

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

42nd Legislative Day

April 18, 1995

Speaker Daniels: "The House will be in order, the Members will be in their chairs. Speaker Daniels in the chair. The Chaplain for the day is Pastor David Boumgardener of the River Glen Presbyterian Church in Naperville, Illinois. Pastor Boumgardener is the guest of Representative Mary Lou Cowlshaw. Guests in the gallery may wish to rise for the invocation. Pastor Boumgardener."

Pastor Boumgardener: "Let's pray together. Pray God we come into Your mysterious and on spiring presence. You created the world that we are blessed to inhabit and You created our capacity for socializing and culture creating, which brings us together as neighbors, who compose the State of Illinois. Your presence is always with us, both in judgement and in mercy. And we humbly come to Your presence this morning, seeking Your guidance and strength. Those of us in this room that are elected Representatives of the people of Illinois, have excepted the heavy mantle of responsibility. Remind them of the mantle they bare. Give them humility and grace to wear it well. As bearers of the political trust and power of these Representatives are Your stewards, they have been trusted by You with responsibility to oversee the welfare of the people of Illinois, whom You have created and for whom You care. As stewards, they share the privilege of being co-creators with You. And during this session they will shape policies which will make an impact on many lives both for good and ill. For these, decisions they will be accountable to You as well as to the people of Illinois, so grant them humility and wisdom fitting for their office. Save our legislators from the mesmerizing and the luring temptations of the power intrusted to them, that could tempt them to use it for their own personnel adjuratory and benefits,

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rather than the people intrusted to their care. Help them remember that they serve You best as they serve those intrusted to their care. Remind them as they use this commodity of power to serve the people who have elected them, that they will not only serve them well, but will do what is pleasing in your sight. Keep us ever mindful that Your heart and justice is always biased for the weak and the vulnerable and the needy. Give each of them a passion to see this kind of justice expressed through their work. Help them to use their power in similar ways. Seeking justice in ways that protect and empower those who are most needy and most vulnerable. Give this Body, the Legislators wisdom as they seek and make prudent decisions among other matters about medicare policy. Decisions that are both fiscally prudent and encourage individual initiative. While also filled with compassion for the least in our midst. Oh, God, our children are a precious blessing, the world lies before them, so we pray that You will guide this body in their deliberations about our states schools. Guide them as they seek to improve the quality of education and to fund our schools. Help them to work cooperatively with local municipalities and keep them ever mindful that they are here as trustees of tomorrow, seeking to give opportunity of all the young ones in our mist to have opportunity and resources. To compete in the world market and to serve this state into the next generation. Now great God grant wisdom and grace to our Legislators. Give them the grace to work together, even though their partisan differences might divide them and place a partisan lobbying and grant them wisdom to see how each contributes to the truth of the whole. Give them an extra amount of ability to listen to each other until they hear the truth in one

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another's statements. Grant them patience and tolerance, understanding and wisdom in all the work that they will undertake. So that the people they serve, may be served well and You may be honored and it is in Your name we pray, Amen."

Speaker Daniels: "We will be led in the Pledge of Allegiance by Representative Andrea Moore."

Andrea Moore: "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 excuse absences on the Democratic side of the aisle."

Currie: "Thank you, Speaker, let the records show that Representative Kotlarz is excused today as is Representative Martinez. And I would like if I might to just bring people up to date on Representative Martinez. Many of you have expressed concern. He is doing quite well. AS you know, he had heart surgery. That was a major success, but he was left with a staff infection. He is fighting the staff infection and he is winning and I know that he has all of our prayers and best wishes, but we hope he will be back with us very soon."

Speaker Daniels: "Is he still in the hospital, Representative Currie?"

Currie: "He had been out of the hospital, but the staff infection reoccurred. He is in the hospital, but doing very well and the antibiotics seem to be working."

Speaker Daniels: "Which hospital is he in?"

Currie: "I will find out."

Speaker Daniels: "Thank you, very much. And we will want to send

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our best to Representative Martinez. And the Journal will so indicate with leave of the House. Representative Cross is recognized to report any excused absences on the Republican side of the aisle."

Cross: "Thank you, Mr. Speaker. I'm pleased to report that all the Republicans and here today."

Speaker Daniels: "On the leave of the House, the Journal will so indicate. Have all answered their Quorum Call? The Clerk will take the record. On this issue, there are 116 individual elected Representatives answering the Quorum Call and a Quorum is hereby present. If I can have your attention please, today in the Speakers Gallery we welcome Sara Fenchin, the outstanding cheer leader for Illinois. Sara is a guest of Representatives Ron Stephens. Sara entered this state wide competition against seventy five entrants. This honor is based upon academics, recommendations, and a personal interview and the winner receives a scholarship. Sara is from Troy, Illinois and is accompanied by her parents, Jack and Grace Fenchin and her coach Melissa Taylor. Congratulations to Sara for her accomplishments. House Bills Third Reading, House Bill 1523. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 1523. A Bill for an Act in relation to Occupation Taxes. Third Reading of this House Bill."

Speaker Daniels: "Return that Bill to Second Reading, Mr. Clerk. House Bill 1528. Read that Bill."

Clerk McLennand: "House Bill 1528. A Bill for an Act concerning Vehicle Admissions. Third Reading of this House Bill."

Speaker Daniels: "Return that Bill to Second Reading. House Bill 1572. Read that Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1572. A Bill for an Act that amends the Condominium Property Act. Third Reading of this House

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Bill."

Speaker Daniels: "Return that Bill to Second Reading. House Bill 2251. Read that Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2251. A Bill for an Act that Amends the Illinois State Collection Act of 1986. Third Reading of this House Bill."

Speaker Daniels: "Return that Bill to Second Reading. House Bill 2351. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2351. A Bill for an Act concerning the duration of state leases. Third reading of this House Bill."

Speaker Daniels: "Return that Bill to Second Reading. House Bill 16. Read read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 16. A Bill for an Act that amends the Code of Criminal Procedure of 1963. Third Reading of this House Bill."

Speaker Daniels: "The Representative from Cook, Representative Durkin."

Durkin: "Thank you, Speaker. This Bill would amend the Illinois Criminal Code, under Chapter 720, the Illinois ILCS5-1-6. With respect to the issue of venue. This Bill would basically states that the state is no longer required to prove during a trial that the alleged offense occurred in any particular county in the state. If the defendant ...defendants is, or his counselors do make an objection to venue that they are to present that objection in the form of a pretrial motion to dismiss, under section 114-1. This Amendment also sets out that type of procedure. When a dependant seeks a dismissal of that charge, the defendant shall make a prima-facie showing that the county is an improper place of trial. The council showing this state shall have the burden of proving by preponderance of the

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evidence that the county is the proper place of trial. This Bill would eliminate the venue as an element of offense. I will respond to any type of questions."

Speaker Daniels: "The Gentleman from Cook, Representative Dart. Ladies and Gentleman. Ladies and Gentleman, Representative Dart."

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

Speaker Daniels: "He indicates he will."

Dart: "Representative, is this change in the venue, is this in contrary at all to the present case law that's in existence?"

Speaker Daniels: "Representative Durkin."

Durkin: "No, I would point out the case of people VS. Adams and Veldess in which our Chief Justice Ben Miller, when an opinion indicating that...that venues should not be proved...should not be brought out as an element of defense and longer needs to be proven beyond a reasonable doubt."

Speaker Daniels: "Representative Dart."

Dart: "But, did you say that the opinion on the side if it is brought out, it does not then need to be inserted later. What if it is not brought out during the course of the case?"

Speaker Daniels: "Representative Durkin."

Durkin: "It would be waived."

Speaker Daniels: "Representative Dart."

Dart: "But, if...so, there is no affirmative duty, whatsoever, for any venue to be brought forward now, then the requirement would be on the defense at all times, so that if the state fails to bring up anything regards to venue, whatsoever, then there is no penalty for doing that. Is that correct?"

Speaker Daniels: "Representative Durkin."

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Durkin: "That is correct. That is a duty the defense must establish in a pretrial motion. If they have any objections to the venue."

Speaker Daniels: "Representative Dart."

Dart: "I'm...just to make it quite clear for the record, because you and I know about the venue stuff. The present scenario now is that the state is obligated to do it and if in fact the state doesn't do it in the course of their...chief, it would be grounds for the defense to move for the dismissal of the case. Is that correct?"

Speaker Daniels: "Representative Durkin."

Durkin: "That is correct, Representative Dart."

Speaker Daniels: "Representative Dart."

Dart: "Ok. Now, one of the concerns I had with this, is that there is present law, in regards to the jurisdictional requirements for police officers and other law enforcement agencies, who want to or attempt to make arrests, would this and how would this effect the fact that the present law requires that they stay within their own jurisdiction to affect the arrest. This now removing any venue requirement. What would that do to that provision?"

Speaker Daniels: "Representative Durkin."

Durkin: "Representative Dart, this Bill will not affect any of the jurisdictional requirements that are imposed upon law enforcement officials."

Speaker Daniels: "Representative Dart."

Dart: "I guess my question would more not of a legal sense, but of a practical sense. The fact now that we are removing the requirement of venue being presented in different cases, would this not in affect, make it easier or encourage police officers to cross into other jurisdictions, because in fact it is no longer a

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requirement if venue is even shown in the case, that they can in affect arrest across jurisdiction lines. We have in the south suburbs, there is a lot of instances, where police officers would in fact, cross over jurisdiction from town to town. Would this encourage that practice?"

Speaker Daniels: "Representative Durkin."

Durkin: "No, it wouldn't."

Speaker Daniels: "Representative Dart."

Dart: "And finally, what about in regards to incidents where the...in saying...in regards to a murder, where the actual murder occurred in one county...the body was found in another county and say the defendant was arrested in a third county. What in fact would this do in regards to that? Because the venue is obviously different there."

Speaker Daniels: "Representative Durkin."

Durkin: "This would not affect the...presently, under the criminal code, the states out that the venue in matters of homicide, the cause of death is afflicted in one county and death pursues in another county, the defender may be tried in either county. Just as long as there is some type of annexes between the defendant and the crime within a certain county which is sufficient to establish any type of venue requirement. We are just saying that it is no longer part of the states case and chief, it needs to be brought out in a pretrial motion, if there is an objection."

Speaker Daniels: "Representative Dart."

Dart: "Is it presently...they are required to bring it out in their motion prior to trial as well. Is that correct?"

Speaker Daniels: "Representative Durkin."

Durkin: "Under the section 114-1...Under section 114-1 that is the current law which states that there is an objection to the place of trial that should be brought out in a pretrial

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motion to dismiss."

Speaker Daniels: "Representative Dart."

Dart: "So, that in fact, the only thing you are changing is...it presently is pretrial motion. The only thing you are changing is...is that in fact it is not done then it can not be cured later. Where as in the present law they are allowed to file the motion later. And this would just say, if you don't file at the beginning, you are out of luck."

Speaker Daniels: "Representative Durkin."

Durkin: "That is correct, Representative."

Speaker Daniels: "Any further discussion? The Gentleman from St. Clair, Representative Hoffman. Further discussion? The Gentleman from Cook, Representative Lang."

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

Speaker Daniels: "He indicates he will."

Representative Lang: "Thank you, Representative. I have listened to the discussion, but I'm still unclear as to what remedy or what problem in the criminal justice system you are trying to remedy. Can you give me some insight on that?"

Speaker Daniels: "Representative Durkin."

Durkin: "Representative, what we often see as prosecutors and Representative Dart would concur, is that many times after a prosecution is successful, defense will often bring up a frivolous motion of venue, making some type of issue that the county was not the proper place of trial. Not dealing with actually any of the elements of the case, which would prove beyond a reasonable doubt, what often happens is that courts will reverse or out right dismiss cases based on a frivolous motion of that sort. We are attempting to cure that. We are saying that venue is not an element of the offense. If you look through the Chapters 720, none of the Illinois...none of the statutes or any of the definitions

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of the crime indicate that venue must be proven along in conjunction with that...with those other elements."

Speaker Daniels: "Well, I understand that you are trying not to make venue part of the prima-facie case but if I read your Amendment 6, which is on the Bill correctly on page six, the defendant may still make a motion to dismiss the charge up front before the trial begins on the bases of venue. Is that correct?"

Speaker Daniels: "Representative Durkin."

Durkin: "That is correct."

Speaker Daniels: "Representative Lang."

Lang: "And so, what you are really doing is eliminating a post trial motion to dismiss based on venue. Would that be a correct way to frame this matter?"

Speaker Daniels: "Representative Durkin."

Durkin: "That would be one effect, yes."

Speaker Daniels: "Representative Lang."

Lang: "When you say that would be one affect, what other affects would there be? As you know, I am an attorney, but I don't do criminal law, so I need some help from you on this."

Speaker Daniels: "Ladies and Gentleman of the House. Ladies and Gentleman...Representative Durkin."

Durkin: "Representative, this Bill is...what it does is..it is establishing that the defense, if they object to the venue, it is a pretrial motion and if they can establish by prima-facie showing that is improper, then the burden shifts over to the state to show by preponderance that the county is proper. What we are saying is that, what the current practice is, this is brought up...brought up in post trial. I have seen it brought up the first time in Appeal at all different levels. We are saying that is frivolous, it is untimely, and it does not effect one

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element to any prosecution...any charges in the prosecution."

Speaker Daniels: "Representative Lang."

Lang: "Well, just let me just take a quick example. What would...let me ask you if this possible. Let's assume the court's in Dupage county are over burdened and they shipped somebody down to Madison county or say St. Clair county for trial, just because there is room in their court house to hear those cases, the defendant never objects. Can that judgement be attacked or are we putting the burden on the defendant? In a pretrial situation to...make this claim."

Speaker Daniels: "Representative Durkin."

Durkin: "Representative, first of all that situation is unrealistic, but secondly that would...if we look at that type of hypothetical. If they would decide to...the prosecution wants to form shop, which I think you are eluding to, that's why we all go to law school, that they are why we are all certified, they why we are suppose to investigate our cases, that they are why we are to read the statutes and be aware of the law to raise any type of pretrial motions. That would be a burden that the defense would have to establish and it would be on their hands to raise it in the pretrial motion."

Speaker Daniels: "Representative Lang, you only have thirty five seconds, Sir."

Lang: "Thank you. Representative, were you present when a Amendment was attempted to be put on this Bill in committee, that would have allowed for more police on the streets in the State of Illinois. And if you were, why didn't you allow that to go on your Bill?"

Speaker Daniels: "Representative Durkin."

Durkin: "This Bill strictly speaks of venue. It has nothing to

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do with an issue regarding the Illinois Revenue Code, about putting more police on the streets and raising...raising the funds to do it. It had nothing...was irrelevant to this Bill, Representative. And I didn't think it was appropriate to discuss it in conjunction with the venue Bill."

Speaker Daniels: "Any further discussion? The Gentleman, Representative Durkin to close."

Durkin: "I would state that, this is a good Bill. What it does is it eliminates the element of venue from any prosecutions case and chief. I would sight that present Chief Justice Ben Miller...in the opinion of people vs. Adams, concurred with that. He stated that the venue is no longer should be a regarded as a material fact in every prosecution, and it no longer needs to be established in a trial by proof beyond a responsible doubt. The setting which we have established in the Bill, is spelled out in his opinion. This is something which is good for prosecution. It eliminates frivolous motions, which are often brought up and clog up the courts later after prosecution. We would ask that this Bill be passed and ask for a favorable vote."

Speaker Daniels: "The Gentleman has moved for the passage of House Bill 16. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 114 'ayes', and none voting 'no', and none voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. House Bill 553. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 553. A Bill for an Act that amends the Counties Code. Third Reading of this House Bill."

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

Moore, A.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 553, amends the Counties Code. Allows for the appointment of alternate members to the County Board of Appeals. And states when alternate members are to serve on this Board of Appeals. I would ask your favorable support and I would be happy to answer any questions."

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

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

Speaker Daniels: "She indicates she will."

Hoffman: "Yes, Representative, is Amendment #1 on the Bill? House Amendment #1?"

Speaker Daniels: "Representative Moore."

Moore, A.: "There are no Amendments to this Bill."

Speaker Daniels: "Representative Hoffman."

Hoffman: "So, House Amendment #1, which would have...which contains provisions regarding a recorder willfully fails to reform a duty as guilty of malfeasance and the liability there from and the provisions regarding barking dogs, is that on this Bill?"

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

Moore, A.: "That is correct, Representative. That Amendment was tabled in committee."

Speaker Daniels: "Representative Hoffman."

Hoffman: "So, the only thing that this Bill now does is that it allows for alternate members to be appointed. How many alternate members can now be appointed?"

Speaker Daniels: "Representative Moore."

Moore: "Two."

Speaker Daniels: "Representative Hoffman."

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Hoffman: "Is the recorder of Deeds Association...do they have any position on this? Or would they have...they would of had a position on the Amendment. I would assume they are not concerned about the Bill any longer? Is that right?"

Speaker Daniels: "Representative Moore."

Moore, A.: "They have no position on the Bill, now and did not register in that position."

Speaker Daniels: "Representative Hoffman."

Hoffman: "What is the genesis of the Bill? Is this the Metro County Associations Bill?"

Speaker Daniels: "Representative Moore."

Moore, A.: "Actually, it was suggested by Lake County."

Speaker Daniels: "Representative Hoffman."

Hoffman: "So, well my question is, is this one of the Bills that has been formulated and comes out of the Metro County Associations Legislative Agenda? I know Lake County suggested it; however, has been put forward by the Metro Counties Association. Which would include Madison and St. Clair County."

Speaker Daniels: "Representative Moore."

Moore, A.: "If it is included in the Metro Counties package, I'm not aware of it. This Bill came specifically from Lake County."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Is there a specific problem, Representative, that this is seeking to address? Why do we need this Bill? Why can't we just utilize the current members? Aren't they being paid to #1)to sit on these boards and render judgement; and #2) if they are being paid, shouldn't they being doing their job? Why should we need alternate members?"

Speaker Daniels: "Representative Moore."

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Moore: "The Zoning Board of Appeals in Lake County has seven members and a concurring vote of five members is necessary to reverse an administrative order or to enact any variance. And the board over the years, has had difficulty in obtaining this five member requirement due to the absence of members or conflicts of interests."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Well, wouldn't be easier, Representative, just to increase the number of people who are allowed on the Zoning Board of Appeals. My concern is obviously, what we see sometimes here in committees, where by, you may want a given a result. So, you will take alternate members, who are going to vote differently than the present sitting members, put them on to the board and then they will vote in such a fashion that the appointing authority deems appropriate. Is there any type of guidelines that would insure that this doesn't happen, so that the board isn't fixed in such a way that it would not carry out the will of the current members?"

Speaker Daniels: "Representative Moore."

Moore, A.: "I didn't understand the question."

Speaker Daniels: "Representative Hoffman, restate the question."

Hoffman: "Just an inquiry of the Chair. We just want to make sure that we know what we are voting on. The Calendar shows on page 17 that...it shows that this Bill as amended by virtue of the A in front of the House Bill 553. However, it does show then that the committee Amendment has been Tabled. We just want to assure that we are voting on the original Bill and that there is no second Amendment that may have been adopted. And that they are why the confusion I think, is this.

Speaker Daniels: "Mr. Clerk."

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Clerk McLennand: "There was only one Amendment and it was tabled."

Speaker Daniels: "Representative Hoffman, does that conclude your questioning?"

Hoffman: "Yes...Mr. Speaker, I believe that this a good Bill. I think it is well founded. I would have had some concern with the Amendment. However, this Bill I think, is appropriate."

Speaker Daniels: "Representative Moore to close."

Moore, A.: "Thank you, very much and I would ask for a favorable vote for House Bill 553."

Speaker Daniels: "The Lady has moved for the adoption of House Bill 553. 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 110 'ayes', none voting 'no', none voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. House Bill 573. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 573. A Bill for an Act that Amends the Illinois Municipal Code. Third Reading of this House Bill."

Speaker Daniels: "The Lady from Dupage, Representative Biggins."

Biggins: "Thank you, Mr. Speaker. You are correct as usual. Ladies and Gentleman of the House. House Bill 573 debated earlier, amends the Illinois Municipal Code and provides that each municipality may use the provisions of the Act to expedite the removal of certain buildings that are continuing hazard to the community. Now, it applies only to communities of 25,000 or more in population. House Bill 573 enables this to apply to all communities in the state,

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including those under 25,000 population. I will welcome any questions the Members may have."

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

Granberg: "Thank you, Mr. Speaker. Will the Lady yield, pursuant to the Speakers comments?"

Speaker Daniels: "Yes, he will."

Granberg: "Representative Biggins, now is this the legislation we discussed about six weeks, regarding the...a problem with the notice provisions?"

Speaker Daniels: "Representative Biggins."

Biggins: "Representative, I don't know that there was a problem with it. There was a question last time, about whether it applied under the Election Code or the Municipal Code. So, I asked to withdraw it from the record and found out that it is under the Municipal Code."

Speaker Daniels: "Representative Granberg."

Granberg: "If my memory serves me correctly, Representative Biggins, you did not ask to withdraw it from the record. We went to caucus, because you indicated that the answer was in the Bill. Is that correct, that the appropriate language was in fact in your legislation?"

Speaker Daniels: "Representative Biggins."

Biggins: "Well, Representative, if the cooperate authorities shall apply to the Circuit Court of the county in which the building is located for an order requiring the owner in thirty days to demolish, repair, or enclose the building or to remove garbage or other nox...hazardous noxious or unhealthy substances or materials from the building."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative Biggins, the question then, six weeks ago with the publication provision that you indicated was

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in your legislation. When I asked you, you said it was in your Bill. When I asked you to point that out, you realized it was not in your legislation. When I asked you where it was, you said it was a matter of common law. You then changed that and said it was not a matter of common law. I asked you where it was and you said it was in the Municipal Code. I asked you for that provision and you said read the Municipal Code, it is in there. You have since indicated it was not in the Municipal Code, Sir. Have you Amended the legislation to include the...to resolve the issue of the publication in small rural communities?"

