bill makes no substantive changes, simply allows the Legislative Reference Bureau to make the necessary revisory Acts and changes to the statute. So, I ask for your favorable vote."

Speaker Wojcik: "The question is, 'Shall House Bill 1731 pass?' All those in favor vote 'aye'; all those opposed 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 115 'ayes', no 'nays', none voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1733."

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Clerk Rossi: "House Bill 1733, a Bill for an Act to revise the laws by combining multiple enactments and making technical corrections. Third Reading of this House Bill."

Speaker Wojcik: "The Chair recognizes Representative Black."

Black: "Yes, thank you very much, Madam Speaker and Ladies and Gentleman of the House. Again this Bill was taken out of the record earlier today. The counsel to the House Democrats has some questions as to any substantive changes we indeed made on House Bill 1733. The staff from both sides of the aisle have met with Dick Edwards of the Legislative Reference Bureau. I believe all of the questions were answered. I think, I am safe in saying there are no substantive changes in House Bill 1733. Let me make it very clear for the record. It's my intent that this Bill go to the Senate and would be only used for the Legislative Reference Bureau not for any other item to be Amended unless it would be cleared by both sides of the aisle and asked for by the Legislative Reference Bureau. I would ask you favorable consideration of House Bill 1733."

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

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

Speaker Wojcik: "He states he will."

Granberg: "Representative Black, I was not involved with the discussions with the Reference Bureau, but I had some questions I think on four items, Sir. If there are in fact technical and not substantive. The first one involved the township code, section 25-5 on changing the dates the population is measured for purposes of a petition. Was that successful...or was that resolved with Mr. Edwards in that meeting as well?"

Speaker Wojcik: "Representative Black."

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Black: "Yes, you might want to wish to check with your legal counsel. There had been considerable discussion on the four points that you have. They have all been resolved. I believe a memo did not show up on your side of the aisle. That's my understanding, but I think your counsel could probably make sure that I'm giving you the correct answers."

Speaker Wojcik: "Representative Granberg."

Granberg: "Can we send you the Bill for asking our counsels advice, Representative?"

Speaker Wojcik: "Representative Black."

Black: "Could you wait until I get my school affinity credit card? I'm maxed out on the others."

Speaker Wojcik: "Representative Granberg."

Granberg: "You'll have to talk to Representative Frias on that. The other three provisions, Representative, I believe the second one involved the vehicle code. That too was resolved to the satisfaction of everyone?"

Speaker Wojcik: "Representative Black."

Black: "Well let me say that it was resolved to the satisfaction of the legal staff on both sides of the aisle."

Speaker Wojcik: "Representative Granberg."

Granberg: "Point well taken. I think there was also a question on the provision dealing with the juvenile court Act. That too was resolved by the legal counsel on both sides?"

Speaker Wojcik: "Representative Black."

Black: "Yes, they don't trust me with these legal copy memos, but there is a memo that I think both legal staffs have on both sides of the aisle. Any questions regarding the juvenile court Act have indeed been resolved and no substantive changes."

Speaker Wojcik: "Representative Granberg."

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Granberg: "And on our file there was one other one Representative just for the record regarding the Professional Engineering Act. I assume that too was resolved between the legal counsels to the satisfaction of all parties."

Speaker Wojcik: "Representative Black."

Black: "Yes, that is my understanding. They were meeting in the back of the chambers and for quite a lengthy period of time. We took the chairs away. I think that did speed up the process considerably, but it is my understanding that all issues have been resolved in a satisfactory manner and to legal counsel on both sides and in fact no substantive changes are...will you find in House Bill 1733."

Speaker Wojcik: "Representative Granberg."

Granberg: "To the Bill Madam Speaker, I appreciate the Representative taking the time to answer these questions. This too is a revisory pursuant to his comments there are not substantive changes. This is merely a technical Amendment. This is routinely done every session so I appreciate Representative Black's timeliness in answering these questions. I think too according to Representative Ryder if you get this Bill time I'm sure flowers will sprout with adequate rainfall. I rise in support of the Bill."

Speaker Wojcik: "There being no further discussion the Chair recognizes Representative Black to close."

Black: "On behalf of my friend and colleague Representative Brunsvold I ask for an 'aye' vote."

Speaker Wojcik: "The question is, 'Shall House Bill 1733 pass?' All those in favor vote 'aye'; all those opposed 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



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question there are 115 'ayes', no 'nays', no voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bills First Reading."

Clerk Rossi: "Introduction - First Reading of Bills. Senate Bill 923, offered by Representative Ryder, a Bill for an Act to provide for the supplemental appropriations and Legislative transfers for the various State agencies, for the Fiscal year 1995. First Reading of these Senate Bills."

Speaker Wojcik: "We will now go to the Order of Resolutions. Mr. Clerk, read House Resolution 6."

Clerk Rossi: "House Resolution #6 offered by Representative Cowlshaw."

Speaker Wojcik: "The Chair recognizes Representative Cowlshaw."