Speaker Daniels: "Representative Biggins."

Biggins: "It is in the Municipal Code."

Speaker Daniels: "Representative Granberg."

Granberg: "Is that...what Amendment was that, Sir?"

Speaker Daniels: "Representative Biggins."

Biggins: "There is no Amendment on the Bill, Sir."

Speaker Daniels: "Representative Granberg."

Granberg: "So, you acknowledge, Sir, that when we dealt with your legislation six weeks ago, I asked you a specific question on publication requirements, you indicated it was in your legislation. I asked you to point it out and you said it was there and then you changed your mind, you said, 'no it was not'. It was Illinois common Law. I asked you for that provision, Sir, you said, 'Oh, it's not in there, it is in the Municipal Code.' I asked you where in the Municipal Code, and you said it was in there somewhere. Is your provision...is that provision currently in the Municipal Code?"

Speaker Daniels: "Representative Biggins."

Biggins: "The Gentleman would be referring to the provision for

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the notification period or what specific provision are you asking about?"

Speaker Daniels: "Representative Granberg."

Granberg: "The specific provision was the one I asked you about six weeks ago. You refused to give me answer, Sir. That is the provision I'm asking for right now."

Speaker Daniels: "Representative Biggins."

Biggins: "It is in the Municipal Code."

Speaker Daniels: "Representative Granberg."

Granberg: "Now, Mr. Biggins, six weeks ago you told me it was in the Municipal Code. Six weeks ago you told me it was in your Bill. It was not, Sir. Six weeks ago you told me it was Illinois Common Law. And it is not, Sir. And then you told me it was in the Municipal Code. And then you indicated it was not. Now you are telling me it is in the Municipal Code. Where is it, Sir?"

Speaker Daniels: "Representative Biggins."

Biggins: "Representative, on page 10, it mentions on line 342, that not later than 30 days following the posting of the notice, the municipality shall do both of the following and then, I can read it to you, but it just list those items that would correspond to notification."

Speaker Daniels: "Representative Granberg."

Granberg: "It is on page 10 of your legislation, Sir?"

Speaker Daniels: "That is what he said, Representative Granberg."

Granberg: "Just a moment, Mr. Speaker. Because, he indicated to me six weeks ago that it was not in his legislation. He changed his mind and said it wasn't. So, now it is. On page 10, what line, Sir?"

Speaker Daniels: "Representative Biggins."

Biggins: "It starts out on line 342."

Speaker Daniels: "Representative Granberg."

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Granberg: "This goes back to the very same issue six weeks ago, Representative Biggins. Because, in small rural communities, some of our towns don't have newspapers that can publish. So, what happens in downstate Illinois, when you have...what about the publication requirements? What do we do then, when we have no newspaper that publishes?"

Speaker Daniels: "Representative Biggins."

Biggins: "The Bill states that it causes to be published in a newspaper published or circulated in the municipality where the building is located. If there is no newspaper published in the municipality, then there won't be published notice in that newspaper, because the newspaper can not exist."

Speaker Daniels: "Representative Granberg."

Granberg: "It says, Representative Biggins, your legislation says they have to give notice in the newspaper. They are required to give notice in the newspaper. The word is shall, Sir, on line 363. The municipality shall do both of the following. What happens if you don't have the newspaper in the small town? Because your legislation requires...it says shall do the following. What happens if the municipality does not have that newspaper to do the publication? Are they in violation of your law, Sir?"

Speaker Daniels: "Representative Biggins."

Biggins: "The language says that it can be circulated in the town. It does not have to be published in the town. It is a newspaper that services the community."

Speaker Daniels: "Representative Granberg."

Granberg: "So now, Representative Biggins, if this is in fact the case, we do not have that problem in Southern Illinois, that if there is not a newspaper, then the publication or the notice does not have to be published. It will now be

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sufficient to post the notice requirements. Is that right?"

Speaker Daniels: "Representative Biggins."

Biggins: "I think that is correct, Sir. The Municipal League, I talked to Kevin Simmilow of the Municipal League after the last time this matter was debated and he is in total support of the Bill. And the only change in the Bill is the towns that it refers to. Otherwise, the Bill is consistent with language and laws already adopted."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative Biggins, my concern again, is for these small towns. Now, I still think there is a requirement for publications. Are you saying there is no longer that requirement to publish?"

Speaker Daniels: "Representative Biggins."

Biggins: "The language, Sir, on page 10 and 11 reads that a newspaper either published or circulated."

Speaker Daniels: "Representative Granberg."

Granberg: "So, if you don't...you're saying you do not have to publish, that you can just circulate the notice. Is that correct?"

Speaker Daniels: "Representative Biggins."

Biggins: "The language on page 10 and 11 says, that it can either be published or circulated in the municipality."

Speaker Daniels: "Representative Granberg."

Granberg: "Does that mean in a newspaper circulated in the municipality?"

Speaker Daniels: "Representative Granberg, you are out of time. Representative Biggins, can you answer that question?"

Biggins: "Yes, Sir. I refer to page 10. Again it says any newspaper published or circulated in the municipality. It also extends to the top of page 11. The language is quite

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clear."

Speaker Daniels: "The Gentleman from Cook, Representative Kubik.

Ladies and Gentleman, can I please have your attention?"

Kubik: "Will the gentleman yield?"

Speaker Daniels: "He indicates he will."

Kubik: "Representative, I have listened to the discussion on this Bill. I guess I want to be clear on a couple of points. Number (1) Did this change at all the notice requirements with respect to the removal of hazardous buildings within a community?"

Speaker Daniels: "Representative Biggins."

Biggins: "No, it does not."

Speaker Daniels: " Representative Kubik."

Kubik: "Okay, it is my understanding of the law, Representative, with respect to the publication, what I understand you saying is that there are a lot of communities that do not have a newspaper that is actually published in the community, however, they are circulated in the community and they are designated as the official newspaper of a community and therefore, legal notices are placed into those newspapers so that in this case, the case that Representative Granberg sights, if a community has an official newspaper that circulates within the community, these notices can be placed in that newspaper. Is that correct?"

Speaker Daniels: "Representative Biggins."

Biggins: "That is correct."

Speaker Daniels: "Representative Kubik."

Kubik: "Representative, my understanding of this legislation also is this emanates out of a piece of legislation that was passed by this General Assembly a couple of years ago. And it helped expedite the removal of hazardous buildings in

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the City of Chicago. Then I believe, I had a Bill a couple of years ago which said we ought to expand it beyond the City of Chicago and include communities that were of 25,000 and more. What your saying is that you are now eliminating that 25,000 population threshold and this will help local communities, who have hazardous buildings that are of danger to the neighborhood to allow the expedited process to remove these buildings. Is that essentially what this Bill does?"

Speaker Daniels: "Representative Biggins."

Biggins: "That is exactly what this does. It enables those smaller communities to have the same clean up authority that communities over 25,000 in population currently have throughout the whole state."

Speaker Daniels: "Representative Kubik. Can the Gentleman have your attention, please? Both sides of the aisle. Thank you, Representative Kubik."

Kubik: "Mr. Speaker, I rise in support of this Bill. It is an excellent idea. We did this for the City of Chicago a couple of years ago. The building commissioner...the then building commissioner, Mr. While came to us and said we have hazardous buildings in this city that ought to be knocked down, because they are a danger to the community. So, we passed this legislation which allows for an expedited process, while at the same time preserving the rights of those who have property. We allowed this for some suburbs and now what Representative Biggins is trying to do is allow all communities this opportunity. I think it is an excellent Bill. It is a good safety Bill. It is a good Bill for those who want there communities to be free of these blighted and unsafe buildings. I think this is an excellent idea and we all ought to support it."

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

Hartke: "Thank you very much."

Speaker Daniels: "May the Gentleman please, have your attention?"

Hartke: "Will the Sponsor yield?"

Speaker Daniels: "Ladies and Gentleman, Ladies and Gentleman. He indicates he will."

Hartke: "Representative, I'm listening to the debate with interest here. I think it is a good piece of legislation. I have one question, though. Do we have a list of somewhere in this state, where we have these or the official newspapers distributed in the county? For example, some of the small towns, I know what your trying to do, may have dailies coming in from surrounding areas, may not have a local newspaper published in the small town itself, but let's say a community such as Tower Hill. Tower Hill may receive newspapers from Pana, maybe from Shelbyville, maybe from Effingham, maybe from Vandalia. And there is an old building let's say in the community that needs to be...notice needs to be given. Which one would you chose? Just one that is circulated in the area? And would that be ten applicants to that daily paper or weekly paper or is there an official list? If two people get the Chicago Tribune in Taylorville, would that be one?"

Speaker Daniels: "Representative Biggins."

Biggins: "There is no official list, because it is up to the municipality to determine where the notice would be published. And that I think is better than the state publishing a list controlling what newspapers are quote the "official newspapers" in any given town or area of our state. I would think that a prudent municipality would put it in the most local paper where it could reach the most

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number of its residents, so they could have more of an impact on whether this building should be cleaned up environmentally or demolished, whatever."

Speaker Daniels: "Representative Hartke."

Hartke: "Yes, if everybody in the community belongs to the local (Ruatan) Club and they have a local newspaper or a weekly news article, would that suffice or would it have to be a published newspaper with subscriptions and so forth?"

Speaker Daniels: "Representative Biggins."

Biggins: "I think it could be if it is circulated within the municipality, whether it is published there or circulated. If it fulfills the requirements of being a newspaper in public general circulation. That would fall under the Bill."

Speaker Daniels: "Representative Hartke."

Hartke: "So, if we had a resident of Tower Hill that was from the community of ...let's say Olney, and the resident there gets the Olney Daily Mail, but he is one of maybe two residents in a community that gets that. Could this official put that in the Olney Daily Mail? Would that suffice under this legislation?"

Speaker Daniels: "Representative Biggins."

Biggins: "It could be."

Speaker Daniels: "Representative Hartke."

Hartke: "So, it is up to the local official to make that determination, which newspaper he puts it in."

Speaker Daniels: "Representative Biggins."

Biggins: "Yes, Sir, they are paying for the publication and they should make that determination."

Speaker Daniels: "Representative Hartke."

Hartke: "So, they may seek out the newspaper with the least cost, but yet has circulation in that district to publish this

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notice."

Speaker Daniels: "Representative Biggins."

Biggins: "I would hope they wouldn't do that, Sir, but they...but if the newspaper is published or circulated within the municipality, then that is where the notice can be placed."

Speaker Daniels: "Representative Hartke."

Hartke: "Isn't that thwarting the attempt of the legislation, that is to notify the public of what we are trying to do and we are trying to notify the least number of people, because we are using the least cost for the cheapest method of notification, yet still comply with the law."

Speaker Daniels: "Representative Biggins."

Biggins: "So, we want the notice to give the widest effect possible, but for the state to mandate what newspaper or publication it should be in is not the duty of the state. And it doesn't make the state do that. It just says that it must be published in a newspaper that circulates in that jurisdiction."

Speaker Daniels: "Representative Hartke."

Hartke: "Wouldn't it be wise to add in majority circulation or the largest amount of circulation in the area or a clear, I don't know about majority, but general circulation as opposed to one or two or five."

Speaker Daniels: "Representative Biggins."

Biggins: "Sir, I think that would be the wrong language to put in this Legislation and the Municipal League did not request this language, because in affect it would be giving a monopoly to a certain newspaper and if that newspaper could conceivably charge higher than its normal rate, if they know that they are the only designated publication that the municipality can use to post this notice. So, I think it would be very cost...it could be potentially costly to the

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tax payers and I wouldn't be in support of that."

Speaker Daniels: "Representative Hartke, your time is expired so, bring your questions to a close."

Hartke: "Yes, I have one final question, but I think the intent of the legislation is to notify the general public, correct? And I think that should be done to the best of the ability of those elected officials and that would be...and I think you would want in general circulation in the entire area, just not one or two newspapers that would come into the area. Thank you very much, Mr. Speaker, for your allowance."

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

Black: "Thank you very much, Mr. Speaker. Pursuant to House Rule 7-8, I move the previous question."

Speaker Daniels: "The Gentleman has moved the previous question. The question is, 'shall the previous question be put'. 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. This question, has 64 'aye', 49 'no', zero voting 'present'. The previous question has been moved and adopted. The Gentleman Biggins to close."

Biggins: "Thank you, Mr. Speaker. I urge an 'aye' vote. This is a good Bill environmentally. It is good for the small towns in the State of Illinois giving them the same privileges that other towns larger than 25,000 have in population. And I request an 'aye' vote."

Speaker Daniels: "The Gentleman has moved for the passage of House Bill 573. 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

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voted who wish? The Clerk will take the record. On this question, there are 106 'ayes', 3 voting 'no', 3 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. House Bill...the Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. An inquiry of the Chair. I note that the Bills we are running on Third Reading today, have been called in numerical order, however, there are big gaps between one Bill and the next. Can the Chair indicate to the Body what your intentions is as to what Bills will be called. Can we expect that all Bills that are ready on Third Reading will be called?"

Speaker Daniels: "Yeah, those that are ready will be called. The next Bill that is ready is 868. Representative Lang."

Lang: "Well, there may be some other Members, who have Bills that are ready before that. I know I have House Bill 1138, that is ready, so when you get to that number, Mr. Speaker, I'm announcing that it is ready so I'm anticipating you will call it. Thank you very much."

Speaker Daniels: "We will look at that. I notice your Bill deals with marriage and dissolution of marriage. I'm not sure we are taking up that subject today. So, on the next Bill is 868 and Representative Lindner, but the Clerk will call the Bill."

Clerk McLennand: "House Bill 868, a Bill for an Act that Amends the Department of Children and Family Services Act. Third Reading of this House Bill."

Speaker Daniels: "Representative Lindner."

Lindner: "Thank you, Mr. Speaker. Many of the Members of the General Assembly are members of the Illinois Citizens..."

Speaker Daniels: "Excuse me, excuse me. Ladies and Gentlemen of the House, I know you all want to listen to this Bill

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dealing with the Department of Children and Family Services. Ladies and Gentlemen. Representative Lindner."

Lindner: "Thank you, Mr. Speaker. Many Members of the General Assembly are members of the Illinois Citizens Assembly. The genesis of this Bill is from the citizens council on children and it amends the Department of Children and Family Services Act to ask DCFS to do a study to see if it's feasible to develop instate license secure care facilities for young adults and children. There is a population of children out there that have severe problems that are unable to be cared for by their parents. They are from a population from DCFS from the Department of Mental Health and Developmental Disabilities or from the State Board of Education. Since our state does not allow these types of facilities to operate for non-adjudicated wards in the state at this time, these children are all sent out of state. It's a great expense, the expense is estimated to be from \$25 to \$75 million plus the fact we are losing federal funds by doing this. A goal is to reintegrate these children back into the community and it is more difficult since they are sent out of state. The Bill asks DCFS to develop a plan and see if it's feasible to bring these children back to our state and I would ask for favorable support."

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

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

Speaker Daniels: "She indicates she will."

Schakowsky: "Thank you. Representative, do we currently have any instate license secure child care facilities in Illinois?"

Speaker Daniels: "Representative Lindner."

Lindner: "Yes, we do for adjudicated youth last year as part of

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the crime Bill which was Senate Bill 1153. That contained secure care for provisions only for adjudicated youth, but for non-adjudicated youth we do not, and the majority of this population from the Department of Developmental Disabilities and DCFS is non-adjudicated youth."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "So, how many young people are we talking about that are in these out of state facilities?"

Speaker Daniels: "Representative Lindner."

Lindner: "We are currently talking about a 1,000 children and I have a break down for the years '88 through '91 of the number of children that have been sent from the different agencies."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "I'm...I'm wondering if it's not too long if you might be able to give us that so we get a sense of who these children are?"

Speaker Daniels: "Representative Lindner."

Lindner: "I...I believe you asked to have some of those numbers, is that what you just asked? Well, in '90 '91 from the State Board of Education, the out of state placements, there were 541, from the Department of Mental Health and Developmental Disabilities in 92, 206 placements, DD and 63 for Mental. In 95 for DCFS there were 730, and the...these go to a variety of states, Ohio, Pennsylvania, Wisconsin, Minnesota and all out of state placements."

Speaker Daniels: "Representative Churchill, in the Chair. Representative Schakowsky."

Schakowsky: "What can you...can you just describe for us what a secure child care facility entails?"

Speaker Churchill: "Representative Lindner."

Lindner: "Representative, that is defined in the Bill, and it

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say's for purposes of this subsection, secure care facility shall mean a facility that is designed and operated to ensure that all entrances...entrances and exits from the facility, a building or a distinct part of the building are under the exclusive control of the staff of the faculty whether or not the child has the freedom of movement within the parameter of the facility, building, or distinct part of the building. And that is part of the Bill and part of what DCFS, the study would consider."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Thank you, Mr. Chairman. Before I ask more questions, may I please take this Bill off of Short Debate and I'm joined by my colleagues to do that."

Speaker Churchill: "The Bill is off Short Debate. Please, proceed."

Schakowsky: "Who determines that a child needs to live in a secure facility and why would a child be sent to one of these facilities?"

Speaker Churchill: "Representative Lindner."

Lindner: "These children are often...need specialized care, are aggressive or violent but have not been through the juvenile court system or have a mental illness so that would be determined, right now it is determined by the department that is sending them."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "You mentioned how much the...a very broad range estimate of how much is spent to care for these children out of state. Is there an estimate of how much it would cost to care for these children instate and how much we would actually then be saving just in terms of dollars?"

Speaker Churchill: "Representative Lindner."

Lindner: "That would be part of the study. That is one...this is

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not to have these facilities, this is for DCFS to do the study to determine if we need these facilities instate. So, part of that study should include what the cost in Illinois would be to develop these secure care facilities and that is also, that criteria is also set out in the Bill, in the definition."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Would you characterize these facilities as Juvenile Detention Centers?"

Speaker Churchill: "Representative Lindner."

Lindner: "No. I...because I would characterize juvenile detention centers as something involved with the...with Juvenile Court when there has been an adjudication and these are...are children and youths who have been non-adjudicated. They are not in that system."

Speaker Churchill: "Representative Schakowsky with ten seconds."

Schakowsky: "Do children receive counseling and education at these facilities..."

Speaker Churchill: "Representative Schakowsky, please bring your question to a close and we'll go to Representative Lindner for an answer."

Schakowsky: "The question was, do these children receive counseling and education at these facilities, actually the question really is, what kind of rehabilitative services do these children receive if any?"

Speaker Churchill: "Representative Lindner."

Lindner: "Well, since these facilities are out of state and in a variety of states, I do not know exactly what those facilities provide. I would assume obviously, that they do provide counseling and all and that would be certainly the goal of developing instate facilities because one of the goals for these children is to reintegrate them back into

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the community so they would have to receive counseling in order to do that."

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

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

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

Flowers: "Representative Lindner, why is it that this study is necessary? Why would we expend the money on the study when we are already spending moneys by sending the children out of state. So, it's obvious that the State of Illinois is in need of such...well in need of a facility."

Speaker Churchill: "Representative Lindner."

Lindner: "I do think that we do need these kinds of facilities, but before the General Assembly passes something like this, I would think that they would want to know what the cost savings were to develop the instate facilities and whether or not we have to build new facilities or whether we can use old buildings to house these children and youths and where the geographic distribution would be so, that's what the study will address. If...if you read the Bill, it say's what the studies should include to see if it is feasible and better for the state to develop these facilities then to send these children and youths out of the state."

Speaker Churchill: "Representative Flowers."

Flowers: "Can you give me a total number of how many children that we've sent out of state maybe in the last five years?"

Speaker Churchill: "Representative Lindner."

Flowers: "And if also...Speaker..."

Speaker Churchill: "Yes, Representative Flowers."

Flowers: "...approximately how much we may have spent over the

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last five years."

Speaker Churchill: "Representative Lindner."

Lindner: "The numbers that I have, it said that it could, there's an estimate of from \$25-\$75 million spent because of the fact also that we use...lose federal funding from title IV (e), and if you look I do...I did read those numbers to Representative Schakowsky if you were listening on the number of children in '90 and '91. Doing a quick estimate of adding this up from like 1987 on, Illinois State Board of Education would be approximately, it looks like 1300 and some Department of Mental Health and Developmental Disabilities, looks like about maybe 600 since 1988, DCFS looks like maybe a couple of thousand, and this is just doing a quick adding just looking at my figures here."

Speaker Churchill: "Representative Flowers."

Flowers: "Representative Lindner, so, you're talking about that we've sent maybe over, can we truthfully say maybe about 4,000 kids outside the State of Illinois, over the last few years?"

Speaker Churchill: "Representative Lindner."

Lindner: "Yes."

Speaker Churchill: "Representative Flowers."

Flowers: "Also, you stated that these would be kids for non-adjudication. How...who would make the determination as to how long these children would stay in this secured system, #1. Who would make that determination and how long will they stay and what...what are the guidelines and who's going to set forth those guidelines?"

Speaker Churchill: "Representative Lindner."

Lindner: "Right now, the specific agencies who send the children make that decision and that would also be one of the items that would be addressed in the Bill. There would be a plan

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after the Bill if they decide that secure care facilities belong in the state instead of out of state, then there would have to be a plan developed to bring those secure care facilities in and those criteria would be developed."

Speaker Churchill: "Representative Flowers."

Flowers: "Will they also develop a plan to get these kids out of the system as opposed to a plan to put them into this particular system?"

Speaker Churchill: "Representative Lindner."

Lindner: "Yes, they do regular case reviews and that type of thing now with the out of state children and as I said, one of the goals of this program is to reintegrate the children and youth back into the community and that's why it is more difficult to do that now when the child is out of state and it is the feeling that if the secure care facilities are in the state, then keeping them closer would be...go more towards accomplishing that goal."

Speaker Churchill: "Representative Flowers with 13 seconds. Nothing further, Representative Flowers. Further discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I move the previous question."

Speaker Churchill: "The Motion is for the previous question. All those in favor of moving the previous question will vote 'aye'; all opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. There are 62 votes for, 52 votes against and the previous question is moved. Representative Lindner to close."

Lindner: "Thank you, Mr. Speaker. I would just ask a favorable vote on this Bill. I think it's something that is needed

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in this state and we need to do a study to see that it is feasible. Thank you."

Speaker Churchill: "The question is, 'Shall House Bill 868 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 110 'ayes', 1 'no', and 4 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, please read House Bill 897."

Clerk McLennand: "House Bill 897, a Bill for an Act concerning pecuniary interests of townships and highway officials. Third Reading of this House Bill."

Speaker Churchill: "The Gentleman from Knox, Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 897 was requested by the Township Officials of Illinois. (House Bill) 897 amends the Township Code and the Illinois Highway Code. It prohibits a township official or employee from having a pecuniary interest in a township contract. It exempts the township officials interest when certain ownership minimums, geographic limits, contract maximums and disclosure requirements and voting restrictions are met. It changes the current prohibition against the pecuniary interest of a highway commissioner and a road district contracts to conform with those for township officials. It makes violation...a violation a Class IV felony, with forfeiture of office. This attempts to make consistent the provisions that affect township and make them similar or consistent with regulations already regulating municipalities. This legislation is patterned after the Illinois Municipal Code.

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Are there any questions?"

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

Lang: "Thank you. First I would like to remove this from Short Debate. I'm joined by thousands of my colleagues, Mr. Speaker."

Speaker Churchill: "I don't think you have thousands but there were enough. It's off Short Debate."

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

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

Lang: "Thank you. Representative, current law prohibits highway commissioners and superintendent's of highways from having any pecuniary interests in contracting for goods and services except in very narrow circumstances. Your Bill would expand the freedom of road district officers to take pecuniary interests in such contracts. Why would you do that?"

Speaker Churchill: "Representative Moffitt."

Moffitt: "This sets a very strict guidelines that must be followed and as I indicated it makes it consistent with the Illinois Municipal Code. It's spelled out the conditions that have to be met before purchases could be made by a road commissioner."

Speaker Churchill: "Representative Lang."

Lang: "Well, there are narrow circumstances now, you will admit you're expanding those possibilities, would you not?"

Speaker Churchill: "Representative Moffitt."

Moffitt: "I wouldn't look at it as expanding, as clarifying and simply spelling out to...so that it is clear what a conflict of interest would be. What conditions would be met. It's...the intent is, is that it clarify and make it reasonable for government township level to operate."

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Speaker Churchill: "Representative Lang."

Lang: "You refer several times in your Bill to this 7 1/2 per share of ownership in the entity as being the threshold. Why did you pick that figure, what is magic about 7 1/2%?"

Speaker Churchill: "Representative Moffitt."

Moffitt: "Representative, that, is my understanding, is based on the Municipal Code language. Going back to how that was put in and of course that was before I was a Member of the House, but I think it would be obvious that they wanted to be a rather low percentage interest of ownership. But if that's...because that's patterned after the Municipal Code."

Speaker Churchill: "Representative Lang."

Lang: "Can you explain what changes there are in this narrow focus of what is a conflict and what isn't between the current law and your Bill?"

Speaker Churchill: "Representative Moffitt."

Moffitt: "I think, Representative, it was...one of the changes that it spells out what conditions could exist to...in order to...that a purchase could be made where the ownership exists. One of the things that would like to mention and it would be a change is that if no vendor is within 25 mile radius of the township, then the township or road district can purchase those services from an individual with this 7 1/2% or less pecuniary interest, less than a 7 1/2%, that was not in there before. The intent here is, that if you have to go more than 25 miles, you're really going over the distance of over four townships. The intent would be that it would be more efficient if you could buy...buy closer. That would be one of the changes. It also spells out, as I've indicated and we've talked about the 7 1/2%, it says that the interested

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member must publicly disclose the nature and extent of his or her interest before or during the deliberations concerning the proposed award. So, now it's spelling out they have to disclose that. It will be out in the open, it'll be very public."

Speaker Churchill: "Representative Lang."

Moffitt: "And in addition, the interested member has to abstain from voting on the award of any contract."

Speaker Churchill: "Representative Lang."

Lang: "But why 7 1/2%, Representative, why not 5 or 15 or 30 or 10 or 12 1/2 or some other number? We need to know how you came to this number. If it's arbitrary, say so."

Speaker Churchill: "Representative Moffitt."

Moffitt: "It's not arbitrary, Representative, the intent is to pattern this after the Illinois Municipal Code. It's my understanding and if I...if I'm incorrect, I'm sure you'd correct me, that, that's what's in the Illinois Municipal Code, that's legislation that this Body adopted and it's considered acceptable in the past, so if the Municipal Code has it, it's stood the test of time. And, you know, if you feel that, that needs to be changed then I think it would be good that they be consistent. But they probably, if it's 7 1/2 then this...it would be reasonable that this be 7 1/2. Maybe they both need to be raised or lowered but I think it's reasonable that we have some consistency in government."

Speaker Churchill: "Representative Lang."

Lang: "Thank you. What is the policy consideration behind having the Municipal Code and the Township Code be the same on this issue? They aren't the same on a myriad of other issues. You don't have an ominous Bill here to have the Township Code and the Municipal Code mirror themselves in

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every aspect, why this aspect?"

Speaker Churchill: "Representative Moffitt."

Moffitt: "We felt that was a starting point or a reference point.

I think when we're talking about ethics legislation, which this would deal, trying to establish good government, strict guidelines. They're both...they're both local governments so it is reasonable that in something dealing with guidelines regulating contracts, regulating local government, that we have some consistency. I agree, there's a lot of difference between Municipal Government on some things and township. But when we're dealing with as far as ethic legislation, I think there could be some similarities and it is a starting point. In the absence of anything, I felt this was a good start."

Speaker Churchill: "Representative Lang with 36 seconds."

Lang: "Why...why do we want to piece meal this? Why don't you go through the whole Municipal Code and the whole Township Code and even up the things you want to even up? Why are we going to change one piece at a time? Is there some particular aspect of this you need to do this Session, Representative?"

Speaker Churchill: "Representative Moffitt."

Moffitt: "Representative, there's nothing unique, any unique reason that the township officials just in the interest in of good government asked that this legislation be considered and I felt it was a very reasonable piece of legislation. I think it would be fine to look at, you know, the total picture and in an attempt to review..."

Speaker Churchill: "Please conclude your remarks, Representative Moffitt. Were you finished?"

Moffitt: "Just...I think it would be fine to review it as a total package. Time, time right at the present would not allow

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that but I think as we look ahead it would be fine to look at the entire...entire package of legislation...you know, the Municipal Code and townships and see if there is some other changes. But I think it's good that we try to make them consistent."

Speaker Churchill: "Further discussion? The Gentleman from St. Clair, Representative Hoffman."

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

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

Hoffman: "Representative, my questions are with regards to what you are deleting from the Highway Code. The highway commissioner and the county superintendent's pecuniary interest with leases and purchasing contracts. Particularly, what...what does this Bill do with regard to allowing them now to have interest in things that they potentially are dealing with in their highway commissioner or county superintendent's job?"

Speaker Churchill: "Representative Moffitt."

Moffitt: "Representative, I've...I guess I'm not sure what you're really asking."

Speaker Churchill: "Representative Hoffman."

Hoffman: "It's my understanding that this Bill would delete certain provisions regarding potential conflicts of interests when it comes to highway township supervisors...highway supervisors, is that correct?"

Speaker Churchill: "Representative Moffitt."

Moffitt: "It clarifies and spell out...spells out what conditions would have to be met if a contract was to be awarded or a purchase made from someone on the township board that had a less than a 7 1/2% pecuniary interest."

Speaker Churchill: "Representative Hoffman."

Hoffman: "Currently, what is the...what is the law now, the

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statutory law?"

Speaker Churchill: "Representative Moffitt."

Moffitt: "Under current law, in townships with a population of less than 15,000 with the approval of the town board of trustees or the highway board of auditors, as the case may be, the highway commissioner may have a pecuniary interest in lease contracts if the aggregate total of these contracts is less than \$1,000 in the same fiscal year."

Speaker Churchill: "Representative Hoffman."

Hoffman: "And how would this change that?"

Speaker Churchill: "Representative Moffitt."

Moffitt: "This spells out that of course as we've indicated, that it has to be less than a 7 1/2% interest in the business, if a contract was awarded. It also makes the other requirements that there has to be a public disclosure and that the contract is awarded after sealed bids, to the lowest bidder, if the amount of the contract exceeds a \$1,000 or without bidding if the amount of the contract is less than 1,000. Those things were not spelled out in the past. The minimum ownership was not there in the past, the requirement that you disclose it was not there in the past, the requirement of abstaining from voting was not there in the past."

Speaker Churchill: "Representative Hoffman."

Hoffman: "What if...what if you were to have say a 10% interest in a firm and you are a township highway commissioner, could you then do business with that township?"

Speaker Churchill: "Representative Moffitt."

Moffitt: "You would be prohibited from doing business then."

Speaker Churchill: "Representative Hoffman."

Hoffman: "The 7 1/2% figure that is indicated in the Bill, that comes from the Municipal Code, is that where you got that,

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so that an alderman or a city manager or a mayor, does that same standard apply to them? Is that where you got that percentage amount?"

Speaker Churchill: "Representative Moffitt."

Moffitt: "Yes, Representative, that's the intent and certainly I'd be happy to sit down and talk with you if that figure should be changed but if it's changed for one I think it probably should be changed for both. It's just the fact that the 7 1/2% has been acceptable to this Body in the past, so it seemed a reasonable provision."

Speaker Churchill: "Representative Hoffman."

Hoffman: "It's my understanding that under this, if you were in violation of...if you owned less than 7 1/2%, did not do...carry out the requirements of this Bill that you would be guilty of a Class IV felony, is that right?"

Speaker Churchill: "Representative Moffitt."

Moffitt: "That is correct, you could be found guilty of a Class IV felony and removed from office."

Speaker Churchill: "Representative Hoffman."

Hoffman: "What if you were to have 10, 15 or 20% interest and you did business with the county anyway. What would you...what is the provision with regard to the penalty for that?"

Speaker Churchill: "Representative Moffitt."

Moffitt: "Representative, you said with the county, this is just dealing with townships."

Speaker Churchill: "Representative Hoffman."

Hoffman: "I apologize. I meant a township. So you have over the 7 1/2% interest in a firm that's doing business with the township. What would be the...the potential penalty for doing that?"

Speaker Churchill: "Representative Moffitt."

Moffitt: "That would be for the courts to decide but it certainly

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could be conviction of a Class IV felony and removal from office and I would think that would be a good possibility."

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

Black: "Thank you very much, Mr. Speaker. I move the previous question."

Speaker Churchill: "The Motion is for the previous question. All those in favor of moving the previous question, please vote 'aye'; all those opposed please vote 'no'. 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', 52 voting 'no'. And the previous question is moved. Representative Moffitt to close."

Moffitt: "Thank you, Mr. Speaker. We've had a good discussion of House Bill 897. Again, it's the intent of the Illinois township officials to clarify some things to bring good government to our local constituents. I think they should be commended for wanting to put some consistency here. This simply says, the Illinois Municipal Code has been acceptable to the Body in the past. The township officials would like to move along, bring their layer of government up consistent with modern times and have some specific provisions. I would ask for a favorable vote."

Speaker Churchill: "The question is, 'Shall House Bill 897 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 'aye', 1 'nay', none voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, please

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read House Bill 1212."

Clerk McLennand: "House Bill 1212. A Bill for an Act that Amends the Illinois Income Tax Act. Third Reading of this House Bill."

Speaker Churchill: "The Gentleman from Lake, Representative Lachner."

Lachner: "Mr. Speaker and Ladies and Gentleman of the House. I would like to present House Bill 1212. House Bill 1212 amends the Illinois Income Tax Act to require the Department of Revenue to respond to inquires about income tax refunds within 10 days after the receipt of the inquiry. It requires the department to provide in the response the name, the phone number and the phone number of the person that the tax mayor(sic-payor) may contact for additional questions. This Bill is in response to constituent requests to put increased accountability into the Department of Revenue and I will gladly answer any questions on the Bill."

Speaker Churchill: "Is there any discussion? The Chair recognizes the Lady from Cook, Representative Davis. Representative Davis, your light is on. I see that you're having a wonderful time there with the young one. Do you wish to talk on this Bill."

Davis, M.: "I...Mr. Speaker, I'm talking here with Master Charles Morrow the Fourth and Master Charles Morrow the Fourth has informed me that I should give my time to Representative Deering, Thank you."

Speaker Churchill: "Well, we're glad to have this young Morrow on the Floor with us. Charles, you should be real proud of yourself there. Further discussion? The Gentleman from Cook, Representative Dart."

Dart: "Thank you, will the sponsor yield?"

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

Dart: "Representative, isn't there a tax payers advocate or omnibus in the Department of Revenue right now?"

Speaker Churchill: "Representative Lachner."

Lachner: "Yeah, it is my understanding there is."

Speaker Churchill: "Representative Dart."

Dart: "How much did we fund that individual?"

Speaker Churchill: "Representative Lachner."

Lachner: "I don't know the exact amount, but there are five positions under the tax payer Bill of Rights."

Speaker Churchill: "Representative Dart."

Dart: "And what does that organization...what is their role...what are they suppose to do?"

Speaker Churchill: "Representative Lachner."

Lachner: "They are basically designed acts as an intermediary to handle tax payer complaints."

Speaker Churchill: "Representative Dart."

Dart: "Why is that we...what is it that this Bill will do that, that individual or those individuals can not do or are not doing right now?"

Speaker Churchill: "Representative Lachner."

Lachner: "The Department of Revenue receives hundreds and hundreds of inquiries with respect to the current status of tax refunds. And currently that group is not designed to specifically respond to all those inquires. It is my understanding that, that group handles more involved unresolved complaints with the Department of Revenue. This Bill does not have anything to do with 'ombudsmans office'. This Bill is designed to place some accountability within the Department of Revenue. So, that when tax payers, who have already sent their money in to the Department of Revenue are simply requiring as to the current status of

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that money that they have sent in, they receive a prompt courteous response and are simply informed that the (A) the Department of Revenue has the request and (B) that there is a real live person there who can respond to further inquiries."

Speaker Churchill: "Representative Dart."

Dart: "How long does it for these people...How long does it presently take them to have their inquires responded to?"

Speaker Churchill: "Representative Lachner."

Lachner: "We are still waiting. No, actually the Department of Revenue indicates that they would like to respond within 30 days. And I wish that they had responded in 30 days, because this type of legislation may not be necessary, but in fact people wait 8,10,12 months for inquiries. It is a black hole."

Speaker Churchill: "Representative Dart."

Dart: "So, it appears as if the Department of Revenue is botching this up pretty bad. This agency, does it have other problems like this, where they are completely unresponsive to tax payers, I mean because this is actually going at the heart of what you know, we are suppose to be dealing with constituents and helping out their concerns. Our Department of Revenue with its budget, which is rather large, are they completely ignoring our tax payers and doing such a horrible job that we are going to have to micro manage them now?"

Speaker Churchill: "Representative Lachner."

Lachner: "I think the Department of Revenue is like many other state agencies. It has good points and bad points and I think it is up to us as legislators to give them accolades for their good points and point out things that they are lacking. In this specific case, this Bill addresses one

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specific area where they are lacking."

Speaker Churchill: "Representative Dart."

Dart: "I guess my question would be, if they are not in the business of assisting the tax payers of the State of Illinois, by informing them about their tax concerns, what the heck are they doing? Why do we have this Department then if they are ignoring the very people that they are suppose to be there for. Why are they there?"

Speaker Churchill: "Representative Lachner."

Lachner: "The purpose of the Department of Revenue is to basically collect taxes and to make sure taxes are collected fairly. This Bill addresses one aspect of that tax collection. If you treat your tax payers with courteously and respond promptly to them, they are more likely to do the same to you. And what this Bill allows for is to put a little parity with the Department equity or the Department of Revenue and the tax payers to allow them to respond in kind as the way the tax payers have to respond by law every April 15 or 17, depending on the year."

Speaker Churchill: "Representative Dart."

Dart: "I mean I could not agree with you more in regards to that, but I guess my problem goes really to the heart of it is that, what is this Department doing then? I mean this is obviously something that is a major problem that the heart of it is the tax payers of the State of Illinois, but they are doing such a horrible job at it right now, that we have mandate that they respond to these people. That is there job, that is their duty. They should be doing that now and I agree whole heartedly with what you are trying to do here with this Bill, but it just seems to me it boggles the imagination that we will have to micro manage them,

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because of the fact that they are systematically ignoring the tax payers. That they are ignoring their request though that is an agency that is funded by them. It seems to me to really stamp things on its head here, that we are having to tell them to do what is should be very evident to them, is their job. I mean, why are we having to do this? What is so wrong with that Department that they are ignoring this?"

Speaker Churchill: "Representative Lachner."

Lachner: "Representative, if I had the answer to that question, this Bill wouldn't exist and you wouldn't have to ask that question."

Speaker Churchill: "Representative Dart, with four seconds. Further discussion? The Lady from Cook, Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker. I rise in support of House Bill 1212 and while I certainly agree in large part with Representative Dart that is unfortunate that we need legislation like this that really tells the Department of Revenue to do what we would expect it to do. The fact is I think at this point the General Assembly needs to step in and establish a frame work for true customer service, customer relations on the part of this important state agency. Especially this week when people are thinking so much about their taxes...their income taxes. People are aware of how much they depend on information from the Department of Revenue and are often frustrated in their efforts to get that information. Seems to me that it makes only good sense that the Department of Revenue should respond to inquiries within a reasonable period of time. We feel that ten days is a reasonable period of time. Unfortunately the Department of Revenue is indicating, I

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think its position in opposition to this Bill and that is a problem in and of itself. I think we as a General Assembly then have to say to that agency, yes, the tax payers of the State of Illinois deserve information in a timely way, simple responses to inquires and if it is going to take a piece of legislation then that is what it takes. And this is that piece of legislation. I would urge everyone to vote in favor of House Bill 1212."

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

Kenner: "Thank you, Mr. Speaker. I too rise in support of this legislation, although many times individuals that expect a refund, their refunds are held up, because it is their fault. They usually don't know that. And this particular piece of legislation only requires that the department within a certain specified length of time notify that individual as to why their refund is being held up. It is a good piece legislation. It is good government and it too speaks to marketing and not putting the government and the Department of Revenue in a position like they are looking like misers. I too have co-sponsored this Bill and ask for your support. And I commend the Representative for sponsoring such a good government Bill. Thank you."

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

Curry: "Thank you, Speaker. Would the sponsor yield to a few questions?"

Speaker Churchill: "He indicates that he will, please proceed."

Curry: "First, Representative, the Department of Revenue says that although they can't calculate exactly how much, they do believe that there will be substantial costs associated with passage of this Bill. Have you introduced an

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accompanying appropriation to pay those additional costs?"

Speaker Churchill: "Representative Lachner."

Lachner: "Representative, currently the Department of Revenue explains to me that when they receive a tax inquiry that they do one of two things. This is what they are saying, that (1) they send a letter of acknowledgment to the tax payer if the response will not be ready within 30 days or (2) it sends the response to the tax payer with the telephone number of the department to contact within 30 days. Well, according to the Department of Revenue they are already doing this, so, there should be no increased costs."

Speaker Churchill: "Representative Curry."

Curry: "And yet, Representative, they say there would be and I would I suppose that you believe they aren't doing it, because if you believe they were doing it, you would see no reason to pass this Bill. To the Bill, Speaker and Members of the House..."

Speaker Churchill: "To the Bill."

Curry: "There is nothing really wrong with this Bill, except that I would wonder if passage of this Bill without an accompanying appreciation may lead to a situation in which our constituents get information more quickly about their tax refund, but will find that the tax refund itself is further delayed. If the Department is not now able to handle these requests for information in a timely fashion, my guess is that they will be taking the money to pay for this program out of some other piece of their budget. Well, one place they can take the money out of is timely working through of those refund checks themselves. Another place I should imagine would be on the question whether when you call with questions or your constituents call with

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questions about tax liability, whether it is that kind of question that gets short shrift because you are so busy telling us when our tax refund might come due. I appreciate the sponsors interest in seeing to it that the department shapes up and responds quickly, but I think you should be aware that the cost of passage of this Bill could be further delays in your constituents actually accessing their income tax refunds or a lessened ability on the part...on part of the Department of Revenue to answer questions about tax liabilities in other areas. I would hope that before this session is done, should this Bill succeed in the House and Senate, we could solve those problems by virtue of a willingness on the Sponsors part to find the additional money it will take in order for the department to meet the needs of this Bill without giving short shrift to other important responsibilities."

Speaker Churchill: "Representative Lachner to close."

Lachner: "Ladies and Gentlemen and Members of the House, the purpose of this Bill, which I should add that the Department of Revenue now no longer opposes, is to give them a sense of accountability to the tax payers. We send our money into the State of Illinois every year and we expect that the State of Illinois will take that money, take care of it and use it wisely. When people have to wait 8 months, 9 months, and 12 months just to find out what the state is doing with their money, I think that is a situation we need to rectify. This Bill is a small step in that direction and we may see future legislation that will address more of these things, but I urge you to support this Bill, so they we can get started on the road to recovery. Thank you."

Speaker Churchill: "The question is, ' Shall House Bill 1212

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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'. And this Bill, having received a Constitutional Majority, is hereby declared passed. For the purpose of an announcement, today in the Speaker's Gallery, we are honored by the presents of the honorable Edwardo Gonzales, director of the United States Marshal Service. Director Gonzales is the guest of Representative Mike Weaver and Senator Babe Woodyard, Eastern Illinois University and professor of 'Pin Ching'. Joining with the director is our own Illinois U.S. Marshal Director, Bob Moore. Welcome. Mr. Clerk, please read Representative Winkel's Bill 1246."