Cowlshaw: "Thank you very much, Madam Speaker and Ladies and Gentleman of the House. This is a very simple Resolution. It simply asks that we declare that the State of Illinois is a domestic violence free area. I am proposing this Resolution because I believe there is a parallel between what we used to think many of us when we were youngsters when would look around us at adults who were guilty of what we now regard as a unforgivable kind of offense know as drunk driving. Somehow that was regarded by many adults as something that was humorous. Gradually over the years the public attitude toward that offense has changed dramatically. Part of which I believe we need to give credit to the former Secretary of State Jim Edgar who is now our Governor for being the national leader in the fight against drunk driving. Gradually as the public acceptance that drunk driving is something that is deadly and that ought not to be condoned. That is certainly not amusing. We have come, I think and made, real strides in fighting

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that problem. This modest resolution is simply a first step in attempting to change the public perception of domestic violence. It is not aimed at any one gender or any one age group. Domestic violence is a serious and pervasive problem in our state as well as in our nation. I don't think we are even fully aware of the extent to which it is a problem because it is one of those things that many people are reluctant to come forward and speak about their experiences. I believe whether the person who is abused is a man, a woman or a child, that to be abused by someone who is presumably one of those people who loves you is not amusing. It's not funny. It is a serious offense and we need to begin to build a public perception that that's precisely what it is and that it is not acceptable. That's what this resolution does, Madam Speaker. I would urge it's support."

Speaker Wojcik: "The Lady from Cook, Representative Currie is recognized."

Currie: "Thank you, Speaker and Members of the House. Would the Sponsor yield for a question? Would the Sponsor respond to a question?"

Speaker Wojcik: "She seems to indicate she will."

Currie: "Representative Cowlshaw earlier this year we abolished House Resolutions congratulatory and otherwise on the grounds apparently that they were extremely costly to the taxpayers. How much will it cost if we pass House Resolution #6?"

Speaker Wojcik: "Representative Cowlshaw."

Cowlshaw: "Representative Currie, I do not have an exact dollar and cents figure for that. I do realize that the Speaker in his wisdom has limited the numbers of Resolutions that can be passed. For example simply something

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commemorating someones birthday or a wedding anniversary or whatever. If you do not believe that domestic violence is in Illinois serious problem to spend whatever it cost for this House Resolution then fine vote against the Resolution. It would be nice if you at least had the courtesy to permit me to answer your question."

Speaker Wojcik: "Representative Currie."

Currie: "Thank you, Speaker. She did answer my question. My question was how would it cost? Her answer was I don't have a clue. To the Resolution Speaker and members of this House. I don't mind passing this Resolution. Maybe it cost 350, maybe it cost a million dollars. I don't know how much it cost but I'm willing to vote yes, but I'll remind members of this chamber that this resolution does nothing to steam the problems of domestic violence in the State of Illinois. Some might liken passage of this Resolution to the declaration that evenston in a nuclear free zone. There is no comparison what so ever. The people in Evanston have no ability and that city council to determine whether we will do nuclear research or nuclear war. Those decisions are made by the Federal Government, but we in the Illinois State Legislature have a real opportunity to do something real that will steam the problems of domestic violence. We can expand the number of shelter slots that are available to women or to me who are beaten up at home. We can provide training programs so that those people who are economically dependent can assert their appendence and make their way out of a violent situation we can make sure that the legislation proposed by Representative Andrea Moore and Rod Blagojevich Legislation that will take guns out of the hands of those people who are beating people at home. We can make sure that

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legislation gets to the Governors desk and is signed. Speaker and Members of this House for us to be looking at passage of a Resolution that says as a PR gesture. Illinois shall be a domestic violence free state is I think to make trivial a serious problem. That is especially upsetting when the problem is one we have a responsibility and an opportunity to do something to solve. This is no answer. This is legislative silliness at it's height. There are serious problems. Why don't we give serious address to them?"

Speaker Wojcik: "Representative Cowlshaw to close."

Cowlshaw: "Please support this Resolution. Thank you."

Speaker Wojcik: "The question is, 'Shall House Resolution 6 pass?' All those in favor vote 'aye'; all those opposed 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 'ayes', no 'nays', none voting 'present' and this Resolution having received a Constitutional Majority, is hereby declared passed. We will now proceed to the order of Consideration Postponed. Mr. Clerk, read House Bill 385."

Clerk McLennand: "House Bill 385, a Bill for an Act that amends the State Revenue sharing Act. The Bills on the Order of Consideration Postponed."

Speaker Wojcik: "The Chair recognizes Representative Brady."

Brady: "Thank you, Madam Speaker. You may remember this Bill from a week or so ago. There was a lengthy debate on the issue. There was some confusion on who was affected and who was not. I believe that many of the parties concerned about their community colleges have heard and from those. I would ask everyone for a favorable vote on this Bill."

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Speaker Wojcik: "Is there any discussion? The Gentleman from Cook, Representative Lang is recognized."

Lang: "Thank you, Madam Speaker. First I am joined by a sufficient number of colleagues to take it off of Short Debate. You caught us on the last Bill Madam Speaker..."

Speaker Wojcik: "You must not have dinner reservations, Representative."

Lang: "Will the Sponsor yield?"

Speaker Wojcik: "He indicates he will."

Lang: "Thank you. Representative is this the Bill that we debated for some time on the issue of whether it's special legislation involving one community college in Illinois?"

Speaker Wojcik: "Representative Brady."

Brady: "Representative you suggested that this was special legislation I thought this was equitable legislation."

Speaker Wojcik: "Representative Lang."

Lang: "Good now you have reminded me that it is the same Bill. Thank you very much. Tell us what the Bill does because some of us forget over here so give a hint to what this Bill is going to do."

Speaker Wojcik: "Representative Brady."

Brady: "Representative this Bill simply allows all community colleges throughout the State of Illinois to share equally share in the corporate personal property replacement tax."

Speaker Wojcik: "Representative Lang."

Lang: "Is that really what it does Representative? Allows all community colleges in Illinois to share equally?"

Speaker Wojcik: "Representative Brady."

Brady: "To share equitably."

Speaker Wojcik: "Representative Lang."

Lang: "Well, isn't it true that we're only dealing with the portion of the fund dealing with the downstate community

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colleges, not the Cook County colleges?"

Speaker Wojcik: "Representative Brady."

Brady: "Yes, Representative, I don't think this affects you in any way."

Speaker Wojcik: "Representative Lang."

Lang: "Well, I'm sorry you feel that way. I think everything that affects the citizens of a part of the state, even that I don't represent, affects me 'cause I'm a State Representative. I don't just represent my district, Representative. Let me ask you this. When you take this money away from the other community colleges in downstate Illinois to give to your one community college that you're trying to take care of, aren't you diminishing their revenue?"

Speaker Wojcik: "Representative Brady."

Brady: "Representative, all the Body sharing in this would do so. You're right, we are diminishing the revenue. We have estimates now of about \$70 a year."

Speaker Wojcik: "Representative Lang."

Lang: "So would that be a yes. It's taking away from all the other community colleges in downstate Illinois to take care of your community college. Is that correct?"

Speaker Wojcik: "Representative Brady."

Brady: "Representative, I would remind you that all community college presidents, the community college trustees association have unanimously supported this Bill. You are right and I've tried to tell you the impact of that."

Speaker Wojcik: "Representative Lang."

Lang: "So, that would be a yes. Correct? So all community colleges in downstate Illinois will have a decrease in revenue if this Bill passes. That's correct whether it's a large or small number. That's a correct statement, isn't

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it?"

Speaker Wojcik: "Representative Brady."

Brady: "For the third time, yes."

Speaker Wojcik: "Representative Lang."

Lang: "Well, have you heard from any of the other community colleges? You've indicated to me that the presidents, you don't mean that each individual president has contacted you to tell you they support this. But the community college board or the community college association has contacted you to tell you they support the Bill, is that right?"

Speaker Wojcik: "Representative Brady."

Brady: "Representative, the community college presidents have unanimously supported, unanimously. Everyone of them is supporting this piece of legislation."

Speaker Wojcik: "Representative Lang."

Lang: "Then why is it do you think that when we voted on this last time, the General Assembly didn't unanimously support your legislation?"

Speaker Wojcik: "Representative Brady."

Brady: "I guess I'm just hoping there's a change of heart, Representative."

Speaker Wojcik: "Representative Lang."

Lang: "What mechanism separates and divides this money? How is it determined how much money will go to the one community college in your district that will receive this money?"

Speaker Wojcik: "Representative Brady."

Brady: "There is a formula based on when the corporate personal property taxes are peeled and that money is distributed. I think as I mentioned last week in debate, 52% of that money goes approximately to Chicago, 48 to the rest of the state. It's pro rata shared based on computations at the time of the repeal."

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Speaker Wojcik: "Representative Lang."

Lang: "Well, perhaps you can explain to us again how it is that this one community college got into this predicament in the first place."

Speaker Wojcik: "Representative Brady."

Brady: "I'm been advised that it was under Democrat rule."

Speaker Wojcik: "Representative Lang."

Lang: "Well, that may be fine, but the question is, how did it happen. What happened? What caused this to happen?"

Speaker Wojcik: "Representative Brady."

Brady: "Madam Speaker, I'll answer the question, but could you check the record to see if Representative Turner is not a cosponsor? I've signed three slips for him to be. Your question ... "

Speaker Wojcik: "Mr. Clerk, would you please see if Representative Turner is a cosponsor? Mr. Clerk, would you see if Representative Turner is a cosponsor of this Bill?"

Clerk McLennand: "Representative John Turner is being added."

Speaker Wojcik: "Representative Lang, bring your remarks to a close."

Lang: "Thank you. Representative, the question before was, how did this community college get in this predicament and is it possible, others will also?"

Speaker Wojcik: "Representative Brady."

Brady: "No, it is not possible that others will, also. This is the last one to be created forced to creation by legislation enacted by this General Assembly in 1990."

Speaker Wojcik: "Representative Lang."

Lang: "Well, I thank the Representative for answering my questions. I don't know how I'm voting on this Bill yet."

Speaker Wojcik: "Is there any discussion? The Gentleman from Champaign, Representative Johnson is recognized."



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Johnson, Tim: "I move the previous question, Madam Speaker."

Speaker Wojcik: "The previous question has been moved. All those in favor signify by saying 'aye'; all those opposed say 'nay'. The motion is carried. Representative Brady to close."

Brady: "Thank you, Madam Speaker and I appreciate the indulgence of this Body. I ask for a favorable vote."

Speaker Wojcik: "The question is, 'Shall House Bill 385 pass?' All those in favor vote 'aye'; all those opposed 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? For what purpose does the Gentleman from Cook, Representative Lang, rise?"

Lang: "Thank you, Madam Speaker. In the event that this receives a requisite number, we would request a verification."

Speaker Wojcik: "The Clerk, will take the record. There are 62 'ayes', 51 'nays', 2 voting 'present'. Mr. Clerk, please verify the 'aye' votes. For what purpose does Representative Johnson rise?"