Clerk Rossi: "House Bill 1246, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Churchill: "The Chair recognizes, Representative Winkel."

Winkel: "Thank you, Mr. Speaker. House Bill 1246 amends the Criminal Code of 1961. It increases the offense of criminal trespass to real property from a Class C to a Class B misdemeanor. Further, it eliminates the exemption from the offense of criminal trespass to real property for anyone invited by a tenant living on the land to visit that person at the place the person is living upon the land. Provided that the landlord and the tenant agree that the landlord reserves that authority. Mr. Speaker. Mr. Speaker."

Speaker Churchill: "Yes."

Winkel: "I would like to yield to Representative Pankau to describe the provisions of this Bill in relation to theft

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by a lessee."

Speaker Churchill: "Representative Winkel yields to Representative Pankau. Representative Pankau."

Pankau: "A portion of this Bill deals with providing a prima facie evidence for people who are in the retail rental business. In other words, businesses that may rent you a champaign glass or a auger of some sort...they were having difficulty determining and proving up in court that the person meant to steel a particular item when the person did not return it, and this is through their association, the rental association. They're putting in place some items whereby they can use that as evidence to prove that a person meant to steel the piece of property that they did not bring back, and I yield back to Representative Winkel."

Speaker Churchill: "Representative Winkel."

Winkel: "Mr. Speaker, we're prepared to take questions as to the Bill."

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

Davis, S: "Thank you, Mr. Speaker. I'd like to yield my time to Representative Dart."

Speaker Churchill: "Well unfortunately, Representative Dart hasn't been called on yet so that...you need to save for a later time. The Chair will now recognize the Gentleman from Cook, Representative Dart for his own five minutes."

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

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

Dart: "Representative, why...why is it that we are increasing the penalty for criminal trespass of real property?"

Speaker Churchill: "Representative Winkel."

Winkel: "Representative, it's been perceived that this in an

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increasing problem...with trespass to real property and we're...the intention here is by enhancing the penalty from a Class C to a Class B that, that will be a deterrent to that sort of activity."

Speaker Churchill: "Representative Dart."

Dart: "Mr. Speaker, I'm joined by the appropriate number of colleagues in taking this off of Short Debate."

Speaker Churchill: "I see an appropriate number out there, it's off Short Debate."

Dart: "Well...now what's the penalty going to be, Representative, by changing it from a Class C to a Class B, what have we done?"

Speaker Churchill: "Representative Winkel."

Winkel: "Yes, the penalty, the dollar penalty remains the same at \$500, the potential jail time increases from 30 days to six months."

Speaker Churchill: "Representative Dart."

Dart: "How...how often are people sentenced to jail time on Class C misdemeanors?"

Speaker Churchill: "Representative Winkel."

Winkel: "I don't have that data with me, Representative."

Speaker Churchill: "Representative Dart."

Dart: "How often...do you have any of the data on how often their sentenced Class B misdemeanors?"

Speaker Churchill: "Representative Winkel."

Winkel: "Not with me, Representative."

Speaker Churchill: "Representative Dart."

Dart: "Well, my experience in the criminal court room have showed that very rarely, as a matter of fact I can't really recall an incident when we sentence someone to jail time on Class B or a Class C misdemeanor. By at large, what we have done by increasing all the penalties around here, there's very

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few of these misdemeanors...these offenses left. Is there some acknowledgement or is there some representation from these other counties that they will in fact sentence someone to the jail time, because otherwise if we're not increasing the...the dollar fine amount then we're really not accomplishing anything with this. Because, as I said I in my entire experience as a State's Attorney never saw anybody sentenced for a Class B or a Class C. Never. I mean we don't have the jail space for it. Where our jails are filled up with murderers and rapists waiting for trial and they're filled up with drunk drivers and Class A misdemeanants. Is there some representation you've received from somebody that there's going to be...somebody going to jail over this? I mean...I just am trying to figure out why we're doing this, because my experience has never shown anybody going to jail on these things."

Speaker Churchill: "Representative Winkel."

Winkel: "Representative, I misunderstood your question. I didn't realize you were asking for personal experience. I thought you were asking about some sort of data or some...some sort of background. It's my experience in repeat offenses that once it...you have somebody that's been engaging in this kind of conduct two, three, four times, obviously you've given the judge...you've given the court system a...a further remedy here where they can go from the dollar penalty to actually imposing or at least threatening to impose substantial jail time. Certainly the idea is not to fill up our jails with people who are found guilty of criminal trespass, but it...we have to look at repeat offenses."

Speaker Churchill: "Representative Dart."

Dart: "As I'm sure you've picked up by now, Representative, you

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go when this House both by hard data as well as personal experience and you didn't have the data so I was asking for personal experience there. The reality of it is, is that I'm trying to find out what we're doing here because of the fact we increase penalties on a regular basis. I want to get some idea that we were, in fact, going to see people going to jail over this, and it wasn't going to be something that we're just doing for the heck of it."

Speaker Churchill: "Representative Dart, Representative Winkel is not as old as some of the rest of us, so maybe his personal experience isn't...doesn't have the longevity of some of the rest of us. Representative Winkel."

Winkel: "Representative, it's my experience that in court when you are fined and you do it again and you appear before the same court, the chances are very good that you're at least going to be threatened with substantial jail time and in...in repeated cases where you have somebody who insists on violating the law and trespassing to property that they may well have to be sentenced to substantial jail time. I think it probably will be rare, but it certainly will deter the repeat offender."

Speaker Churchill: "Representative Dart."

Dart: "Well, my...my concern is that this does not address repeat offenders...I mean, if that's what you want to do there's a way to do that, Representative. There's a way to do that by saying a second or subsequent offender shall be eligible for X number of offenses. This just changes the penalties straight up. This just changes the penalties, for the first offender."

Speaker Churchill: "Representative Winkel."

Winkel: "It gives the court the discretion to impose a...a an additional penalty an enhanced penalty that the court

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didn't have before. So, it simply enhances the range of the potential penalty here and I believe from my personal experience in court as an attorney that this will deter repeat offenses."

Speaker Churchill: "Representative Dart. One last question, Representative Dart."

Dart: "But...I mean my point is, that what we're trying to get after here is repeat offenders, which I agree, you agree, everyone will agree is we don't like them. There is a way we've done it in the past and that is you don't deal with the offense as it exist on the book for first time offenders, you deal with it for second time offenders by saying, in the event...our second...we do it all the time here. Second or subsequent offenders of whatever the offense is, is eligible for a Class A misdemeanor, is eligible for Class IV felony, whatever it is. This does not do with that, all this does is raise the...the base line offense for first time offenders, second time offenders, third time offenders at nauseam. And, my point to you though is if that's what you intended to do, this isn't what we're doing here. That what we're doing here is just increasing that offense at the base for whether your first or your hundredth time offending. Is there not a way that we can change this to deal with that and...and secondly in regards to your 24 hour rule. What if...what occurs if there's an honest mistake made here on the notice provisions of that?"

Speaker Churchill: "Representative Winkel."

Winkel: "Representative, regarding the change of the...the penalty from...from a Class C to a Class B, Representative Tom Johnson actually introduced that measure as House Bill 1246 and my...my portion House Bill 1107 and Representative

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Pankau's part, House Bill 759 were rolled into this Bill as you're...as you're probably aware. If you'd like further explanation...Representative, if you'd like further explanation as to the reasons why, I'm sure that Representative Johnson is probably chomping at the bit to...to give further explanation if he wants to. I'd be glad to yield to Representative Johnson on that point."

Speaker Churchill: "It is time for further discussion, and the time is up for...Representative Tom Johnson from DuPage County. Representative Johnson."

Johnson, Tim: "Yes, in reference to the criminal trespass increase penalty to a Class B misdemeanor from a Class C. This was put in last year, received unanimous support in this Chamber, and the reason it was put in was the Illinois Farm Bureau had requested that this be done because of the trespasses that are occurring especially up around the urban areas with their fields and their buildings and so on. It's really to heighten the awareness and to trigger the importance to the local State's Attorney's to perhaps take a more vigorous role in attempting to come down harder on these criminal trespass cases. As we all know as a Class C misdemeanor. Often times that's looked upon by both the prosecutor's, law enforcement, judges, defense council, everybody else is a slap on the wrist. The farm bureau felt that this was very important. That more seriousness be attached to this by the same token, they don't want to throw everybody in jail and therefore, I think this was a reasonable position for them to take and I would urge support of this portion."

Speaker Churchill: "Further discussion? The Gentleman from Washington, Representative Deering. Representative Deering, put that mic all the way up and I want to see you

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talk on that."

Deering: "I just...I just want to make sure you see me, Mr. Speaker."

Speaker Churchill: "We do."

Deering: "I think the Clerk...I think the Clerks going to attempt to rectify this tomorrow. Thank you. Will the Sponsor yield?"

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

Deering: "Representative, I notice here if I take ownership of property and do not return it, or do not return the ownership of the property within 10 days rather than 30, that it will be a Class B misdemeanor, that's to that Representative. I apologize. Representative, why would this be...to me this would be more of a violation of the statute as the previous Bill that we worked on where...which made it a Class IV felony if I was a township official and had over 7 1/2% interest in a business and was doing business with the townships. Why is stealing property a less offense than having ownership in a business?"

Speaker Churchill: "Representative Winkel, do you wish Representative Pankau to respond to that? Representative Pankau."

Pankau: "Representative Deering, I'm not changing any of the...the part of the law that says, if it's a misdemeanor or felony or any of that stuff. That's not being changed at all. What we're saying is there...with notice there are certain things that if someone comes in and gives you a false I.D. or a disconnected phone number or something like that, that when you do go to court when after you serve that person...you know after they get the notice and you do bring them to court, you can use that as evidence that they

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meant to steal it. Because a lot of times they would just come in and say, 'Oh yeah, I...I always meant to bring that back, but I just didn't get around to it.' So, we're not changing any of the penalties in this part."

Speaker Churchill: "Representative Deering."

Deering: "Would this be the same as if I rented a video tape and didn't bring the tape back for a couple of weeks and finally the store sent...a subpoena or a certified mail to my home and told me that they were going to take me to court. Would that be the case with...that you may be talking about. Would that be an example?"

Speaker Churchill: "Representative Pankau."

Pankau: "I'm not exactly sure, because I don't know what kind of rental agreements Blockbuster might have or whatever, but if they give you notice and let's say you gave them a...a false address or something, but they find you, they give you notice and they say please return it and you don't do it then they can use the fact that you gave them that wrong address or whatever as evidence that you meant to steal that particular tape. That's what this Bill does. Now, whether that applies to Blockbuster or video store, I'm not sure, because this was originally written to handle rental agencies where they rent out pieces of equipment and furniture and things like that."

Speaker Churchill: "Representative Deering."

Deering: "Thank you, Representative. So, in your amendment, you're not dealing with increasing the penalties? Okay. Will this to Representative Winkel, because you're wanting to increase penalties, can you give me an example of criminal trespass?"

Speaker Churchill: "Representative Winkel."

Winkel: "Well certainly. What we're looking at here in this

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Bill, Representative, is for instance, in...let's take an example of public housing where you have street gang members for instance, or people who...engaging in other criminal activities such as dealing in dope. Hanging around multiple residential complexes and they would actually be on the premises without authority and therefore subject to being barred from the premises or if they refuse to leave, being arrested for criminal trespass. The whole idea is that they're on the premises without authority."

Speaker Churchill: "Representative Deering."

Deering: "So, then if the individual's on the premises without authority and was...witnessed or caught dealing drugs and was arrested and went to court, would the drug dealing be a greater offense in addition to the criminal trespass?"

Speaker Churchill: "Representative Winkel."

Winkel: "Certainly and that...that's not the object of this Bill at all. What we're looking to do here is take care of the problem where you know that people are engaging in that kind of activity but their very, very difficult to catch in the act. And when you know that people are actually recruiting street gang members in your complex, where you know that they're actively engaging in dope pedaling, but it's very difficult to catch them, none the less you have sufficient reason to believe that they're doing these activities. I think it's incumbent upon the...the landlords and the tenants to work together to try to bar this kind of disruptive element from the complex."

Speaker Churchill: "Representative Deering."

Deering: "Finally, Representative, I didn't get to hear all of your answers to Representative Dart, but is there any mandatory jail time or would this have an impact on..."

Speaker Churchill: "Representative Deering...yes, we'll go to

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Representative Deering, so you may finish your question."

Deering: "Will this have any impact on the Department of Corrections in any state facility's or in any county or city jails?"

Speaker Churchill: "Representative Winkel."

Winkel: "You're right, Representative, we went through that previously in the questions. The impact would be local and it would be probably in a rare instance of a repeated offenses."

Speaker Churchill: "Being no further discussion, Representative Winkel to close."

Winkel: "Ladies and Gentleman, I urge passage of House Bill 1246. It's a responsible approach to landlord/tenant relations and I urge a 'yes' vote."

Speaker Churchill: "The question is, 'Shall House Bill 1246 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 voting 'aye', none voting 'no', none voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The chair would like to make an announcement. Perhaps you would like to get an pen and piece of paper out. Representative Curry has been kind enough to provide us with the address of Representative Martinez in the hospital. So, if you have a chance get a pen and paper out and get ready to go. Representative Martinez is at the Bowman Center. Bowman Center, room 521, 710...that's 7,1,0 South Palina in Chicago 60612. Bowman Center room 521, 710 South Palina, Chicago, Illinois 60612. Thank you, Representative Curry. Representative Johnson in the

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Chair."

Speaker Johnson, T.: "The further announcement to make with respect to the legislative internet demonstration to be held Wednesday April 19, 1995, Room C-1 Stratton Building, from 9:00 a.m. to 5:00 p.m.. The demonstration is based on a proposed internet Bill that has been sponsored by Representative Biggert and Representative Kaszak. The demonstration is sponsored by the Governors office, CMS, and the National Center for super computing applications at the University of Illinois. Please stop by and see how the State of Illinois can use the information super highway. Again, that is Wednesday 9:00 a.m. to 5:00 p.m., C-1 of the Stratton Building, Thank you. Speaker Johnson, Tim: " Representative Johnson in the Chair. It's the intention of the Chair now to proceed to the order of House Bills Second Reading. Members should be in their chairs and alert the Chair by appropriate oral or other signal as to your intention with respect to the Bill. We intend to move through the Calender and we would ask the cooperation of the Membership and try to expedite this process. Mr. Clerk, read House Bill 3."

Clerk Rossi: "House Bill 3. A Bill for an Act in relation to Collection Agencies. Second Reading of this House Bill. Amendment #1 was Adopted in Committee. Floor Amendments 2 and 3 have been referred to Rules. No Motions filed. No further Floor Amendments."

Speaker Johnson, Tim.: "Representative Saviano. The Bill will be held on the Order of Second Reading. Mr. Clerk, read House Bill 40."

Clerk Rossi: "House Bill 40. A Bill for an Act Amending the Criminal Jurisprudence Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments."

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Speaker Johnson, Tim.: "Representative Novak. Third Reading.
Mr. Clerk, read House Bill 114."

Clerk Rossi: "House Bill 114. This Bill has been read a second
time previously. The Fiscal Note and Correctional Budget
and Impact Note and Judicial Note that were requested on
the Bill have been filed."

Speaker Johnson, Tim.: "Third Reading. Mr. Clerk, read House
Bill 124."

Clerk Rossi: "House Bill 124. A Bill for an Act in relation to
Emergency Telephone Systems. Second Reading of this House
Bill. Amendment #1 was adopted in committee. No further
Floor Amendments. The Fiscal Note that was requested on
the Bill has been filed."

Speaker Johnson, Tim.: "Out of the record. House Bill...Mr.
Clerk, read House Bill 159."

Clerk Rossi: "House Bill 159. This Bill has been read a second
time previously. The Fiscal Note that was requested on the
Bill as a Amended has been filed."

Speaker Johnson, Tim.: "Third Reading. Mr. Clerk, read House
Bill 194."

Clerk Rossi: "House Bill 194. A Bill for an Act amending the
Property Tax Code. Second Reading of this House Bill.
Amendment #1 has been referred to committee. Amendment #2
has been adopted. A Fiscal Note and State Mandates Note as
Amended that have been requested on the Bill have been
filed. Floor Amendment #3 is in Rules."

Speaker Johnson, Tim.: "Out of the record. Mr. Clerk, read House
Bill 222."

Clerk Rossi: "House Bill 222. A Bill for an Act amending the
property tax code. Second Reading of this House Bill. No
Committee Amendments and No Floor Amendments. The State
Mandates Note and the Fiscal Note has been requested on the

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Bill have been filed."

Speaker Johnson, Tim. "Third Reading. Mr. Clerk, read House Bill 238."

Clerk Rossi: "House Bill 238. A Bill for an Act concerning municipal taxes. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2 has been referred to committee. No further Floor Amendments. No Motions have been filed. The State Mandates Note and Fiscal Note that were requested on the Bill have been filed."

Speaker Johnson, Tim. "The Bill will remain on the Order of Second Reading. We will return to it at a later point. Mr. Clerk, read House Bill 258."

Clerk Rossi: "House Bill 258. This Bill has been read a second time previously."

Clerk Rossi: "Amendment #1 was referred to Rules. No further Floor Amendments. The Fiscal Note that was requested on the Bill has been filed."

Speaker Johnson, Tim.: "The Chair recognizes the Gentleman from Cole, Representative Weaver."

Weaver: "Thank you, Mr. Speaker, and Ladies and Gentleman of the House. Amendment #1 simply becomes the Bill. And what it does is move..."

Speaker Johnson, Tim.: "Representative, the Amendment is in Rules and we can't move the Bill today. We can't consider the Bill, so we will hold the Bill on the order of Second Reading. Pursuit to our Rules. House Bill 262. At least for now Out of the Record. House Bill 313 Out of the Record. House Bill 320. House Bill 320...House Bill 320, Mr. Clerk, read House Bill 320."

Clerk Rossi: "House Bill 320. This Bill has been read a second time previously. Amendment #1 was adopted in committee."

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No Motions have been filed. No further Floor Amendments. The State Debt Impact Note and a Fiscal Note have been filed on the Bill."

Speaker Johnson, Tim.: "The Bill will remain on the Order of Second Reading. House Bill 323, Mr. Clerk."

Clerk Rossi: "House Bill 323 has been read second time previously. Floor Amendment #1 was referred to committee. Floor Amendment #2 has been referred to Rules. Fiscal Note as Amended has been requested on the Bill and has not been filed."

Speaker Johnson, Tim.: "The Bill will remain on the Order of Second Reading. House Bill 353. Is Representative Shirley Jones present? She is not, Out of the Record. House Bill 359, Mr. Clerk, read...Out of the Record. Mr. Clerk...Mr. Clerk, read House Bill 434."

Clerk Rossi: "House Bill 434 has been read a second time previously. A Fiscal Note as Amended has been requested on the Bill and has not been filed."

Speaker Johnson, Tim.: "The Bill will remain on the order of Second Reading. House Bill 435, Mr. Clerk."

Clerk Rossi: "House Bill 435 has been read a second time previously. A State Mandates Note as Amended and a Fiscal Note as Amended have been requested on the Bill and have not been filed."

Speaker Johnson, Tim.: "Will remain on the Order of Second Reading. House Bill 438, Mr. Clerk. Read the Bill. Representative Hughes."

Clerk Rossi: "House Bill 438. A Bill for an Act amending the Township Code. Second Reading of this House Bill. Committee Amendment #1 has been adopted to the Bill. Floor Amendment #2 has been referred to committee. No Motions are filed. No further Floor Amendments. A State Mandates

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Note has been requested on the Bill and has not been filed."

Speaker Johnson, T.: "The Bill will remain on the order of Second Reading. House Bill 525, Mr. Clerk. Read the Bill."

Clerk Rossi: "House Bill 525. A Bill for an Act amending the Code of Civil Procedure. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions are filed. No further Floor Amendments."

Speaker Johnson, T.: "House Bill 532, Mr. Clerk."

Clerk Rossi: "House Bill 532, a Bill for an Act amending the Child Care Act of 1969. Second Reading of this House Bill. Committee Amendment #1 was withdrawn. Amendment #2 was adopted in committee. Floor Amendment #3 has been referred to Rules. No further Floor Amendments. A Fiscal Note as amended by Amendments 2 and 3 has been filed to the Bill."

Speaker Johnson, T.: "Out of the record. Mr. Clerk, read House Bill 547. Out of the Record. The Sponsors not present. Mr. Clerk, read House Bill 578. Five, seven, eight, Representative..."

Clerk Rossi: "House Bill 578. A Bill for an Act Amending the barber, cosmetology, esthetics and nail technology Act of 1985. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions are filed. No further Floor Amendments."

Speaker Johnson, Tim: "The Chair recognizes...out of the record. Mr. Clerk, read House Bill 597."

clerk Rossi: "House Bill 597 has been read a second time previously. The Fiscal Note...Floor Amendment #3 has been approved for Consideration by Representative Spangler."

Speaker Tom Johnson: "Representative Spangler on Amendment #3 to this House Bill. Representative Spangler. If we could have some order. I realize this is a point when things

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tend to be rather mundane, but these are important Amendments to Consider, important Bills to consider, and the Sponsor I'm sure, would appreciate your attention in this matter. Representative Spangler."

Spangler: "Thank you, Mr. Speaker. This Amendment becomes the Bill and it stipulates that the Joliet Arsenal Development Authority shall consists of three thousand acres, Provides for that legal description, creates a nine member board of directors of which four will be appointed by the Governor and five will be appointed by the communities of Wilmington, Elmhurst, Joliet, Manhattan, and Summerfield (sic-Summerton). It grants the authority, the legal right to use the ground water resources of Will county. And adds language requiring the authority to make its best efforts to annex parcels of property, which are contiguous to our municipality named in this Act. That is subject to the jurisdiction of the authority."