Clerk McLennand: "Those Representatives voting in the affirmative. Representatives: Ackerman. Balthis. Biggert. Biggins. Black. Brady. Churchill. Ciarlo. Clayton. Cowlshaw. Cross. Deuchler. Durkin. Hanrahan. 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. Myers. Noland. O'Connor. Pankau. Pedersen. Persico. Poe. Roskam. Rutherford. Ryder. Salvi. Saviano. Skinner. Spangler. Stephens. Tenhouse. Turner, John. Wait. Weaver. Wennlund. Winkel. Winters. Wirsing. Wojcik. Zabrocki. Zickus. and Mr. Speaker."

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Speaker Wojcik: "Representative Lang."

Lang: "Thank you. Representative Maureen Murphy?"

Speaker Wojcik: "Representative Murphy? Representative Murphy?  
Mr. Clerk, remove her from the Board."

Lang: "Representative Tom Cross?"

Speaker Wojcik: "Representative Lang, Representative Murphy is  
now in the Chambers. We'll put her back on the Board."

Lang: "It's a pleasure to have her here, also. Representative  
Spangler? Representative John Jones? Representative  
Winkel? Oh, standing there. No wonder I didn't see you,  
you're not in your chair, Sir. No further."

Speaker Wojcik: "On this question, there are 62 'ayes', 51  
'nays', 2 voting 'present'. And this Bill, having received  
a Constitutional Majority, is hereby declared passed. We  
will now proceed to the Order of House Bills Second  
Reading. Mr. Clerk, what is the status of House Bill  
1131?"

Clerk McLennand: "House Bill 1131 has been read a second time  
previously. No Committee Amendments. No Floor  
Amendments."

Speaker Wojcik: "... Mr. Clerk, read House Bill 1133."

Clerk McLennand: "House Bill 1133, a Bill for an Act regarding  
occupation and use taxes. Second Reading of this House  
Bill. Amendment 1 was adopted in committee. Floor  
Amendment 2 was referred to rules. A fiscal note has been  
filed on the Bill as amended."

Speaker Wojcik: "Third Reading. Mr. Clerk, read House Bill 1135.  
Mr. Clerk, what is the status of House Bill 1135?"

Clerk McLennand: "House Bill 1135 has been read a second time  
previously. No Committee Amendments. No Floor  
Amendments."

Speaker Wojcik: "Third Reading. Mr. Clerk, what is the status of

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House Bill 1706?"

Clerk McLennand: "House Bill 1706, the Bill's been read a second time previously. Committee Amendment 1 was referred to rules. Committee Amendment 2 was referred to Subcommittee. Floor Amendments 3 and 4 have been referred to rules. A fiscal note and a correctional budget and impact note have been requested on the Bill and they have been filed."

Speaker Wojcik: "Third Reading. Representative John Turner, for what purpose do you rise? Mr. Clerk, what's the status of House Bill 1707?"

Clerk McLennand: "House Bill 1707 has been read a second time previously. Committee Amendment 1 was referred to rules. Committee Amendment 2 was referred to Subcommittee. Floor Amendments 3 and 4 were referred to rules. A fiscal note and a correctional budget and impact note have been requested on the Bill and they have been filed."

Speaker Wojcik: "Third Reading. Mr. Clerk, what is the status of House Bill 1709?"

Clerk McLennand: "House Bill 1709 has been read a second time previously. Committee Amendment 1 has been referred to rules. Committee Amendment 2 referred to Subcommittee. Floor Amendments 3 and 4 referred to rules. A fiscal note and a correctional budget and impact note have been requested on the Bill and they have been filed."

Speaker Wojcik: "Third Reading. Mr. Clerk, what is the status of House Bill 2226?"

Speaker Wojcik: "Mr. Clerk, what is the status of House Bill 2226?"

Clerk McLennand: "House Bill 2226 has been read a second time previously. Floor Amendment #1, offered by Representative Biggert, has been approved for consideration."

Speaker Wojcik: "On the Amendment, Representative Biggert."

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Biggert: "Thank you, Madam Speaker. You have before you Amendment #1, to amend the underlying Bill and insert language to clarify that family service...family preservation services are not an entitlement and should be used only when the child will not be in imminent risk of harm and are in the child's best interest. It deletes language referencing the five years statewide phase-in of the family preservation program, inadvertently left in the statute by the underline Bill."

Speaker Wojcik: "Is there any discussion? The Gentleman from Cook, Representative Dart, is recognized."

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

Speaker Wojcik: "She indicates she will."

Dart: "Representative, what committee did this Amendment go to?"

Speaker Wojcik: "Representative Biggert."

Biggert: "I believe rules."

Speaker Wojcik: "Representative Dart."

Dart: "Was...so it was not sent to a Substantive Committee at all, correct?"

Speaker Wojcik: "Representative Biggert."

Biggert: "That's correct. It...I took the Bill back from Third Reading and filed the Amendment, which was then sent to rules and I believe they just sent it back as a Floor Amendment rather than going to a Substantive Committee."

Speaker Wojcik: "Representative Dart."

Dart: "Was the substance of the Bill debated during Rules Committee and people allowed to testify on it? I believe we made a lot of...we made a lot of the fact that we were going to make sure that all Amendments were going to be in this open system, supposedly, so that people who have interest in these Bills would have some degree of input. Was there a lot of witnesses at the Rules Committee to

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testify for or against this Bill?"

Speaker Wojcik: "Representative Biggert."

Biggert: "I don't believe that this really was a substantive change, it was a clarification and it was discussed in the Judiciary's Civil. The clause that was inadvertently left in was really discussed in committee, so I think that it had a fair hearing there as far as the family preservation."

Speaker Wojcik: "Representative Dart."

Biggert: "And the..."

Dart: "So, I suppose the answer is no then, that there is no witnesses, nobody was in there to testify for or against it. There was no public notice of this."

I'm just trying to make sure that we can, you know, once and for all debunk this garbage about having this open house around here because I mean it's really getting quite old and tired. The question of whether this was substantive or technical, who's made that determination?"

Speaker Wojcik: "Representative Biggert."

Biggert: "I think that the Rules Committee sent it back to the House as a Floor Amendment because it was a clarification and it was to be debated...to be debated here and we are here."

Speaker Wojcik: "Representative Dart."

Dart: "I realize we're here. The thing is...is that the reality is that there was a determination made in that committee about what is substantive and what is not. I doubt whether or not that DCFS was in there testifying as to the technical or the substantive nature of this Bill. So, once again, so we're clear on that matter. It was something that was pushed through the Rules Committee and where they

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made a determination on technical or not. This Amendment was never discussed in Judiciary Committee, was it?"

Speaker Wojcik: "Representative Biggert."

Biggert: "I believe that the discussion did focus on the availability of family preservation services being phased in within five years after the Act of 1987. It was discussed that the department could not have a phase in plan that would be uniformly developed throughout the state. That was discussed in the committee and was approved, I think, by a vote of approval of this Bill. So, this and again, is that there was language which was left in there which was unclear, saying that this would be phased in for five years."

Speaker Wojcik: "Representative Dart."

Dart: "Well, I was in that committee. I was actually on that committee. I don't remember this Bill. This Amendment never came up, I don't recall that and I dare say that if it were to have come up I would probably imagine we would have put the Amendment on in the committee, that's our normal process. So, this Amendment never did come up. I have just concerns about this, once again, because we did not have the openness that we are sold on. This removes a requirement dealing with the family preservation services, removing it as an entitlement. What's the thinking behind that?"

Speaker Wojcik: "Representative Biggert."

Biggert: "I would agree with you that we did not discuss this as an Amendment, this was part of the Bill. As we originally discussed it, and I think that it was presented as...but the language on line 16 through 21 was inadvertently left in the Bill, even though the way that the Bill was discussed, this was not to be part of the Bill."

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Speaker Wojcik: "Representative Dart bring your remarks...questions to a close."

Dart: "Well, actually I haven't really started yet. I mean, we haven't gotten really a straight answer. I mean, if this was the Bill, it would have been the Bill, Representative. If we're making changes, it's...I mean in the form of an Amendment this was not what had in front of us. As to say, this is one of those things where we're not really sure exactly what's in it, but I'm sure that there are some serious questions when you change family preservation which you're aware of is a very integral part of DCFS's system. And we're changing it from they shall supply these services which are the only thing that prevent all of these cases from coming into the system which we hear so much about. Now we're changing it from, they shall provide these services, which would keep cases out of the system, to they may provide these services when they find it's appropriate, the child's best interest and the like. I don't necessarily agree...disagree with some of that stuff. But, as I say, I have some concerns about it that probably would have been answered if we'd had this in the form that we were sold on earlier, namely, that this would go into a substantive Committee where we would then discuss whether or not this was a minor change or was it a technical or was it a substantive one. So, I said this is typical, nothing surprises me around here."

Speaker Wojcik: "Is there any further discussion? The Gentleman from Effingham, Representative Hartke, is recognized. Is there any further discussion? The Lady from Cook, Representative Flowers, is recognized."

Flowers: "Madam Speaker, I would like to yield my time to Representative Dart or Representative Lang. Representative

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Lang, please."

Speaker Wojcik: "Representative Lang."

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

Speaker Wojcik: "She indicates she will."

Lang: "Representative in the House Judiciary Civil Law Committee, on which we both sit, there were numerous Bills sponsored by Representative Dart and Flowers and myself on the issues revolving around DCFS. I'm sure you recall that, right?"

Speaker Wojcik: "Representative Biggert."

Biggert: "Right."

Speaker Wojcik: "Representative Lang."

Lang: "Well, none of those Bills went anyplace. I seem to recall you voting 'no' or 'present' on just about all of them. Isn't that correct?"

Speaker Wojcik: "Representative Biggert."

Biggert: "Unless you gave the specific Bill, I don't know how I voted."

Speaker Wojcik: "Representative Lang."

Lang: "Well, let me just straighten you out. There were a lot of Bills, and you didn't vote 'yes' on any of them. So let me ask you this question..."

Speaker Wojcik: "To the Bill, Representative."

Lang: "...is this your one and only response to the chaos and the problems at DCFS, is this one Amendment?"

Speaker Wojcik: "Representative..."

Lang: "Your plan to resolve those problems.."

Speaker Wojcik: "Representative. To the Bill please. Questions to the Bill."

Lang: "Excuse me, this is a question on the Amendment. Let me ask it again. Is this Amendment your one and only response to the chaos at DCFS?"

Speaker Wojcik: "For what purpose does Representative Wirsing



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rise?"

Wirsing: "Thank you, Madam Speaker. Move the previous question, please."

Speaker Wojcik: "The previous question has been moved. All those in favor signify by saying 'aye'; all those opposed by saying 'no'. The 'ayes' have it. Motion carries. You know, Mr...Representative, I was in error, I saw Representative Wirsing there and something triggered my...myself to recognize him. So therefore, I will put you back on your five minutes. You'll have three more minutes to speak. And in essence you'll have eight minutes for your questions and then we'll go to Representative Wirsing. So pardon me."