Speaker Johnson, Tim: "Questions of the Sponsor? The Chair recognizes the Lady from Cook, Representative Schakowsky."

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

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

Schakowsky: "Since this now becomes the Bill can you explain how this Amendment differs from the original Bill?"

Speaker Johnson, Tim: "Representative Spangler."

Spangler: "Yes, Representative I certainly can. One of the provisions that was left out of the original Bill was the fact of where the Representatives would be coming from and previously it would be by appointment of the mayor of those respected communities. It was later determined that it would in the best interest of everyone that, that was suggested by the different councils or village boards and not the sole responsibility of the mayor of that community.

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The other thing that was a technical glitch, if you will, was the Amendment previously did not say that this Amendment becomes the Bill. It said...added to and it causes a lot complications with the Bill as it was presented."

Speaker Johnson, Tim: "Further questions Representative?"

Schakowsky: "I'm sorry, I don't understand the difference now and the appointment process that it is no longer the mayors who make the appointments."

Speaker Johnson, Tim: "Perhaps it would help in your understanding his responses if we broke up some of the caucuses on the House Floor and gave Representative Schakowsky your attention. Do you want to readdress your question to the Representative?"

Schakowsky: "I'm trying to understand the appointment process better. It is no longer just the mayors. How does it work?"

Speaker Johnson, Tim: "Representative Spangler."

Spangler: "That is a very good question, Representative. Maybe I wasn't clear enough when I first explained it. Originally the way it was drafted was the mayor would end up selecting the individual that would be in turn confirmed by the Will County Board. It was determined after speaking with several individuals back in the district that perhaps the authority for the mayor to have would be much better served if it was the city councils or village councils and their collective decision as opposed to the decision of one man who is heading those bodies."

Speaker Johnson, Tim: "Representative Schakowsky."

Schakowsky: "Didn't this Amendment change...also change the size of the board itself?"

Speaker Johnson, Tim: "Representative Spangler."

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Spangler: "No, it did not. That change was addressed in Amendment #1."

Speaker Johnson, Tim: "Representative Schakowsky."

Schakowsky: "Can you explain to me, how this authority will determine which state banks receive the deposits generated from bond insurance?"

Speaker Johnson, Tim: "Representative Spangler."

Spangler: "The financial authority rests within the land development authority to stipulate which state banks would receive those monies is not a part of the Bill as it is written."

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

Schakowsky: "Yes." Speaker Johnson, T.: "Proceed."

Schakowsky: "How much notice must the authority provide local municipalities before issuing the bonds?"

Speaker Johnson, Tim: "Representative Spangler."

Spangler: "I don't think that, that's detail that is written within the Bill as far as the financial disclosures or notifications."

Speaker Johnson: "Representative Schakowsky."

Schakowsky: "Can the municipalities...is there any mechanism in the Bill for the municipalities to challenge the authorities decisions once they are made?"

Speaker Johnson, Tim: "Representative Spangler."

Spangler: "I suspect that they would not. This would be a stand lone authority, but I think it is important to realize that a lot of concern and effort was put into the drafting of this Bill, so that representation from the municipalities that would be affected would have representation on that authority."

Speaker Johnson, Tim: "Representative Schakowsky."

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Schakowsky: "Am I right in that Amendment #3 still includes a provision that would abolish the authority 15 years after its formation?"

Speaker Johnson, Tim: "Representative Spangler."

Spangler: "I'm not sure, Representative. I believe once it is up and running and everything is taking place, I believe that after 15 years it would have to come up for reauthorization, but I'm not certain."

Speaker Johnson, Tim: "Representative Schakowsky, if you could bring your comments and questions to a close."

Schakowsky: "Well, my concern with that is, I believe the Bill only gives the authority...can only function for 15 years, and yet it has the...it may issue bonds for 40 year...with maturity dates, so it seems to me that, that might be a problem. Would you agree that, that might be a problem?"

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Will, Representative McGuire."

McGuire: "Thank you, Mr. Speaker. Hold on a second here. We are just ordering lunch at the same time. Could I ask Representative Spangler a couple of questions?"

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

McGuire: "Thank you, Representative Spangler, as you know I'm a co-sponsor of the Bill and I don't know if most of the Members of the House know that probably most of the Joliet Arsenal property is in my district. I have a couple of questions that I would like to ask, I am a little confused as to your answer to Representative Schakowsky's question about the 15 years that was in Amendment #1, correct?"

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

Spangler: "Yes, Representative, that 15 years is in fact the case. The 40 years is also the case with the possible debt incurments. The thing that is important to realize though

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is that debt can be retired and everything can function as it normally would. The reauthorization for the authority itself after 15 years would probably have to come through this body."

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

McGuire: "I'm not clear then. The question, I think Representative Schakowsky asked was, does the 15 year sunset in Amendment #3 and I think you said you weren't sure or words to that affect. Is that correct?"

Speaker Johnson, Tim: "Representative Spangler."

Spangler: "Yes, in fact it does sunset in 15 years."

Speaker Johnson, Tim: "Representative McGuire."

McGuire: "Is that stated in Amendment #3, because I haven't see Amendment #3?"

Speaker Johnson, Tim: "Representative Spangler."

Spangler: "Yes, it is, Representative. Amendment #3 essentially contains all the language that was in the initial Bill with the exception of changing the number board members from 10 to 9 and also adding the Water Rights Authorities, so that any municipalities that have businesses or industries come into this area, will be able to use the water. And also which was mentioned before, the authority of the village boards and village councils to make recommendation to the Will County Board as to who should be appointed to that authority as opposed to the mayor as it was in the past."

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

McGuire: "Thank you again, Mr. Speaker. Representative Spangler, I want to cooperate with you on this Bill, as I say most of the Arsenals in my district, I think Wilmington is in your district, Manhattan is in my district, Elmwood is my

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district, Joliet is in my district. What is Joliet's attitude on this...particularly this 3rd Amendment?"

Speaker Johnson, Tim: "Representative Spangler."

Spangler: "Yes, as a matter of fact, yesterday I attended a Congressional Hearing that was held in Elwood and the Representatives from the Economic Development Council of Joliet were there as well as all the other entities with the involvement of the disbursement of this 23,500 acres. There was no opposition, in fact there was approximately 20 to 25 people that gave testimony in this and everybody feels that this is a win, win situation for all involved."

Speaker Johnson, Tim: "Representative McGuire."

McGuire: "Were you at that meeting, Representative?"

Speaker Johnson, Tim: "Representative Spangler."

Spangler: "Yes, I was." Speaker Johnson, Tim: "Representative McGuire."

McGuire: "I don't think he understood the question. Could I ask the question again?"

Speaker Johnson, Tim: "You may ask the question again. Proceed."

McGuire: "Was I invited to that meeting, Representative?"

Speaker Johnson, Tim: "Representative Spangler."

Spangler: "I'm not sure if you were or not. I was not invited either. I attended the Hearing on my own."

Speaker Johnson, Tim: "Representative McGuire."

McGuire: "I misunderstood. I thought you had the meeting. Who's meeting was this again?"

Speaker Johnson, Tim: "Representative Spangler."

Spangler: "This was a Congressional Hearing of the Transportation Committee from Washington. It was chaired by Congressman (Shoester) at the request of Congressman Weller."

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

McGuire: "Yes, I would like to act further on that. I think I

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know the meeting you are speaking of, though. It was a Congressional Hearing of the Transportation Committee as Representative Spangler has said, I don't believe I was invited as I said earlier on, I am the Representative from that district, but I don't believe I was invited, but irregardless of that I would like to support this Bill and I have a few questions and few reservations and I think I asked you about the City of Joliet and, Representative, did you say the City of Joliet or the Chamber of Commerce or who did you say was at a meeting the other day and had no problems? Was it the City of Joliet, Sir?"

Speaker Johnson, Tim: "Representative Spangler, a quick response."

Spangler: "Yes it was and..."

Speaker Johnson, Tim: "If you could bring your answer to an conclusion."

Spangler: "I might add that had I been responsible for setting up that meeting, Representative you certainly would have been invited. As a matter of fact, I was not allowed to testify at the meeting either. There was a select that had been predetermined and arranged and on the agenda and even though I requested to speak at the meeting, I was not allowed to due to the time factors that were involved, but I did participate in the press conference immediately following."

Speaker Johnson, Tim: "Further questions? Representative McGuire."

McGuire: "I was not invited to, because I'm sure there have been other meetings that I have never been invited to, but my point is, I would like to make darn sure that we know what we are doing on this Bill."

Speaker Johnson, Tim: "To the Bill."

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McGuire: "Sir?"

Speaker Johnson, T.: "I said the Bill."

McGuire: "To the Bill. I would like to make darn sure that we know what we are doing on this Bill, particularly on this Amendment, which becomes the Bill. And so I would like to make sure that we have complete understanding. The City of..."

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

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

Speaker Johnson, Tim: "Request is noted and granted. Representative McGuire, proceed."

McGuire: "Thank you, Representative. Yeah, Representative Spangler, as I have said several times, I want to cooperate with you on this Bill, but I want to make darn sure that the interests of my districts are in concert with the interest of your Bill. And primarily the City of Joliet, the Village of Manhattan, Village of Elwood. And so I would like to make darn sure that these people are on board and so there are no unseen things in the Bill, because I have not seen a copy of the 3 Amendment. So, with that I would like to ask if...are you going to move this Bill to Third Reading?"

Speaker Johnson, Tim: "Representative Spangler."

Spangler: "Yes, I am."

Speaker Johnson, Tim: "Representative McGuire."

McGuire: "I will leave it at this. I will reserve my comments to find out for sure if the City of Joliet, the Village of Elwood and Manhattan are on board on this, Representative. Fair enough? Thank you."

Speaker Johnson, Tim: "Representative Spangler."

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Spangler: "Yes, as a matter of fact, Representative, we will get a copy of Amendment #3 to you, so you can peruse it and call any of the necessary entities involved. Bare in mind, it was by my invitation that I asked you to be a Co-Sponsor with me on this, because I realize that you have a lot concern and importance in that area beings it's your area. I might also say that this was brought up before the General Assembly last year and it was never gotten to. This is the dispersal of 23,500 acres of the 3,000 acres that we are talking about here, of that amount will be used for economic development that I'm sure is going to bring much needed jobs to your area as well as mine."

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

McGuire: "...Speaker. Thank you, very much."

Speaker Johnson, Tim: "No further discussion? Hearing none, the question is, 'Shall Floor Amendment #3 to House Bill 597 be Adopted?' All in favor, signify by saying 'aye', opposed by saying 'no'. The ayes have it. The Motion is adopted. Third Reading. Mr. Clerk, read House Bill 635."

Clerk Rossi: "House Bill 635. A Bill for an Act amending the Hearing Aid Consumer Protection Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2 has been referred to Rules."

Speaker Johnson, Tim: "Out of the Record. Mr. Clerk, read House Bill 640."

Clerk rossi: "House Bill 640. A Bill for an Act Amending the Public Utilities Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Further Floor Amendments. The Fiscal Note that was requested on the Bill as Amended has been filed."

Speaker Johnson, Tim: "Out of the Record. House Bill 656. Mr

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Clerk, read House Bill 656."

Clerk Rossi: "House Bill 656. A Bill for an Act amending the State Library Act. Second Reading of this House Bill. Committee Amendment #1 has been referred to subcommittee."

Speaker Johnson, Tim: "Out of the Record. Mr. Clerk read House Bill 661."

Clerk Rossi: "House Bill 661. A Bill for an Act Amending the State Mandates Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Further Floor Amendments. A Fiscal Note as Amended by House Amendment #1 has been filed to the Bill."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, read House Bill 679. Out of the Record. Mr. Clerk, read House Bill 741."

Clerk Rossi: "House Bill 741 has been read a second time previously. The Fiscal Note that was requested on the Bill as Amended has been filed."

Speaker Johnson, Tim: "Out of the Record. Mr. Clerk, read House Bill 742."

Clerk Rossi: "House Bill 742, this Bill has been read a second time previously. The Fiscal Note that was requested on the Bill has been filed."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Cook, Representative Kubik on the Bill. You have just a moment. The Bill will be taken Out of the Record. House Bill...Mr. Clerk, House Bill 748 Out of the Record. Mr. Clerk, read House Bill 774."

Clerk Rossi: "House Bill 774. A Bill for an Act Amending the Criminal Code of 1961. Second Reading of this House Bill. Committee Amendment #1 has been referred to Rules. Committee Amendment #2 has been referred to subcommittee. Committee Amendment #3 was withdrawn. Floor Amendments 4 and 5 have been referred to Rules. The Fiscal Note and the

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Correctional Budget and Impact Note that were requested on the Bill have been filed."

Speaker Johnson, Tim: "Third Reading. House Bill 827 Out of the Record. Mr. Clerk, read House Bill 851. Is Representative Hoffman in the Chamber? Representative Hoffman? Mr. Clerk, read House Bill 851."

Clerk Rossi: "House Bill 851. A Bill for an Act Amending the Juvenile Court Act of 1987. Second Reading of this House Bill. Committee Amendments 1 and 2 were withdrawn. Floor Amendments 3 and 4 have been referred to Rules. No further Amendments."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, read House Bill 858. Out of the Record. 858 Out of the Record. Mr. Clerk, read House Bill 863. Out of the Record. Mr. Clerk, read House Bill 885."

Clerk Rossi: "House Bill 885. A Bill for an Act in relation to municipalities. Second Reading of this House Bill. Floor Amendment #1 has been referred to Rules. No further Amendments. A Fiscal Note has been requested on the Bill as Amended and has not been filed."

Speaker Johnson, Tim: "This Bill will remain on the Order of Second Reading. Mr Clerk...Representative Balthis, on the Bill or on a Point of Order."

Balthis: "Thank you, Mr. Speaker. I would like to move that the Fiscal Note on House Bill 885 is inapplicable."

Speaker Johnson, Tim: "The Chair would so Rule. The Bill will be Moved to the Order of Third Reading. Mr. Clerk, read House Bill 886."

Clerk Rossi: "House Bill 886 has been read a second time previously. Floor Amendment #1 has been referred to Rules. No further Amendments."

Speaker Johnson, Tim: "Third Reading. Representative Lang, the

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Gentleman from Cook."

Lang: "Thank you, Point of Order, Mr. Speaker. On House Bill 885 there was a request to...by a Member to have the Note Act held inapplicable. You simply did that without any explanation to the Body. Could we get such an explanation, Sir?"

Speaker Johnson, Tim: "Yes, we will be glad to explain that to you, Representative Lang. The request...for the note request was for a Bill as Amended and the Bill was never Amended, and so the Fiscal Note request was inapplicable. The Clerk...or Assistant Clerk so informed me."

Speaker Johnson, T.: "Yeah, Representative Lang."

Lang: "Thank you, I appreciate the explanation and we have no problem with it. I would ask the Chair to not summarily make those decisions without at least explaining to the Body what is happening. Thank you very much."

Speaker Johnson, Tim: "House Bill 931 Out of the Record. House Bill 950 Out of the Record. Mr. Clerk, read House Bill 989."

Clerk Rossi: "House Bill 989. A Bill for an Act Amending the Fees and Salaries Act. Second Reading of this House Bill. The revised...a Fiscal Note and State Mandates Notes have been requested on the Bill. No Floor Amendments have been filed."

Speaker Johnson, Tim: "Have the Note requests been complied with, Mr. Clerk?"

Clerk Rossi: "The Fiscal Note and State Mandates Note were filed."

Speaker Johnson: "Third Reading. Mr. Clerk, House Bill 995 Out of the Record. House Bill 996 Out of the Record. Mr. Clerk, House Bill 1023."

Clerk Rossi: "House Bill 1023 has been read a second time

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previously. A Fiscal Note has been requested on the Bill as Amended by House Amendment #6."

Speaker Johnson, Tim: "Out of the Record. House Bill 1051. Representative Blagojevich. Mr. Clerk, read House Bill 1051."

Clerk Rossi: "House Bill 1051. A Bill for an Act Amending the Criminal Code of 1961. Second Reading of this House Bill. Committee Amendment #1 has been referred to Rules. Committee Amendment #2 has been referred to subcommittee. Floor Amendments 3 and 4 have been referred to Rules. No Motions are filed. No further Floor Amendments."

Speaker Johnson, Tim: "Third Reading. House Bill 1055 Out of the Record. Mr. Clerk, read House Bill 1065."

Clerk Rossi: "House Bill 1065. A Bill for an Act concerning Child Support. Second Reading of this House Bill. Amendments #1 and #2 were Adopted in committee. No Motions have been filed. No further Floor Amendments. A Fiscal Note as Amended has been requested on the Bill and has not been filed."

Speaker Johnson, Tim: "Third Reading. It has not been filed and the Chair would Order that the Bill remain on the order of Second Reading. To clarify, the Bill will remain on the order of Second Reading. The Chair would return to House Bill 974. Mr. Clerk read House Bill 974."

Clerk Rossi: "House Bill 974. A Bill for an Act Amending the Park District code. Second Reading of this House Bill. Amendment #1 was Adopted in committee. No Motions have been filed. Floor Amendment #2 has been approved for Consideration and is sponsored by Representative Balthis."

Speaker Johnson, Tim: "Representative Balthis."

Balthis: "Thank you, Mr. Speaker. Floor Amendment #2 to House Bill 974 deletes the portion of the Bill that was

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originally House Bill 1231. It simply takes out...this was a committee Bill, we have pulled about four Bills together. This language ran into a bit of controversy and so we are just simply taking out the language that was House Bill 1231 and I would Move for its Adoption."

Speaker Johnson, Tim: "The Gentleman has Moved for the Adoption of Floor Amendment #2 to House Bill 974. All in favor signify, by saying 'aye', opposed by saying 'nay'. The 'ayes' have it. The Motion is Adopted. Third reading. Further Amendments? No, there are none."

Clerk Rossi: "No Further Amendments."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, read House Bill 1091. Out of the Record. House Bill 1093 Out of the Record. Mr. Clerk, read House Bill 1105, Representative Lawfer. Representative Lawfer."

Clerk McLennand: "House Bill 1105. A Bill for an Act that Amends the Criminal Code of 1961. Second Reading of this House Bill. Committee Amendment #1 is referred to Rules. Committee Amendment #2 is referred to Subcommittee. Floor Amendments #3 and 4 have been referred to Rules. No note requests."

Speaker Johnson, Tim: "Out of the Record. Mr. Clerk, House Bill 1109 Out of the Record. Mr. Clerk, read House Bill 1123. Representative Maureen Murphy."

Clerk McLennand: "House Bill 1123. A Bill for an Act that Amends the Property Tax Codes. Second Reading of this House Bill. Amendment #1 was Adopted in committee. Floor Amendment # 2 is referred to Rules. A Fiscal Note and State Mandates Note have been requested on the Bill and they have been filed."

Speaker Johnson, Tim: "The Bill will remain on the Order of Second Reading. House Bill 1124. Is Representative

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Saviano present in the Chamber? Mr. Clerk...Out of the Record. House Bill 1125. Mr. Clerk, read House Bill 1125."

Clerk McLennand: "House Bill 1125 has been read Second time previously. No committee Amendments. No Floor Amendments. A Fiscal Note has been requested on the Bill."

Speaker Johnson, Tim: " Has The Fiscal Note been..."

Clerk McLennand: "It has not been filed."

Speaker Johnson, Tim: "The Bill will remain..."

Clerk McLennand: "The Fiscal Note request has been withdrawn."

Speaker Johnson, Tim: "The note having been withdrawn, are there no Amendments? The Bill will proceed to the Order of Third Reading. Third Reading. House Bill 1140."

Clerk McLennand: "House Bill 1140, the Bill has been read a Second time previously. Floor Amendment #1 has been Approved for Consideration as offered by Representative Roskam."

Speaker Johnson, Tim: "On Floor Amendment #1 the Chair recognizes the gentleman from Dupage Representative Roskam, proceed.

Roskam: "Thank you, Mr. Speaker. Ladies and Gentleman of the House Floor, Amendment #1 narrows the scope of the Learn Fair Bill and I would move its Adoption."

Speaker Johnson, Tim: "On the Amendment discussion, the Chair recognizes the Gentleman from Cook, Representative Dart. Representative Dart, proceed."

Dart: "Will the Sponsor yield?"

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

Dart: "Can you explain a little bit in more length exactly what the Amendment is going to be doing?"

Speaker Johnson, Tim: "Representative Roskam."

Roskam: "Yes, Representative, the Amendment takes out the portion of the Learn Fair Bill."

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Speaker Johnson, Tim: "Further questions, Representative Dart."

Roskam: "It takes the teen parents out, so that it says if your not...if you are a...if your not a parent and your a teenager then you have a obligation under the Bill to attend school if your going to receive AFDC benefits. We can go into the meat if you want on Third Reading and really discuss the merits of the Bill, but this narrows the...narrows the scope of the legislation and it...and so it is not duplicative where we already have programing."

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

Dart: "Yeah, I'm just having a hard time seeing you. Representative Salvi's haircut was in the way. Is the Amendment though, the result of an agreement or how...why is it that you are changing it. I'm just trying to get that cleared up."

Speaker Johnson, Tim: "Representative Roskam."

Roskam: "Representative, the Amendment makes it less expensive."

Speaker Johnson, Tim: "Further questions, Representative? Hearing none, the question is, ' Shall Floor Amendment #1 to House Bill 1140 be Adopted?' All in favor, signify by saying 'aye', opposed by saying 'no'. The 'ayes' have it. The Motion is Adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Johnson, Tim: "Third Reading. By way of announcement the Chair at the request of Representative Curry would recognize from Chicago the parents, educators and community members from Brinmar and South Shore School. And the committee to improve education in South Shore. They are here to ask us to assure the Chicago Public Schools can open next Fall. Welcome to Springfield. Mr. Clerk, read House Bill 1147."