Lang: "Thank you, Madam Speaker. I don't think I got an answer to the original question I asked, could we get that?"

Speaker Wojcik: "Representative Biggert."

Biggert: "I think that I was also on other Bills that were heard and voted for in committee, foster parents. Let me say that this...the original Bill was to amend the Abused and Neglected Child Reporting Act concerning the phase in the family preservation services during the first five fiscal years after December of 1987. And it deleted the requirement that services made...would be made available throughout the state within three years and the family preservation services could not be uniformly available throughout the state by July 1, 1995. And that's what we discussed in this Bill and was voted on. This is a DCFS Bill, a department Bill and they felt that there needed to be some clarification and so this Amendment is offered."

Speaker Wojcik: "Representative Lang."

Lang: "Why don't you take this opportunity, Representative to file an Amendment that will deal with all of the problems

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at DCFS? Some sort of comprehensive approach that has been presented by our side of the aisle. Why are we going to peace meal the problems at DCFS? A department in chaos, a department that needs help, a department that is broken and needs to be fixed. Why don't we fix it instead of dealing with these minuscule mini solutions to minor problems? Why don't we deal with the whole problem today?"

Speaker Wojcik: "Representative Biggert."

Biggert: "The is an agency Bill that I was asked to carry and that's what I'm doing."

Speaker Wojcik: "Representative Lang."

Lang: "Well, we know that the agency doesn't want to fix itself, but I'm talking to you Representative. Let's forget for a second that everybody else is here. You're responsible, Representative, you don't just carry legislation because somebody asks you to. There is an Amendment in front of you with your name on it, and I'm asking you to tell us why you don't deal with the serious deep-seated problems in the chaotic department of DCFS with a comprehensive Amendment that will resolve the problems. Why are we doing this little thing? Why don't we do something important? For the 50,000 children that are under the wing of DCFS. Why don't we protect those children, Representative?"

Speaker Wojcik: "Representative Biggert."

Biggert: "Representative Lang, last year I served on the bi-partisan child welfare task force, and that was what I thought we were going to be doing, was to consider this in its entirety. We did go around the state and we did visit. We did come up with Bills. Unfortunately, that became a very partisan situation and we did not finish our task. And...we tried, that's right, we tried on this side of the aisle and we did not work together, unfortunately. We're

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not allowed to call anything, and I...so we'll proceed from here."

Speaker Wojcik: "Representative Lang."

Lang: "Thank you. Representative Biggert, there's a package of 50 some odd Bills dealing with the problems of DCFS. Many of them were in the Civil Law Committee in where you sit, and you voted for none of those Bills, none of those Bills. All of those Bills came out of the subcommittee on which you sat. I don't know whether you voted for the package or not in the subcommittee, but I'm told you did. But the fact is, that these Bills came out of that subcommittee. So to say that you went around the state and dealt with these problems when there's nothing on the table to deal with those problems is a little disingenuous. I keep using that word because that's all we get from your side of the aisle. The fact is that there are Bills out there and you voted against everyone of them to deal with the serious problems at DCFS. Do you think this Bill is going to resolve the problems at DCFS or is this just another department Bill that will...that will be another feel good and look good Bill so we don't have to deal with the problems over there so that we can continue to mask them over and not protect these 50,000 children. Do you have any response to that?"

Speaker Wojcik: "Representative Biggert."

Biggert: "I think we're dealing with these issues and we have passed more legislation this year involving welfare, tort reform, gambling, everything else that nothing was done last year. I wish that we could of gotten to this last year. But right now this is the Bill before us, and I don't think that I should have to answer what I would do for the whole scope of child welfare. Certainly we have

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problems and we're trying to address them. We've had various task force, a lot more than just the subcommittee of the child welfare in this House. We've had several Bills come up and many of the issues that you talk about are Bills still pending are issues that were also addressed in other Bills and are on Third Reading and also have passed out of this House. This is the issue right now, addressing Floor Amendment #1 which deals with family preservation."

Speaker Wojcik: "Representative Lang, I now give you one more minute. Please bring your questions to a close."

Lang: "Thank you. My questions are at a close. Madam Speaker, I would demand a Roll Call Vote on this Amendment. And in conclusion, let me say this, the department at DCFS is a department in complete chaos, complete chaos. It needs an overhaul from top to bottom. It needs a comprehensive approach to deal with children from the beginning at intake until the end of the approach. This is, I think, the first DCFS Bill that has hit the floor. So, it's time that we discussed this now. And what we need to do is attack these problems. Not piecemeal, not part at a time but a comprehensive approach to protect 50,000 children who are wards of the state. There are children, Ladies and Gentlemen, not just theirs, not just foster parents children. These children belong to all of us. Everyday that we ignore them and deal with this problem in a small way, we're hurting them. Vote 'no' on this."

Speaker Wojcik: "Any further discussion? The Gentleman from DeKalb, Representative Wirsing."

Wirsing: "Thank you, Madam Chairman. I move the previous question."

Speaker Wojcik: "The previous question has been put. All those

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in favor signify by saying 'aye'; all those opposed say 'nay'. The 'ayes' have it. The Motion carried. Representative Biggert to close."

Biggert: "Thank you, Madam Speaker. Amendment #1 is an Amendment to the...Department of Children and Family Services Bill which clarifies the family preservation and deletes the requirement that it be phased in over a five year period. And I would ask your approval for 'do adopt'."