Clerk McLennand: "House Bill 1147 has been read a Second time

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previously. Amendments #1 and 2 were Adopted in committee. No Motions filed. No Floor Amendments. A Fiscal Note has been requested on the Bill and has been filed."

Speaker Johnson, Tim: "Out of the Record. Mr. Clerk read House Bill 1153."

Clerk McLennand: "House Bill 1153 has been read a Second time previously."

Speaker Johnson, Tim: "Out of the Record. Mr. Clerk, read House Bill 1172. Out of the Record. Is Representative Laurino here? Representative Laurino. House Bill 1173 Out of the Record. House Bill 1200 Out of the Record. House Bill 1221. Is Representative Salvi in the Chamber? Representative Salvi do you wish to proceed? Out of the Record. Mr. Clerk, read House Bill 1260. Representative Skinner."

Clerk McLennand: "House Bill 1260. A Bill for an Act in Relation to manufactured Housing. Second Reading of this House Bill."

Speaker Johnson, Tim: "Out of the Record. Mr. Clerk, read House Bill 1276."

Clerk McLennand: "House Bill 1276 has been read a Second time previously. No Committee Amendments. No Floor Amendments. A Fiscal Note has been requested on a Bill and has not been filed."

Speaker Johnson, Tim: "Representative McGuire. Representative McGuire, your Bill is up for Consideration. Third Reading. Apparently, Representative... Representative McGuire. Apparently, a Fiscal Note has been requested on this and has not been filed. And so we will hold this Order on the order of Second Reading and assume you will get the Fiscal note to us shortly. We will return to the order to your Bill later on today, if you get that to us. House Bill

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1277 Out of the Record. House Bill 1311 Out of the Record.
House Bill 1316. Mr. Clerk, read House Bill 1316."

Clerk McLennand: "House Bill 1316. A Bill for an Act that Amends the Civil Administrative Code of Illinois. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. A Fiscal Note has been requested and has been filed."

Speaker Johnson, Tim: "Third reading. House Bill 1320 Out of the Record. House Bill 1324. Representative Lindner is in the Chamber. Out of the Record. House Bill 1334 Out of the record. Representative Wait, Representative Wait on House Bill 1340. Do you wish to proceed? Out of the Record. Mr. Clerk, read House Bill 1384."

Clerk McLennand: "House Bill 1384, the Bill has been read a Second time previously. Committee Amendment #1 was referred to Rules. Committee Amendment #2 is referred to subcommittee. Floor Amendments #3 and 4 have been referred to Rules. A Fiscal Note and Correctional Budget and Impact Note have been requested on the Bill and they have been filed."

Speaker Johnson, Tim: "The Bill will remain on the Order of Second reading. House Bill 1488, Representative Stephens. Out of the Record. House Bill 1527. Is Representative Zabrocki present? Representative Zabrocki? Out of the Record. House Bill 1538, Representative Leitch? Out of the Record. House Bill 1610. Is Representative Balthis in the Chamber? Out of the record. House Bill 1644. Mr. Clerk, read House Bill 1644."

Clerk McLennand: "House Bill 1644, the Bill has been read a Second time previously. No committee Amendments. No Floor Amendments. A Fiscal Note and State Mandates Note have been requested and they have been filed."

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Speaker Johnson, Tim: "Third Reading. Representative Wait, Representative Wait, you're in the Chamber, do you wish to proceed? House Bill 1648 Out of the Record. Mr. Clerk, read House Bill 1658."

Clerk McLennand: "House Bill 1658, the Bill has been read a Second time previously."

Speaker Johnson, Tim: "Out of the Record. House Bill 1677 Out of the Record. Is Representative Klingler present in the Chamber? House Bill 1709 (sic-1677) Out of the Record. Representative Maureen Murphy, on House Bill 1726. Do you wish to proceed? Mr. Clerk, read House Bill 1726. Mr. Clerk, what is the status of House Bill 1726?"

Clerk McLennand: "House Bill 1726. A Bill for an Act concerning Leases of Real Property. Second Reading of this House Bill. On this Bill, no Committee Amendments. No Floor Amendments."

Speaker Johnson, Tim: "Representative Davis, do you have an inquiry with the respect of this Bill or Point of Order?"

Davis, Monique: "Well, I would like to ask one question if I may? My question was, is this the Bill that says if you are charged with a Class X felony you can be evicted? I mean you don't have..."

Speaker Johnson, Tim: "Representative, if I could, you can hold that question for Third Reading. There is no Amendment before the Chamber now and we would be glad to entertain those questions on Third Reading. Your comments with all do respect, are not in Order. Yes."

Davis, Monique: "Thank you, then I would just like to say to the Body that we were visited by the Doctor Delores Cross from Chicago State. She was up in the balcony there and Delores Cross of Chicago State University."

Speaker Johnson, Tim: "Welcome to Springfield. If you would in

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the future, Representative, and all other Representatives just please address your announcements to the Chair and we will be glad to announce them from here. That is provided for in our Rules. Representative Curry asked for that earlier and we would be glad to announce this. With respect to House Bill 1726. Third Reading. House Bill 1755 Out of the Record. House Bill 1785. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 1785, the Bill has been read a Second time previously. No Committee Amendment. No Floor Amendments. A Fiscal Note and State Mandates Note have been requested on the Bill and they have been filed."

Speaker Johnson, Tim: "Third reading. House Bill 1787 Out of the Record. House Bill 1795 Out of the Record. Representative Clayton on House Bill 1796 Out of the Record. House Bill 1866 Out of the Record. Representative Saviano, in the back of the Chamber, do you wish to proceed in House Bill 1879? Mr. Clerk, read House Bill 1879."

Clerk McLennand: "House Bill 1879. A Bill for an Act that Amends the Court Reporters Act. Second reading of this House Bill. No committee Amendments. to Floor Amendments."

Speaker Johnson, Tim: "Third Reading. Representative Andrea Moore in the Chambers? House Bill 1881 Out of the Record. House Bill 1893 Out of the Record. Representative Saviano on House Bill 1929 Out of the Record. Is Representative Durkin present in the Chamber? Representative Durkin on House Bill 1932 Out of the Record. Mr. Clerk, read House Bill 1960. Representative Leitch."

Clerk McLennand: "House Bill 1960. A Bill for an Act that Amends the Nursing Home Care Act. Second Reading of this House Bill. Amendment #1 was Adopted in committee. No Floor Amendments. A Fiscal Note and State Mandates have been

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requested on a Bill as Amended by House Amendment #1. They have been filed."

Speaker Johnson, Tim: "Third Reading. House Bill 1967 Out of the Record. Representative Krause, do you wish to proceed on House Bill 1978. Out of the Record. House Bill 2070 Out of the Record. Representative Winters, do you wish to proceed in... House Bill 2076 Out of the Record. Returning to a previous point on the Calendar. Mr. Clerk, read House Bill 1709."

Clerk McLennand: "House Bill 1709, the Bill has been read a Second time previously. Committee Amendment #1 is referred to Rules. Committee Amendment #2 is referred to subcommittee. Floor Amendments #3 and 4 have been referred to Rules. Floor Amendments #5 and 6 have been approved for Consideration. Floor Amendment #5 is offered by Representative Klingler."

Speaker Johnson, Tim: "The Lady from Sangamon, Representative Klingler on Floor Amendment #5, proceed."

Klingler: "Yes, Mr. Speaker, I would Move for the Adoption of Amendment #6. This has been... Amendment #5 contained one additional word. We are presenting Amendment #6. This is a corrected version of Amendment #5, which was introduced earlier. It had a additional word, which was incorrect."

Speaker Johnson, Tim: "Representative, do you first Move to Withdraw Amendment #5?"

Klingler: "Correct."

Speaker Johnson, Tim: "The request is made. Hearing no objections, we will proceed then to Floor Amendment #6. The Lady from Sangamon, Representative Klingler on Floor Amendment #6."

Klingler: "Thank you, Mr. Speaker. Floor Amendment #6 would actually become the Bill and it has been redrafted so that

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it would be indicated that the entire Bill is Amendment #6."

Speaker Johnson, Tim: "Do you wish to explain the Amendment?"

Klingler: "What I would prefer to do is adopt the Amendment and then go into the argument on the Bill. This was a technical Amendment, which in this case we changed...we omitted the word "is"."

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

Dart: "Thank you, Mr. Speaker. Inquiry of the Clerk, I don't believe this Amendment has been printed and distributed."

Clerk McLennand: "It has been printed and distributed."

Speaker Johnson, Tim: "The Clerk indicates the Bill...the Amendment has been printed and distributed. Representative Dart."

Dart: "We have not seen the Amendment on this side, but I would have questions of the Sponsor in regards of the Amendment. Will the Sponsor yield?"

Speaker Johnson, Tim: "The Sponsor indicates she will yield. The Clerk indicates the Amendment has been printed and distributed. Proceed on the questions, Representative Dart."

Dart: "Thank you, as I mentioned, nobody on our side has seen the Amendment, so can we have an explanation of what the Amendment does?"

Speaker Johnson, Tim: "Representative Klingler."

Klingler: "Representative Dart, this Amendment is identical to the Amendment #5, but it mixed the word "is", which was incorrectly included in Amendment #5."

Speaker Johnson, Tim: "Representative Dart."

Dart: "Didn't we just withdraw #5? If we just withdrew #5, then

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we obviously haven't discussed it. We don't know what is in Amendment #5. I mean, if we have fully discussed Amendment #5, I could understand why we don't want to go into length on #6, but I think we just withdrew #5. Didn't we?"

Speaker Johnson, Tim: "Representative Klingler."

Klingler: "Representative Dart, that is correct and Amendment #5 has been withdrawn and Amendment #6 is the Bill."

Speaker Johnson, Tim: "Representative Dart."

Dart: "Can we get an explanation of what the Amendment does, then please. The one that was not withdrawn. The one that we are attempting to put on the Bill. So, that the Body can have some degree of understanding about what we are doing around here."

Speaker Johnson, Tim: "Representative Klingler."

Klingler: "Representative Dart, as I recall you pointed out that there was the word "is" was incorrectly included in Amendment #5. That word "is" has been omitted for Amendment #6. That is the only difference."

Speaker Johnson, Tim: "Representative Dart."

Dart: "Once again, we really didn't debate Amendment #5 to the extent or...Just give us a run down of what is in this Amendment, that will now become the Bill...this would be what the Bill is, so give us just a run down, like 1,2,3,4 here is what is in the Amendment. Just generally."

Speaker Johnson, Tim: "Representative Klingler on 1,2,3,4."

Klingler: "Representative Dart, Amendment #6 becomes the Bill. This Bill is enhanced penalties for Criminal Sexual Assault and Aggravated Criminal Sexual Assault."

Speaker Johnson, Tim: "Representative Dart."

Dart: "Is it an outright enhancement or is this only for subsequence offenders?"

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Speaker Johnson, Tim: "Representative Klingler."

Klingler: "Representative Dart, I would be glad to go through it in detail, but it would be rather would should do it as the Amendment or as we should do it as the Bill? I would prefer as we have done in other situations, that we adopted the Amendment and then debate the Merits of the Bill."

Speaker Johnson, Tim: "Representative Dart."

Dart: "I have only been here three years and in all years I was here we always debated and explained what our Amendments did on our Bills. It is a novel concept not to be doing it. That is what we are suppose to be doing, Representative. And as I say, I'm not trying to be a dead horse here, but we are changing something here so, that we are getting rid of the original Bill, providing new contents of the Bill and it's my inquiry is to why we are...what is the difference between the Amendment and the Bill that we are getting rid of? Because the original Bill made sense ; we were supportive of it. I'm trying to figure out now why the change in the tune?"

Speaker Johnson, Tim: "Representative Klingler, if you wish to respond."

Klingler: "Representative Dart, I would be glad to go into the merits of Amendment #6 and with the understanding that this in fact is the Bill. House Bill 1709 is part of the crime package of Attorney General Jim Ryan. And it provides substantial increases in penalties for victims, to protect victims from repeat criminals from aggravated criminal sexual assault. The first provision increases the penalty for criminal sexual assault from a class one Felony to a class X Felony and thus increases the sentence range to six to thirty years instead of four to fifteen years. The second part of this package increases the sentence for

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aggravated criminal sexual assault...I'm sorry, increases the penalty for a second or subsequent conviction for either criminal sexual assault or aggravated criminal sexual assault."

Speaker Johnson, Tim: "Again, if I could ask the Chamber, this is an important Bill, important questions being asked by Representative Dart, and I'm not sure everyone can hear. If we could have some order and quite in the Chambers so Representative Klingler can respond to Representative Dart's questions. Proceed with your explanation of the Amendment."

Klingler: "Thank you, Mr. Speaker. The second part of this Bill increases a penalty for second or subsequent offences of criminal sexual assault or aggravated criminal sexual assault to impose a sentence of natural life imprisonment."

Speaker Johnson, Tim: "Further questions? Representative Dart. I've given you additional time."

Dart: "I wanted to thank the Representative for the explanation. So, the heart of it is, it's dealing with the second time offenders and for the most part that is where the enhancement kicks in for aggravated and for the regular criminal sexual assault, we are dealing with a straight enhancement for an initial offense, correct?"

Speaker Johnson, Tim: "Representative Klingler."

Klingler: "Correct."

Speaker Johnson, Tim: "Further questions? Seeing none, the question is, 'Shall Floor Amendment #6 to House Bill 1709 be adopted?' All in favor signify...you have further inquiry, Representative? The Chair recognizes then Gentleman from St. Clair, Representative Hoffman. Do you have questions of the Sponsor?"

Hoffman: "No, Representative, I believe there is a question of

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whether it has been printed. I know that, that may have been answered, but I think I would like to reiterate. I think there may be a problem with that. Whether it has been printed and distributed, Amendment #6."

Speaker Johnson, Tim: "Representative Klingler."

Klingler: "I would request that it be taken out of the Record until the copies have been distributed. I have been informed that they have not been distributed."

Speaker Johnson, Tim: "Out of the Record. Before we return to House Bill 1320, the Chair would announce that student lobbyists from Chicago State University hosted and Representative Howard Kenner and Representative Connie Howard along with this group is 1994 Miss Chicago State University Cynthia Thompson. Welcome to Springfield. On House Bill 1320, Mr. Clerk, read House Bill 1320."

Clerk McLennand: "House Bill 1320, the Bill's has been read a second time previously. Floor Amendment #1 has been Approved for Consideration and is offered by Representative Kubik."

Speaker Johnson, Tim: "On Floor Amendment #1, the Chair recognizes the Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker. This Amendment...this issue deals with the hospice license thing. And this Amendment would limit the total number of Hospice residences to six until the December 31, 1996 and would allow for six additional Hospice facilities through December 31, 1997. We have placed some limitations on the underlined Bill in order to meet some objections that were raised in committee and make this a agreed Bill. I would be happy to respond to any questions and would appreciate your support of Floor Amendment #1."

Speaker Johnson, Tim: "On the Amendment #1, the Chair recognizes

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the lady from Cook, Representative Schakowsky. Do you have questions?"

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

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

Schakowsky: "Did you limit the...I'm sorry, I didn't hear your...clear...explanation. Did you limit the number in this Amendment of Hospices that can be licensed?"

Speaker Johnson, Tim: "Representative Kubik."

Kubik: "Yes, Representative, I...you may have been in the committee when we considered this Bill. I'm not sure, but some concern was raised that there was no limitation on the number of licenses for this particular class of licensur. So, we agreed to limit it to six for next year and six for the following year, in order to get a better understanding of the program and also get a better feel for how this might work. So, this was to meet some of the minor objections that the Department raised on this issue."

Speaker Johnson, Tim: "Representative Schakowsky."

Schakowsky: "So then, is it my understanding that after June 30, 1997, is that...as of that...as point then a decision will be made whether to expand the number or to keep it limited to, is it no more...under this Bill there can be no more than twelve at any point?"

Speaker Johnson, Tim: "Representative Kubik."

Kubik: "Yes, to both questions."

Speaker Johnson, Tim: "Representative Schakowsky."

Schakowsky: "This seems like a really reasoned approach to addressing the issue of this new facility, this new institution that we are creating that both gives them a chance to prove what we believe...many believe of us believe will be an important service, important function for many people and yet give us an opportunity as a state

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to look carefully at it. So, I would support this Amendment."

Speaker Johnson, Tim: "Any further discussion on this Amendment? Hearing none, the question is, 'Shall Floor Amendment #1 to House Bill 1320 be Adopted?' All in favor, signify by saying 'aye', and opposed by saying 'no'. The 'ayes' have it, the Motion is Adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Johnson, Tim: "Third Reading. House Bill 2079 Out of the Record. House Bill 2100. Is Representative Skinner in the Chamber? Out of the Record. House Bill 2125. Representative Stevens in the Chamber? Out of the Record. House Bill 2134. Representative Poe. Representative Poe, are you in the Chamber? Mr. Clerk, read House Bill 2134."

Clerk McLennand: "House Bill 2134, the Bill has been read a second time previously. No Committee Amendments. Floor Amendments #1 and 2 have been referred to Rules. A Fiscal Note has been requested and has been Filed."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, House Bill 2141. Representative Moffitt? Out of the Record. Representative Dart, do you wish to proceed in your Bill? Mr. Clerk, read House Bill 2154."

Clerk McLennand: "House Bill 2154. A Bill for an Act that Amends the Personnel Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments."

Speaker Johnson, Tim: "Third Reading. House Bill 2204, Representative Zickus. Out of the Record. House Bill 2221 Out of the Record. House Bill 2223 Out of the Record. House Bill 2230 Out of the Record. Representative Mautino, are you here and wish to proceed on your Bill? House Bill 2234 Out of the Record. Representative Myers, Representative Rich Meyers? On House Bill 2247. Do you

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wish to proceed? House Bill 2247 Out of the Record. Is Representative Rutherford in the Chamber? House Bill 2249 Out of the Record. Mr. Clerk, returning on the Calender, what is the status of House Bill 2134?"

Clerk McLennand: "House Bill 2134 is now on the Order of Third Reading."

Speaker Johnson, Tim: "With consent of the Body the Chair would return House Bill 2134 to the Order of Second Reading. Representative Leitch on House Bill 2307. Mr. Clerk, read House Bill 2307."

Clerk McLennand: "House Bill 2307, the Bill has been read a Second time previously. Amendment #1 was Adopted in committee. Floor Amendment #2 has been referred to Rules. A Fiscal Note has been filed on the Bill as Amended. Has been requested and has been Filed."

Speaker Johnson, Tim: "Third Reading. House Bill 2313 Representative Zickus. Out of the Record. House Bill 2317 Out of the Record. House Bill 2327 Representative Brady. Representative Bill Brady. Mr. Clerk, read House Bill 2327."

Clerk McLennand: "House Bill 2327, the Bill has been read a Second time previously. Committee Amendments #1 and 2 were referred to subcommittee. Committee Amendment #3 had been Adopted. Floor Amendments #4, 5,6 have been referred to Rules. A Fiscal Note has been requested on the Bill and has been Filed."

Speaker Johnson, Tim: "Third Reading. House Bill 2331 Out of the Record. Representative Pedersen, do you wish to proceed on House Bill 2337? House Bill 2337 Out of the Record. Representative Saviano on House Bill 2348. Out of the Record. Representative Winters. Mr. Clerk, read House Bill 2349."

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Clerk McLennand: "House Bill 2349 the Bill has been read a Second time previously. No committee Amendments. Floor Amendment #1 has been referred to Rules. A Fiscal Note has been requested and has been Filed."

Speaker Johnson, Tim: "Third Reading. House Bill 2358 Out of the Record. Representative Stephens present in the Chamber? Representative Stephens? House Bill 2434 Out of the Record. House Bill 2441 Out of the Record. House Bill 2443 Out of the Record. Is Representative Zabrocki present? Out of the Record on House Bill 2445. Representative Poe, do you wish...Representative Poe, do you wish to proceed in House Bill 2452? Mr. Clerk, read House Bill 2452."

Clerk McLennand: "House Bill 2452, the Bill has been read a Second time previously. Committee Amendment #1 is referred to Rules. Committee Amendment #2 is referred to subcommittee. Floor Amendments #3 and 4 have been referred to Rules. Floor Amendment #5 has been Approved for Consideration and is offered by Representative Poe."

Speaker Johnson, Tim: "Representative Poe on Floor Amendment #5 to House Bill 2452."

Poe: "Yes, this is a clarification, when we were in committee, we come back with this Amendment, so it...while indicated verbally or by his or her actions to the victim that he or she is presently armed with a firearm. This is to do the look alike firearms."

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

Dart: "Thank you, this was a commitment that you had made in committee. Is that correct?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "I'm sorry."

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Speaker Johnson, Tim: "Representative Dart."

Dart: "Was this Amendment the result of a commitment that you'd made in committee?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "Yes, I made this commitment to Representative Hoffman."

Speaker Johnson, Tim: "Representative Dart."

Dart: "What was the problem with it that you needed to have this Amendment?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "We needed clarification, because it...on a look alike firearm, whether it was just carrying it with them, this was just to clarify a persons intent and this clarified it and made it more plain."

Speaker Johnson, Tim: "Representative Dart."

Dart: "So, then if the person does not verbally say anything about it, then they would not be able to be prosecuted for this offense?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "Okay, yeah, if your...the Amendment says or actions to the victim."

Speaker Johnson, Tim: "Representative Dart."

Dart: "So, if the person who has their hand in their pocket and isn't saying anything other than give me your money. Is that going to come other this offense as an Armed Robbery?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "That is a question in fact for the judge and jury to decide."

Speaker Johnson, Tim: "Representative Dart."

Dart: "But, the specifics of your law...the way you law will be applied, the judge will instruct the jury of the law and the...jury will then use the facts and the law and put them together to come up with the conclusion. Based on your

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law, which you are seeking to change here, if the person has their hand in the pocket with a gun and does not make a verbal threat, would that come under the heading of this...this is for purpose of legislative intent?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "If that is interpreted as an action, yes."

Speaker Johnson, Tim: "Representative Dart."