Speaker Wojcik: "The question is, 'Shall Amendment #1 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Winkel, for what purpose do you rise? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 85 'ayes', 31 'nays', none voting 'present'. And the Motion carries. Any further Amendments?"

Clerk McLennand: "Floor Amendment #2, has been referred to rules. No further Floor Amendments. A fiscal note has been requested on the Bill 'as amended' by Floor Amendment #1."

Speaker Wojcik: "Representative Biggert, for what purpose do you rise?"

Biggert: "I would make a Motion that the fiscal note is inapplicable. Fiscal Note Act is inapplicable."

Speaker Wojcik: "The Motion is, the fiscal note is inapplicable. All in favor say 'aye'; all opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Fiscal Note is inapplicable. Third Reading. Mr. Clerk, what is the status of House Bill, 2332?"

Clerk McLennand: "House Bill 2332 is on the Order of Second Reading. Amendment 1 was adopted in Committee. Floor Amendment 2 offered by Representative Kubik has been approved for consideration."

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Speaker Wojcik: "Representative Kubik, for what purpose do you rise?"

Kubik: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. First of all, House Bill 2332 is a Bill which is a Department of Revenue Bill, which includes a number of proposals, all of which are noncontroversial and went through the Revenue Committee. Floor Amendment 2 removes one of the provisions of the Bill which deals with the issue of exparte order, which subpoenas for information. The Department and the federal government have been in discussion on the issuance of these exparte order. There is some disagreement as to the applicability of these orders. So as a result, we have decided to remove this provision from the Bill so that there is no change in current law, and let the Department and the federal government continue their discussions. So that is the change that is in the Bill. I would be happy to respond to any questions. I've spoken to Representative Currie and others about this Bill and I would be happy to respond to any questions you might have."

Speaker Wojcik: "Is there any discussion? The Gentleman from Cook, Representative Lang, is recognized."

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

Speaker Wojcik: "He indicates he will."

Lang: "Thank you. Representative Kubik, did this Amendment come from the Rules Committee or from the Revenue Committee?"

Speaker Wojcik: "Representative Kubik."

Kubik: "It was filed as a Floor Amendment. It went to the Rules Committee and the Rules Committee approved it for consideration to the House Floor."

Speaker Wojcik: "Representative Lang."

Lang: "Well, I know that under the Rules, the Rules Committee can

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do that, but as the Sponsor, don't you think it might have been appropriate so that people understood this, that it go back to the Revenue Committee so that people knew what it was all about? You and I discussed this and I don't frankly have any real problem with the Amendment, but in terms of procedure, it's pretty complicated to understand it. You had trouble even explaining it to me and it seem to be that perhaps this is just the kind of thing that should have gone to a Committee. Did you ask the Rules Committee to just send it out to the Floor or did you ask them to send it back to the Revenue Committee?"

Speaker Wojcik: "Representative Kubik."

Kubik: "I did not ask the Rules Committee to do anything. The Rules Committee made a motion and moved it to the Floor. I might point out that the Rules Committee unanimously moved this out to the Floor because this takes a provision out of the Bill and it really, what we have, Representative, is a piece of legislation that has a number of Bills involved and this takes one of those provisions out."

Speaker Wojcik: "Representative Lang."

Lang: "I'm advised that the Rules Committee did not vote this to the Floor unanimously, but even if they had, the Rules Committee is not all knowing and omnipotent and well, they are under the rules we have, I guess. The point I'm trying to make and again, Representative, I'm going to vote for your Amendment, but it seems to me to all Members of the Rules Committee that are within sound of my voice, that these Amendments that are more than just technical, that are complicated to explain and involve certainly the Revenue particularly, shouldn't be going to the Committee so that there could be a free and open debate as to what the Heck the thing is all about. If we can't explain it on

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the Floor in simple terms that 118 Members can understand, then it certainly should have more light shown on it than we've had today. So, I don't have any problem with the Amendment, but I have huge problems with the process by which this Amendment has gotten to the Floor and I believe in the future the Rules Committee would be well advised to send this back to the appropriate substantive Committee."

Speaker Wojcik: "Any further discussion? The Gentleman from Clinton, Representative Granberg, is recognized."

Granberg: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. To the Amendments. I, too, am very much concerned with the procedure in this Body. We heard the Rules and we adopted those in January about the Rules were great. We were going to open up governments and here again we see technical matters coming right out of the Rules Committee to the Floor. There is no debate allowed on Bills dealing with DCFS. The Speaker doesn't recognize people when they have their lights on, asking for fiscal notes to be applied to the Bill. Just a continual roughshod over important issues of the people of this state and this Amendment, although I'm sure it's a good Amendment with Representative Kubik, ignoring the process, not letting people seeing the light of what's going on. These Bills deserve to be heard in Committee. They are technical in nature. They are very substantive. We're not dealing with DCFS. It's absolutely incredible. If the people could see this in operation, I think they would be absolutely astounded because there is no openness in government and we've seen it today. We've seen it all day and it really is a travesty to the system. It's embarrassing. The people deserve a lot better than this process and I'm frankly frustrated because the people don't know, but they will know come the next election.



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Thank you."

Speaker Wojcik: "There being no further discussion, Representative Kubik to close."

Kubik: "I just ask for the adoption of the Amendment."

Speaker Wojcik: "The question is, 'Shall Amendment 2 be adopted?' All those in favor vote 'aye', all those opposed signify by saying 'aye'; all those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Wojcik: "Third Reading. Mr. Clerk, are there any announcements?"