Dart: "Your definition of the look alike gun...that stays the same. The Amendment is just dealing with the requirement of verbal or some type of other action, correct?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "Yes, the Amendment does in effect, the definition of firearms."

Speaker Johnson, Tim: "Representative Dart."

Dart: "Is there any case law in regards to this as it exists right now, in regards to both verbal actions or any other type of actions that are required? Because I know in the armed robbery statues there are some. There are all sorts of case law in regards to these type of cases. Will this any way contradict the existing case law or is it supported by it or does it...can you explain that?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "Not to my knowledge it doesn't contradict any case law."

Speaker Johnson, Tim: "Representative Dart."

Dart: "I'm sorry, I didn't hear that answer."

Speaker Johnson, Tim: "Representative Poe."

Poe: "Not to my knowledge it doesn't contradict any case law."

Speaker Johnson, Tim: "Representative Dart."

Dart: "Is there any case law that supports this?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "Not to my knowledge, no."

Speaker Johnson, Tim: "Representative Dart."

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Dart: "Is this a result of a problem that you were made aware of by some constituents or something?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "This is a Bill resolved by some concerns of using a look a like gun and concerns of our local prosecutors and through some suggestions, small business and those kind of entities."

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

Dart: "I'm trying...with your Amendment now, how is this differ at all from the offense of aggravated robbery, which we created recently?"

Speaker Johnson, Tim: "Representative Poe, Representative Poe."

Poe: "This is meant to address the problem of look alike firearms only."

Speaker Johnson, Tim: "Representative Dart."

Dart: "Well, the offense of aggravated robbery, and I will read it to you, it says a person commits the offense if he commits a robbery, which we are talking about here, while indicating verbally or by his actions to the victim that he is presently armed with a firearm even if it is later determined he had no firearm in his possession. Isn't that the same...isn't it the same as this offense?"

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

Poe: "That statute doesn't address look a like firearms."

Speaker Johnson, Tim: "Representative Dart, if you could bring your questions to a close."

Dart: "Well, I mean no. The thing is, is as your Bill is Amended, it is the same thing. I mean other than the penalty being one class difference, it doesn't do anything different. It's the exact..."

Speaker Johnson, Tim: "We will give you another minute to respond. Representative Poe."

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Poe: "The statue that you just read does not contain the look alike firearm in it."

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

Dart: "Yeah, I think that by the vary definition aggravated robbery contains a situation where you have a look alike gun or you have no gun in your pocket, but quite frankly, that offense is a little bit more expansive, because you don't even have to have a look alike. You can have your finger in your pocket and that would be sufficient, under your offense you would have to have something that looked like a gun, 'cause I believe aggravated robbery was something that Representative Homer and Senator Hawkinson worked on a couple of years ago to address this very problem. I mean, aren't we causing more of a problem?"

Speaker Johnson, Tim: "Final answer, Representative Poe."

Poe: "We feel that, that statue doesn't address the look alike fire arm."

Speaker Johnson, Tim: "Thank You. Any further questions, with respect to this Amendment? Hearing none the question is, 'Shall Floor Amendment #5 to House Bill 2452 be Adopted?' All those in favor, signify by saying 'aye', opposed by saying 'nay'. The 'ayes' have it. The Motion is Adopted. Further Amendments."

Clerk McLennand: "No further Amendments."

Speaker Johnson, Tim: "Third Reading. Representative Zickus, do you wish to proceed on House Bill 2463? Out of the Record. We will be at ease for just one moment. We will be at ease for a few more moments and all unauthorized personnel please remove themselves from the House Floor. Mr. Clerk, for purposes of an announcement. Mr. Clerk."

Clerk McLennand: "The Rules Committee will meet at 2:45 in the

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Speakers conference room."

Speaker Johnson, Tim: "We'll proceed now, Mr. Clerk. Returning, we are still on the order of House Bills' Second Reading. Mr. Clerk, read House Bill 2204. Your attention to the Clerk and the Lady."

Clerk McLennand: "House Bill 2204 has been read a second time previously. Floor Amendment #6 has been Approved for Consideration and is sponsored by Representative Zickus."

Speaker Johnson, Tim: "On Floor Amendment #6, the Chair recognizes the Lady from Cook, Representative Zickus, proceed."

Zickus: "Thank you, Mr. Speaker. Amendment #6 is a technical Amendment amending the vehicle Code."

Speaker Johnson, Tim: "Any discussion with the respect to the Amendment? Hearing none, the question is...apparently, there are questions. The Chair recognizes the gentleman from Winnebago, Representative Scott."

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

Speaker Johnson, Tim: "She indicates she will."

Scott: "What exactly does Amendment #6 do to the Bill, Representative?"

Speaker Johnson, Tim: "Representative Zickus."

Zickus: "This Amendment adds the language that is in the Bill to the vehicle code. It should have been in the original language when it was drafted and it was not."

Speaker Johnson, Tim: "Representative Scott."

Scott: "In the original version of the Bill, where was it...was it located somewhere else or did it just not say where it was to be located in the code?"

Speaker Johnson, Tim: "Representative Zickus."

Zickus: "No, it was a oversight, it should have been...the language should have been also in the vehicle code."

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Speaker Johnson, Tim: "Representative Scott."

Scott: "Does it make any other changes to the Bill itself with respect to identification cards or any of the other provisions to the Bill?"

Speaker Johnson, Tim: "Representative Zickus."

Zickus: "No, it does not."

Speaker Johnson, Tim: "Representative Scott."

Scott: "Does it add a provision talking about a violation advertise or distribute information? There are no...is there a additional substantive change here that wasn't in the previous Bill?"

Speaker Johnson, Tim: "Before you respond, I'm having a hard time hearing and I think other Members are as well. If we could direct your attention to Representative Scott and Representative Zickus for these important questions and answers would help proceed. Representative Zickus in response to Representative Scott's question. Did you hear the question?"

Zickus: "Yeah, I think I understand the question. There is no change. This is the exact same language that was in the Bill, but it is being Amended to the vehicle code."

Speaker Johnson, Tim: "Representative Scott."

Scott: "So, on page 3 on lines 3, 4, 5 of Amendment #6, the underlined information there or any information or materials that promote the selling, giving or furnishing of, that language was previously in the Bill itself."

Speaker Johnson, Tim: "Representative Zickus."

Zickus: "It was on page 8 of the...lines 20 to 22."

Speaker Johnson, Tim: "Representative Scott."

Scott: "So, that is the exact same language then?"

Speaker Johnson, Tim: "Representative Zickus."

Zickus: "Yes, it is."

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Speaker Johnson, Tim: "Representative Scott."

Scott: " I have nothing further. Thank you."

Speaker Johnson, Tim: "No further questions. Any further questions? Seeing none, the question is, 'Shall Floor Amendment #6 to House Bill 2204 be Adopted?' All in favor, signify by saying 'aye', opposed by saying 'no'. The 'ayes' have it. The Motion is Adopted...the Amendment is Adopted. Further Amendments?"

Clerk McLennand: "No further Amendments have been Approved for Consideration."

Speaker Johnson, Tim: "Third Reading. We will now stand at ease momentarily."

Clerk McLennand: "Rules committee is now meeting in the Speaker's conference room."

Speaker Johnson, Tim: "The House will be in Order. House will be in order. We are still on the order of House Bills Second Reading. And we will return to House Bill 1709, Floor Amendment #6. Mr. Clerk, read the status of the Bill and the Amendment."

Clerk McLennand: "House Bill House Bill 1709 has been read a Second time previously. Floor Amendment #6 has been distributed. And is offered by Representative Klingler."

Speaker Johnson, Tim: "Representative Klingler. Representative Klingler on Floor Amendment #6 to House Bill 1709, proceed."

Klingler: "Has it been distributed?"

Speaker Johnson, Tim: "As I understand it, this Amendment, Representative Dart, has now been printed and distributed as the Clerk earlier indicated. And now on the Amendment. Do you have any further comments, Representative Klingler?"

Klingler: "Thank you, Mr. Speaker. House Bill 6 will become the Bill."

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Speaker Johnson, Tim: "You are referring to Floor Amendment #6 to this House Bill."

Klingler: "Yes, Mr. Speaker, Floor Amendment #6 would become the Bill and is the same as House Bill 5, which was withdrawn, which contained one word, 'inadvertently'."

Speaker Johnson, Tim: "Your referring to Floor Amendment #5."

Klingler: "Correct."

Speaker Johnson, Tim: "On the Amendment the Chair recognizes the Gentleman from Cook, Representative Lang. Pleased to hear from you today, Representative Lang."

Lang: "Thank you, Mr. Speaker. It is a pleasure to be..."

Speaker Johnson, Tim: "I feel lonely and left without friends when I don't hear from you."

Lang: "Well, I have been resting up in hopes we would be able to debate the airport soon. My time is wasting, Mr. Speaker. Can you start it over."

Speaker Johnson, Tim: "I'm sorry, I'll reset the timer."

Lang: "Thank you very much. You want anyone to think you were taking my time, would you?"

Speaker Johnson, Tim: "I would not want to do that, Representative Lang, proceed."

Lang: "Will the Sponsor yield?"

Speaker Johnson, Tim: "She indicates she will."

Lang: "Representative, you have indicated that this changes one word in Amendment #5. Amendment #5 has been withdrawn and not explained. So, I don't know what Amendment 6 does. Could you take us through it?"

Speaker Johnson, Tim: "Could I remind the Chamber that we are no longer at ease. That the distinguished Gentleman from Cook is attempting to ask a question and if we could have some quite and order, so we can hear the question and the response, it would be appreciated. Representative Klingler

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in response."

Klingler: "Yes, Representative Lang, Amendment #6 clarifies the sentences for the offense for criminal sexual assault and for aggravated criminal sexual assault for second or subsequent offenses."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Representative, my good mood is wasting away quickly. Could you tell me what the Amendment does?"

Speaker Johnson, Tim: "Representative Klingler in response to Representative Lang's mood and question."

Klingler: "Representative, House Bill 1709, which is Floor Amendment #6, provides that there would be for the second or subsequent offence for criminal sexual assault and aggravated criminal sexual assault that the punishment would be natural life imprisonment."

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

Klingler: "In addition, the sentences enhanced for first time offenders for criminal sexual assault to a class X Felony."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Thank you. What relation does this have to the truth and sentencing Bill that we just passed? Is this covered under truth and sentencing?"

Speaker Johnson, Tim: "Representative Klingler."

Klingler: "Representative, the sentence for the first offence for aggravated criminal sexual assault or criminal sexual assault would be covered under the Truth and Sentencing Bill."

Speaker Johnson, Tim: "Representative Lang."

Lang: "And if we had a copy of that in front of us, you could point that out to me? Your not creating a new statue anyway. It is covered today?"

Speaker Johnson, Tim: "Representative Klingler."

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Klingler: "Representative, this House Bill 1709 refers to the offences of criminal sexual assault and aggravated criminal sexual assault."

Speaker Johnson, Tim: "Representative Lang."

Lang: "And so both of those are currently included in the Truth and Sentencing Bill that we just passed?"

Speaker Johnson, Tim: "Representative Klingler."

Klingler: "That is correct."

Speaker Johnson, Tim: "Representative Lang."

Lang: "What other chances do you make to the criminal code in this legislation, Representative?"

Speaker Johnson, Tim: "Representative Klingler."

Klingler: "Representative...Representative Lang, the most substantial change is that for second or subsequent offences of either criminal sexual assault or aggravated criminal sexual assault, that the punishment would be natural life imprisonment. If I may, Representative Lang, the reason for this Bill is the extremely high rate of recidivism of repeat offenders in the area of criminal sexual assault. The studies of have shown that rapists now are receiving sentences that average only four years in prison. And for offenders that are released from a Maximum Security Psychiatric Prison, 28% commit more sexual assaults upon release. In addition, other studies have shown that 52% of convicted rapists will be arrested within three years of release. And this is despite all the efforts that have been taken under rehabilitation. I think what it has shown is that we should have a stiff sentence for the first offence of criminal sexual assault or aggravated criminal sexual assault, but for a second or subsequent offence that the punishment is natural life imprisonment."

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Speaker Johnson, Tim: "Representative Lang."

Lang: "Thank you. So, if I understand it correctly, for a second offence of either criminal sexual assault or aggravated criminal sexual assault, it is the same punishment, life imprisonment?"

Speaker Johnson, Tim: "Representative Klingler."

Klingler: "That is correct."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well, why is there no effort to differentiate between the two? Certainly aggravated criminal sexual assault is a more heinous crime. They are both serious crimes, but aggravated criminal sexual assault is apparently a worse crime under the way we define our terminology, so why would we not create a death penalty for that? Or why is there not separate type of punishment for these two crimes?"

Speaker Johnson, Tim: "Representative Klingler, if you could bring your response to a close, you have 25 seconds, respond."

Klingler: "Representative, the offences of both criminal sexual assault and aggravated criminal sexual assault are heinous crimes. Criminal sexual assault occurs when the act is performed by the use of force or threat of force or when the victim is unable to know or consent to the act..."

Speaker Johnson, Tim: "The Chair recognizes the Lady from Cook, Representative Flowers. Representative Flowers. The Lady is not in the Chamber. Any further questions with respect to Floor Amendment #6. The Chair recognizes the Lady from Cook, Representative Schakowsky."

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

Speaker Johnson, Tim: "She indicates she would wish to yield her time to Representative Lang. And your request is noted and

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granted. Representative Lang, proceed."

Lang: "Thank you. Back to the Sponsor. Representative, if we increase these penalties, there is going to be a fiscal impact. What is that Fiscal Impact?"

Speaker Johnson, Tim: "Representative Klingler."

Klingler: "Representative, a Fiscal Note has been filed. The Fiscal Impact Note indicates an impact on the corrections population of 2,113 inmates."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Was that a Fiscal Note as Amended with your Amendment?"

Speaker Johnson, Tim: "Representative Klingler."

Klingler: "Yes."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Are we looking at the same Fiscal Note? The one that was filed with the Clerk April 6th, 1995?"

Speaker Johnson, Tim: "Representative Klingler."

Klingler: "I'm looking at the Corrections Impact Note from the Illinois Department of Corrections."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well, you asked the Corrections Impact Note, so you have told me how many more prisoners. I'm asking you how much it will cost."

Speaker Johnson, Tim: "Representative Klingler."

Klingler: "Representative, the Fiscal Impact is \$284,856,500."

Speaker Johnson, Tim: "Representative Lang."

Lang: "So, don't you think it might have been good idea to tell us that your proposal was going to cost us almost \$300,000,000. Don't you think we might be interested in that information, without me asking for it from you?"

Speaker Johnson, Tim: "Representative Klingler."

Klingler: "Representative, that information was filed with the Bill."

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Speaker Johnson, Tim: "Representative Lang."

Lang: "Where are we going to get this \$300,000,000, Representative?"

Speaker Johnson, Tim: "Representative Klingler, if you wish to respond."

Klingler: "Representative, I think the cost to victims of criminal sexual assault and aggravated criminal sexual assault is simply is not calculable. The tremendous trauma that is faced by victims and the record and the evidence shows that how many perpetrators of sexual assault continue to be released and get out of prison and to assault again. We also have to realize that are going to be savings in the system. If instead of these persons being released on the street and requiring more police time to chase them down, more court time to retry them, that I also think there will also be some built in savings by fact that we will not have continued court and continued police time against these offenders."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well, thank you for that answer and you know what, Representative, I agree with everything you have said, so now, let me ask you another question. You opposed the Democratic plan for truth and sentencing, because it cost too much money, because it was going to put too many criminals behind bars for far too long and we couldn't afford it. You said we couldn't afford it. You said we couldn't afford to keep kidnapers behind bars for 85% of their sentence. Second degree murders behind bars for 85% of their sentence. Why do you make this distinction? Why can we afford this and not afford to keep kidnapers and second degree murders behind bars?"

Speaker Johnson, Tim: "Representative Klingler."

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Klingler: "Representative, I think that criminal sexual assault and aggravated criminal sexual assault is among the most heinous of the crimes and it is tremendous cost to society. It has tremendous fear in society. Not only to women, but from young boys and from young men, who are assaulted by victims. I think that it is important in looking at the sentences, that we look at the most serious crimes first and this is what we are doing."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well, we note that in your truth and sentencing Bill, that you voted for, criminal sexual abuse of a child is not in there. This Bill does not cover that. So, you're very worried about criminal sexual assault, but apparently the criminal sexual abuse of a child is not as relevant. And you're

not willing to spend the dollars to keep those felons behind bars. Can you tell me the difference, why you're willing to keep these felons behind bars and why you're not willing to keep those felons behind bars?"

Speaker Johnson, Tim: "Representative Klingler, do you wish to respond?"

Klingler: "Representative, this Bill is addressed to the issues of criminal sexual assault and aggravated criminal sexual assault."

Speaker Johnson, Tim: "Representative Lang, on the Amendment."

Lang: "On page two of your Amendment, Representative, if you would turn to it please. On the first line you removed the word conviction and on the third line you put in the word violation. Are you saying these people don't have to be convicted of these crimes to be behind bars?"

Speaker Johnson, Tim: "Representative Klingler, if you could

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respond and bring your comments to a close. You have 25 seconds."

Klingler: "A conviction it is required."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well then, why did they take the word conviction out in the first line, Representative?"

Speaker Johnson, Tim: "Representative Klingler."

Klingler: "That language was redundant."

Speaker Johnson, Tim: "Any further discussion with respect to Floor Amendment #6? Seeing none, the question is, 'Shall Floor Amendment #6 to House Bill 1709 be Adopted'? All in favor signify, by saying 'aye'; opposed by saying 'nay'. The 'ayes' have it. The Motion is Adopted. Further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments. A Fiscal Note has been requested on House Bill 1709 as Amended by Amendment #6."

Speaker Johnson, Tim: "Inquire as to the status of the response to that note request. If we could be at ease for one moment. Mr. Clerk."

Clerk McLennand: "They have been filed."

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

Lang: "Mr. Speaker, there was a Fiscal Note filed as amended. I know that there is a Fiscal Note in the file as Amended; however, the words as Amended were written in there by hand. The Fiscal Note was filed on April 6, if...and this Amendment was heard today, there has been no showing that this Amendment is exactly the same Amendment that the hand written Fiscal Note was filed for on April 6. This is now April 18. I would ask for a Ruling from the Chair as to whether the Chair knows absolutely whether that Fiscal Note was Amended as filed was relating specifically to the exact

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same Amendment that we just Adopted?"

Speaker Johnson, Tim: "Representative Lang, if we can just have a moment to confer with the Clerk. Again, Mr. Clerk."

Clerk McLennand: "The note has been filed and signed as Amended and it is signed by the Liaison, from the Department of Corrections."

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

Lang: "Thank you, Mr. Speaker. Point of Order. That is not good enough for me, Sir. There is no showing at all that the Amendment that has been Adopted here is the very Amendment that the Department of Corrections filed their Fiscal Note for. In fact, Amendment #5 which was withdrawn might be the Amendment that they filed their Fiscal Note for, not Amendment #6."

Speaker Johnson, Tim: "Would state your point, so that we can respond properly to your point, Representative."

Lang: "My point is that the Bill can not go to Third Reading until we know that there is a Fiscal Note filed as Amended relative to Amendment #6. There is no showing on that Fiscal Note, that the response on the Fiscal Note relates to Amendment #6. And I would ask the Chair to Rule that this Bill can not go Third Reading, until we know that the Fiscal Note applies to the Amendment that we Adopted. You will recall we did not...Adopt Amendment #5. Perhaps, this dealt with Amendment #5. Amendment 4, 3, 2, or 1. We don't know because it does not say that on the Fiscal Note."

Speaker Johnson, Tim: "Representative Lang, the Bill will be held on the order of Second Reading. The House will come to order. Members will be in their chairs. The House come to order. We will now return to the order of House Bills

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Third Reading. House Bills Third Reading. Mr. Clerk, read House Bill 602."

Clerk McLennand: "House Bill 602. A Bill for an Act that amends the University of Illinois Act. Third Reading of this House Bill."

Speaker Johnson, Tim: "This Bill will be returned to the order of Second Reading. Mr. Clerk, read House Bill 629. Prior to Representative McGuire. Representative McGuire, if you would be in your seat prior to your proceeding with this Bill. Mr. Clerk, announcements."

Clerk McLennand: "Committee Report. Committee Report offered by Representative Churchill. Chairman for Committee on Rules. To which the following Bills, Resolutions, and Amendments were referred. Action taken on April 18, 1995. Reported the same back with the following recommendations. Do Approve for Consideration Floor Amendment #2 to House Bill 224. Floor Amendment #3 House Bill 532. Floor Amendment #6 to House Bill 991. Floor Amendment #5 to House Bill 1270. Floor Amendment #5 to House Bill 1270. Floor Amendment #5 to House Bill 1662. Floor Amendment #2 to House Bill 2351. Pursuant to the Rules, Cities...the following committees will meet this evening; Executive Committee will meet at 5:00 p.m. on Tuesday, April 18, in Room 114 to Consider the following Floor Amendments, House Bill 1109, Floor Amendment #1 and House Bill 1498 Floor Amendment #2. Again, Executive Committee will meet at 5:00 p.m. in Room 114. Cities and Villages Committee will meet at 6:00 p.m. in Room D-1 in the Stratton to consider Floor Amendment #2 to House Bill 884. Floor Amendment #1 to House Bill 1489, Floor Amendment #3 to House Bill 2278. Again Cities and Villages Committee will meet at 6:00 p.m. in room D-1. Environment and Energy Committee will meet at

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6:00 p.m. in Room 118 to consider Floor Amendment #2 to House Bill 901 and Floor Amendment #4 to House Bill 1089. Again Environment and Energy Committee will meet at 6:00 p.m. in Room 118. House Bill 629. A Bill for an Act in Relation to State Agency Reports. Third Reading of this House Bill."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman...the status is...Mr. Clerk, the status of this Bill is?"