Clerk McLennand: "Reminder, Executive Committee will meet immediately upon Adjournment in Room 114. The Appropriation General Services will meet in Room 122 B."

Speaker Wojcik: "Representative Churchill now moves that the House stand adjourned until Thursday, April 6th at the hour of 9:00 a.m. All those in favor signify by saying 'aye'; opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Allowing for the Perfunctory for the Clerk, the House now stands adjourned until Thursday, April 6th at the hour of 9:00 a.m."

Clerk McLennand: "House Perfunctory Session will be in order. Introduction and First Reading Resolutions. House Journal Resolution 35 offered by Representative Rutherford, Rules Committee. Introduction - First Reading Senate Bills. Senate Bill 69, offered by Representative John Turner, a Bill for an Act in relation to the prosecution of minors for first degree murder, amending named Acts. Senate Bill 235, offered by Representative Pankau, a Bill for an Act to amend the Regional Transportation Authority Act. Senate Bill 239, offered by Representative Biggert, a Bill for an Act concerning incarceration, amending named Acts. Senate

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Bill 245, offered by Representative Bost, a Bill for an Act in relation to university peace officers, amending named Acts. Senate Bill 246, offered by Representative Parke, a Bill for an Act to amend the Illinois Public Labor Relations Act. Senate Bill 269, offered by Representative Deuchler, a Bill for an Act to amend the Board of Higher Education Act. Senate Bill 275, offered by Representative Pankau, a Bill for an Act to amend the Water Authorities Act. Senate Bill 293, offered by Speaker Daniels, a Bill for an Act to create the Mental Health Treatment Preference Declaration Act. Senate Bill 299, offered by Representative John Jones, a Bill for an Act amending the Fish and Aquatic Life Code. Senate Bill 301, offered by Representative Klingler, a Bill for an Act to amend the State Employees Group Insurance Act. Senate Bill 326, offered by Representative Wait, a Bill for an Act to amend the Property Tax Code. Senate Bill 366, offered by Representative Phelps, a Bill for an Act to amend the School Code. Senate Bill 384, offered by Representative Cross, a Bill for an Act to amend the Juvenile Court Act. Senate Bill 407, offered by Representative Biggert, a Bill for an Act to amend the Code. Senate Bill 424, offered by Speaker Daniels, a Bill for an Act in relation to public employee pensions, amending named Acts. Senate Bill 428, offered by Representative Stephens, a Bill for an Act to amend the Criminal Code. Senate Bill 435, offered by Representative Cross, a Bill for an Act to amend the Code. Senate Bill 440, offered by Representative Deuchler, a Bill for an Act to amend the Illinois Credit Union Act. Senate Bill 442, offered by Representative Black, a Bill for an Act to amend the Civil Administrative Code. Senate Bill 458, offered by Representative Stephens, a Bill for an Act

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in relation to the transfer of interests in real property. Senate Bill 476, offered by Representative Mitchell, a Bill for an Act to amend the Counties Code. Senate Bill 507, offered by Representative Klingler, a Bill for an Act to amend the Clerks of Courts Act. Senate Bill 598, offered by Representative Black, a Bill for an Act to amend the Public Utilities Act. Senate Bill 619, offered by Representative Mulligan, a Bill for an Act to amend the Religious Corporation Act. Senate Bill 624, offered by Representative Wait, a Bill for an Act concerning transportation. Senate Bill 635, offered by Representative Parke, a Bill for an Act to amend the Parental Responsibility Law by changing Section 5. Senate Bill 637, offered by Representative Zickus, a Bill for an Act to amend the Illinois Fire Protection Training Act. Senate Bill 646, offered by Representative Maureen Murphy, a Bill for an Act regarding use and occupation taxes, amending named Acts. Senate Bill 675, offered by Representative Lindner, a Bill for an Act concerning unnecessary statutes, repealing and amending named Acts. Senate Bill 733, offered by Representative Pedersen, a Bill for an Act to amend the Illinois Motor Vehicle Theft Prevention Act. Senate Bill 756, offered by Representative Lawfer, a Bill for an Act to amend the Lieutenant Governor's Commission on Community Service Act. Senate Bill 762, offered by Representative John Turner, a Bill for an Act to amend the Counties Code. Senate Bill 769, offered by Representative John Jones, a Bill for an Act to amend the Minimum Wage Law by changing Section 4a. Senate Bill 789, offered by Representative Persico, a Bill for an Act to amend the Environmental Protection Act. Senate Bill 796, offered by Representative Durkin, a Bill for an Act to amend the Illinois Banking Act. Senate Bill

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814, offered by Representative Lachner, a Bill for an Act to amend the School Code. Senate Bill 817, offered by Representative Zickus, a Bill for an Act in relation to fire fighters' license plates, amending named Acts. Senate Bill 822, offered by Representative McAuliffe, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Senate Bill 836, offered by Representative Roskam, a Bill for an Act concerning parental notice of abortion. Senate Bill 866, offered by Representative O'Connor, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Senate Bill 907, offered by Representative Kubik, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Senate Bill 908, offered by Representative Kubik, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Senate Bill 481, offered by Representative Ryder, a Bill for an Act making appropriations. Senate Bill 941, offered by Representative Hoeft, a Bill for an Act to amend the School Code. Senate Bill 992, offered by Representative Rich Myers, a Bill for an Act in relation to the conveyance of real property. Introduction and First Reading of these Senate Bills. There will be no further business to House Perfunctory Session's stands adjourned. The House will reconvene Thursday, April 6th at the hour of 9:00 a.m."

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