Clerk McLennand: "Third Reading."

Speaker Johnson, Tim: "The Chair recognizes the Sponsor. The Gentleman from Will, Representative McGuire. Representative McGuire on the Bill."

McGuire: "Thank you, Mr. Speaker. This Bill is a Bill that I had the last couple of years and what I have tried to do with this Bill is to cut down some of the costs of financial reports, year end reports, annual reports that all the Ladies and Gentleman of this Chamber and I'm sure the other Chamber across the Rotunda receive in unparalleled numbers and I think what we would like to do is cut down the number of reports printed. Have some reports printed only on demand or request. And also, cut down on the cost by cutting out the high style coloring and different things that make these reports more attractive, but don't make them any more interesting. And with that I would try to answer any questions you may have, Mr. Speaker."

Speaker Johnson, Tim: "On the Bill, the Chair recognizes the Gentleman from Vermilion, Representative Black. Representative Black."

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

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

Black: "Thank you, Representative. I think I heard you say...did

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you have this Bill filed last year?"

Speaker Johnson, Tim: "Representative McGuire."

McGuire: "Yes, I think last year or the year before or both. And I think there was a combination with Representative Ryder at one time on a similar Bill."

Speaker Johnson, Tim: "Representative Black."

Black: "Well, that probably explains why it didn't go anywhere, but that is another story. Did you get the Bill out of committee last year? It was House Bill 953 as I recall?"

Speaker Johnson, Tim: "Representative McGuire."

McGuire: "I don't recall if it came out of committee or not, to be honest with you. It probably didn't because I think we were working with Representative Ryder on his Bill and I believe at that time, if Representative Ryder is here could substantiate, I think we decided to go with his Bill, but that is just my recollections of it."

Speaker Johnson, Tim: "Representative Black."

Black: "Thank you, very much, Mr. Speaker. Let me ask you some additional questions, Representative. You're Amending the State Printing Contracts Act. Are you requiring that the ink used be soybean ink or are you eliminating that? I don't see any language about the soy ink."

Speaker Johnson, Tim: "Representative McGuire."

McGuire: "I don't think it specifies what type of ink, as long as it is is green, Bill, it would be fine with me."

Speaker Johnson, Tim: "Representative Black."

Black: "You mean we are going to print everything in green ink?"

Speaker Johnson, Tim: "Representative McGuire."

McGuire: "I'm just saying that would be fine with me."

Speaker Johnson, Tim: "Representative Black."

Black: "Well, I really don't know how many colors of ink are capable with the technology at this point and time with the

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soy ink process, and as you know I think we Amended the Printing Act some time ago, 2 or 3 years ago and I think we require that most state printing be done with soy ink, if at all possible. And I don't know the color combinations in soy ink. Do they make green soy ink?"

Speaker Johnson, Tim: "Representative McGuire."

McGuire: "Yes, it is. Yes, I think it is."

Speaker Johnson, Tim: "Representative Black."

Black: "I'm very glad to know that. I did not know that. I thought it was only in black ink, but I'm glad to know that. What this says is that you..."

Speaker Johnson, Tim: "No pun intended, correct Representative?"

Black: "Pardon?"

Speaker Johnson, Tim: "No pun intended?"

Black: "Absolutely, no. What I want to kind of get to the issue here, is that if I read your Bill correctly, there will be no multi-color printing. Is that what you are after?"

Speaker Johnson, Tim: "Representative McGuire."

McGuire: "That is correct."

Speaker Johnson, Tim: "Representative Black."

Black: "Is this aimed only at annual reports or any printing that the state printing do?"

Speaker Johnson, Tim: "Representative McGuire."

McGuire: "I would gear it towards annual reports or reports of any substance, with all do respect to Representative, black ink would be fine."

Speaker Johnson, Tim: "Proceed, Representative."

Black: "Well, now you've got my attention, because I like that concept of Black Ink. I really enjoy that. God forbid that you would want to use red ink. I...do you have...I don't understand the genesis of this Bill. I...did it come from the printing industry or where did this Bill come

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from?"

Speaker Johnson, Tim: "Representative McGuire."

McGuire: "It did not come from the printing industry. It came out of my head, when I was a freshman down here a few years ago."

Speaker Johnson, Tim: "Representative Black."

Black: "I'm sorry, you said it came out of a freshman's head?"

Speaker Johnson, Tim: "Representative McGuire."

McGuire: "Yes, it came out of my head."

Speaker Johnson, Tim: "Representative Black."

Black: "Well, I spent some time in the Navy and I would go into the genesis of the word head, but that is another issue altogether. Do you have some idea of a cost savings, if we do away with multi color printing?"

Speaker Johnson, Tim: "Proceed, Representative."

McGuire: "I'm sorry. No, Sir, I don't think we arrived at any figures. I just know that it would be a savings, because of the...as mentioned earlier, not as many copies or copies made on the request and certainly the use of plain old black ink, you just can't deny there would be a savings."

Speaker Johnson, Tim: "Representative proceed."

Black: "Yes, thank you, very much, Mr. Speaker. To the Bill. The Bill seems like it is well intentioned. I guess the...sometimes our lives can be so drab when we are down here week after week and month after month that perhaps a little color could bring some life back to the Chamber and the Gentleman has an idea that everything should be printed in just one color of ink. And I'm..."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Grundy, Representative Spangler. With all do apologies to Representative Black. Representative Spangler, proceed."

Spangler: "Yes, Representative, I understand your intentions, I

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believe here and you have indicated that it was out of your head from which it came. I was wondering if you had ever had any surveys done or attended any classes or something of that nature with regard to format presentation of documents?"

Speaker Johnson, Tim: "Representative McGuire."

McGuire: "I'm sorry, I could not hear that last part. Without presentation or what was that, Steve?"

Speaker Johnson, Tim: "Representative Spangler."

Spangler: " I would be more than happy to repeat it. I'm wandering if you or anybody that you consulted with before you introduced this Bill, had any experience or expertise in the formatting of document presentation? Obviously, we have to read quite a number of materials down here and it becomes extremely necessary to have retention of what we are reading. If we were to have things in all one color, I was just wondering if there was any scientific or factual basis that would evidence the amount of retention one could possibly obtain by reading singular color ink printing."

Speaker Johnson, Tim: "Representative."

Representative McGuire: "Yes, Representative, I think I understand your question. Let's just say as a former school teacher, I would say that most text books are printed in black and white and there must be a good reason for that. So, if your question is toward retention, I would say that the high style color would be in the opposite direction of retention. I think it is more distraction."

Speaker Johnson, Tim: "Representative Spangler."

Spangler: "That is a very interesting observation, however, I think perhaps you have been out of the educational industry if you will, some what longer than I have. And as a matter

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of fact, they are doing more multiple printing of different things, because it tends to give definition and define one objective from another so that they all don't blend together. Let me give you a good example, I had have many opportunities to present presentations at seminars and so on and so forth on industrial hygiene, safety, loss prevention, management and so forth, and one of the things that I always do is and it has been extremely effective and that is to utilize a flip chart. In the process of utilizing a flip chart. In the process of utilizing a flip chart and my different..."

Speaker Johnson, Tim: "If we could give the Gentleman your attention on this extremely important Bill and these questions, proceed."

Spangler: "Thank you, Mr. Speaker. And the different bullets that I would put down so that these objectives were clarified and didn't tend to muddy from another would be to use in fact different colored inks. Thus I would maybe start with red, go with green, pink, black, blue, whatever other colors. The audience that I had at that time could obviously distinguish one from the other and they wouldn't become so cluttered and congested on the page that they would be able to understand that particular objective that was being addressed at that time. Have you done any studies to determine just exactly what the cost savings to the State of Illinois would be as a result of singular print color?"

Speaker Johnson, Tim: "Representative McGuire."

McGuire: "Representative, I think I answered that before. We haven't arrived at any figures, but let me say in all fairness to your filibuster about different colors that you have shown in your work, I want you to remember and I'm

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sure you will remember, this information I'm talking about is at taxpayers expense. Your talking about private industry, where I think that expense is a little different...a little different intentioned. So, what I'm trying to say is that I think that these reports...most of them aren't read anyhow, if you want to raise your hand who reads all the reports that come across your desk, there won't be to many hands raised, but the point of the matter is that there is a lot of reports printed and a lot of reports wasted, going in the wastebasket. And I think the intent of the legislation is just to save money for the State of Illinois and the tax payers. And I think annual reports or any kind of reports can be done in black and white. And if they are interesting reading than they would read and if they are not interesting reading they won't be read. But, I would like to see the cost of the printing keep down."

Speaker Johnson, Tim: "Representative Spangler, if you could bring your comments to a close."

Spangler: "That brings me to another interesting question. During your opening..."

Speaker Johnson, Tim: "If you could bring your comments to a close. I have extended the time by one minute, but please bring your comments and questions to a close."

Spangler: "Thank you, Mr. Speaker. I will do just that. Representative, your opening statement was, you don't find that the reading of these reports would be made any more interesting if they were printed in different colors. Now, I beg to differ with you, in fact it would be much, much more interesting if we had different colors and particularly when we are talking about different line items and trying to differentiate which one you are on and follow

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that all the way across. Also, when we are talking about subtotals with regards to other budgets leading up to the total budget. It would be much more effective if we were to have the bottom line in a different color rather than blend it in with all the other tally that adds up. I think this Bill needs a lot more..."

Speaker Johnson, Tim: "Representative McAuliffe in the Chair."

McAuliffe: "Any further discussion? Representative Cross."

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

Speaker McAuliffe: "He indicates he will."

Cross: "Representative, I have several questions about this Bill. I'm having a hard time following the debate. What is the penalty for failing to follow the statute as you are Amending it? Is there a criminal penalty?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "No, this not a criminal act. I'm not trying to establish that this is an act of...deserving of a penalty. No penalty."

Speaker McAuliffe: "Representative Cross."

Cross: "I'm sorry, Representative, I didn't hear you. If I'm a state agency and I don't follow the language in this Amendment, what is the penalty?"

Speaker McAuliffe: "Representative Cross, Representative McGuire."

McGuire: "I'm sorry, Representative, there is no penalty. It is not a criminal Act."

Speaker McAuliffe: "Representative Cross."

Cross: "Well, Representative, why are we doing it, if there is no way enforce agencies to follow this? And this may be a fine law, as I said I have had trouble following the debate here, but how do we enforce agencies to comply with your language?"

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Speaker McAuliffe: "Representative McGuire."

McGuire: "I think by enacting the Bill, the agencies would follow the letters of the legislation. I don't think it is a question of crime or punishment."

Speaker McAuliffe: "Representative Cross."

Cross: "Is there a chance that a agency director or the head of that agency could be held in contempt of court or contempt of the legislature, by failing to follow the language here?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "No, I don't think that would be the case with that or any other law that we enact down here."

Speaker McAuliffe: "Representative Cross."

Cross: "Could a Member of the General Assembly for example, file a court case arguing that the director of whatever agency used different colors to do a report and file that case in Sangamon or Cook county?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "I'm sorry, I really couldn't hear the question too good, Representative."

Speaker McAuliffe: "Could you repeat the question, Representative Cross."

Cross: "Could a member of the public or the General Assembly or maybe a manufacturer of a black and white printing company, whatever, file a case in Sangamon or Cook County, I think that is generally one of the courts where you would have jurisdiction in state matters, claiming that, that agency is in violation of this law and if so, who would defend the agency director?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "First of all, I don't think anyone would file a suit, but as you know, Representative Cross, being an attorney,

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anybody can file a suit for any good reason on the street, but I don't believe there would be any criminal matters involved."

Speaker McAuliffe: "Representative Cross."

Cross: "Well, my concern is not only criminal, but then I'm really talking about civil contempt. Where...would the Attorney Generals Office be in...responsible for defending these cases and then what would happen if the Attorney General's office didn't comply with this and their annual report was in color. What would happen?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "I have no idea."

Speaker McAuliffe: "Further questions? Representative Cross."

Cross: "I would like to yield the remainder of my time to Representative Durkin."

Speaker McAuliffe: "Well, we didn't recognize Representative Durkin, yet. Representative Durkin."

Durkin: "At this time I will be yielding my time to Representative John Turner."

Speaker McAuliffe: "I didn't hear what you said. Representative who?"

Durkin: "Representative Turner."

Speaker McAuliffe: "Representative Turner."

Turner, John: "Thank you, Mr. Speaker. Will the sponsor yield?"

Speaker McAuliffe: "Yeah, he shakes his head that he will."

Turner, John: "If I could just follow up a little bit on what Representative Cross was talking about a minute ago. As I understand it there is no penalty provision of any kind whatsoever, in your Bill?"

Speaker McAuliffe: "He shakes his head no. Representative Turner."

Turner, John: "Under the provisions of your Bill then, if an

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agency as Representative Cross has already indicated, did not follow the mandate, than what would happen?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "I don't think much would happen. We are just trying to get the agencies to not use high price coloring in their materials. That is the intent of the Bill. The intent is to not make criminals of anyone."

Speaker McAuliffe: "Representative Turner."

Turner: "Perhaps you answered this question before, but is there any fiscal impact as a result of this Bill if indeed it were passed?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "We didn't...no, Sir, we didn't do any fiscal impact."

Speaker McAuliffe: "Any questions? The Lady from Cook, Representative Gash...or the Lady from Lake, Representative Gash."

Gash: "Mr. Speaker, I rise in a point of personnel privilege. My name had been second on this Bill earlier today, about five minutes ago. And apparently, my name was removed due to partisan politics. Partisan politics has it's place, but that place is not any time, any place, no matter what the circumstances. I would like to remind my colleagues, that good Government is good politics and that partisan politic threats by political leadership does not reflect very well on this esteemed Body. Thank you."

Speaker McAuliffe: "The Gentleman from Madison, Representative Davis."

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

Speaker McAuliffe: "He indicates he will."

Davis, S.: "Representative, this Bill of yours doesn't cover anything that has to do with flip charts, does it?"

Speaker McAuliffe: "Representative McGuire."

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McGuire: "Charts, no, Sir."

Speaker McAuliffe: "Representative Davis."

Davis, S.: "So, under this Bill, I mean, you can have multi-color flip charts, all day long as long as you wanted them. Is that correct?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "That is correct. The Bill does not explicitly prohibit that."

Speaker McAuliffe: "Representative Davis."

Davis, S.: "Mr. Speaker, to the Bill. I think that this a legitimate attempt to save the tax payers of Illinois money. And our colleagues on the other side of the aisle, seem to take delight in making light of Representative McGuire's efforts to truly save the tax payers in this state some money. I think we all know that it costs more to produce multi-colored annual reports than it does for black and white reports. I think Representative McGuire has an excellent idea and I think that his attempt is a serious attempt at saving the tax payers of Illinois some money, and I would urge each and everyone of my colleagues to vote yes on this excellent piece of legislation."

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

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

Speaker McAuliffe: "He indicates he will."

Brady: "Representative, I'm sorry. I didn't hear the earlier debate, but what you're trying to do is create some sort efficiency by...if I understand it right, you believe it will save the tax payers money if we no longer allow multi-color reports. Is that correct?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "That is essentially part of it, yes."

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Speaker McAuliffe: "Representative Brady."

Brady: "Are you suggesting that the only reason people use multi-color reports is to spend money?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "No, I was not suggesting that at all. I was suggesting that the use of black and white would be more economical. That is my suggestion."

Speaker McAuliffe: "Representative Brady."

Brady: "If Representative McGuire, needs to go meet someone at the back door, the doorman just handed him a message. Do you need to go back there and meet someone, Representative? You can maybe put this Bill on hold. I think..."

Speaker McAuliffe: "No, he doesn't want to go back."

Brady: "Representative, then if I could continue. There obviously is a reason that business and Government alike use multi-color reports and the concept is to help people understand exactly what the picture looks like or to understand exactly what is going on. Would you not agree?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "There is certainly value to multi-colored pictures and multi-colored reports. I'm just trying to suggest that there is a cost savings to be involved by not having those done. And that's the precise intent of the Bill."

Speaker McAuliffe: "Representative Brady."

Brady: "But, if using multi-color reports or multi-color media of sorts can help further an issue that is so important that need to be furthered and if people can better understand this issue, wouldn't...wouldn't it make sense to allow Government to have the same advantages in presenting its report as the private sector?"

Speaker McAuliffe: "Representative McGuire."

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McGuire: "No, Sir, Mr. Brady, not when the tax payers are footing the Bill, they're not."

Speaker McAuliffe: "Representative Brady."

Brady: "I'm sorry, I didn't hear the Sponsor's answer."

Speaker McAuliffe: "Representative McGuire, would repeat the comment."

McGuire: "Okay. I said no, Sir, Mr. Brady. Not while the tax payers are paying the Bill."

Speaker McAuliffe: "Representative Brady."

Brady: "Representative, I have in front of me a witness slip that came in front of the Elections and State Government Committee from Steve Bucker, who is with the Department of Aging and he claims to be a proponent is there any particular reason the Department of Aging would be a proponent for this piece of legislation?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "I have no idea. No idea, Bill."

Speaker McAuliffe: "Representative Brady."

Brady: "They didn't testify in committee?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "No, no one testified in committee, except myself."

Speaker McAuliffe: "Representative Brady."

Brady: "One final question. Representative, have you ever used or did you use maybe when you were presenting this legislation to committee, a multi colored report, to prove your point?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "Mr. Speaker, we are having trouble hearing Mr. Brady way over here from way over there. At least I'm. Could you speak up a little?"

Speaker McAuliffe: "Representative Brady, would you repeat your question?"

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Brady: "Thank you, Mr. Speaker. Yes, I simply asked Representative McGuire if he ever has used a multi-colored report to make a presentation, either in front of maybe the committee where he presented this Bill or in any other time and any time he has been trying to make presentations?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "No, not in front of any committee, no."

Speaker McAuliffe: "Representative Brady."

Brady: "But, have you ever used one?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "I'm sorry, was that a question?"

Speaker McAuliffe: "Representative Brady, was that a question?"

Brady: "Yes, it was. I asked if he had ever used a multi-colored report."

McGuire: "Oh, I answered that, I said no."

Speaker McAuliffe: "Further questions? The Gentleman from Sangamon, Representative Poe."

Poe: "Yes, Mr. Speaker, I would like to yield my time to Representative Spangler."

Speaker McAuliffe: "Representative Spangler."

Spangler: "Yes, Representative, this is terribly confusing to me, because we are all in this hollowed body here and obviously, there is a certain amount of esteem, prestige if you will. I'm kind of curious. Do you have printed business cards?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "Yes, I do."

Speaker McAuliffe: "Representative Spangler."

Spangler: "Is the seal on that business card black?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "It is blue. It is blue."

Speaker McAuliffe: "Representative Spangler."

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Spangler: "That is very interesting, Representative. Legislative news letters that are printed out and obviously they are meant to attract the interest of our respective constituents. I was wondering, have you ever just put an all black, Representative, informational newsletter out to your constituents?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "Yes, I have. Black and white...with some green."

Speaker McAuliffe: "Representative Spangler."

Spangler: "Excuse me, all black, Sir?"

Speaker McAuliffe: "Representative McGuire. Representative McGuire, please."

McGuire: "Yes, I said all black and white with some green."

Speaker McAuliffe: "Representative Spangler."

Spangler: "Thank you, Mr. Speaker. Oh, I see so there is some other use of another color other than black. I guess the point I'm trying to make is, Representative, when we look at all of the different areas that we could look for cost savings, obviously our different state agencies are not going to frivolously spend money and waste money and the printing of their documents, unless it is made to serve and enhance the readability and the retention of certain facts that are thus printed. I too, I might add, have my business card printed and the seal is in blue and gold. That is my discretion. I just think that it would ludicrous to go ahead and say that Government printing can only be in one color for whatever reason and I have a couple of reasons for that, too. Not everyone has the ability to perceive color. They're color blind. So, they see it in various shades of grey, black, white if you will. I would certainly hope that you would take this Bill back and try to streamline it a little bit looking at the

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effectiveness of the reports that are generated in the content and the context rather than hanging a hat on multi-colored printing as being the culprit of the expenditure and the waste of tax dollars. I too, don't want to see monies wasted in this state. As a matter of fact, I campaigned just on those types of issues. But, seriously, Representative, I think it is necessary that we go ahead and go back, take this thing, scrutinies it a little bit more carefully, do a survey with the different people and the agencies involved and find out if not only it will have a cost savings or detriment, but will it limit the ability for the information within those reports to be adequately retained by the people that are perusing them."

Speaker McAuliffe: "Representative McGuire."

McGuire: "Was that a question?"

Speaker McAuliffe: "Representative Spangler, was that a question?"

Spangler: "Mr. Speaker, to the Bill."

Speaker McAuliffe: "Representative Spangler."

Spangler: "I think we need to look at this very carefully. I think that there is other ways of perhaps, we can save a tremendous magnitude of dollars as opposed to tying up the hands of our different agencies and different state entities that want to make their presentations and indeed, that is what these documents are. They are presentations to different groups that need to read them and have an understanding as far as having a print on demand type of cycle, where I want to see such and such report. Now, all of a sudden, I have to stop everything that I'm doing, wait for this report to be printed, then sent to my office. I just think that, that would be a tremendous cost to Government and something that we don't want to address at

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this time, thank you."

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

Lang: "Thank you, Mr. Speaker. I rise in support of House Bill 629, thank you. Some of the previous speakers, particularly the one that spoke just before me said something like, obviously state agencies are not going to use colors that they don't need and obviously they are not going to spend money they don't need to spend. Well, Ladies and Gentleman, that is the purpose of the Bill. To make sure they don't spend money they don't need to spend. Representative McGuire has a very good idea here. What it says is that these state agencies that issue these annual reports sometimes spend a lot of money making them real glitzy, very colorful, and what does it accomplish? It accomplishes the end of making a glitzy and colorful report. But, the citizens of our state who chose to read these reports and obviously there aren't too many of those, but the citizens of our state that chose to read these reports, they don't care about the colors. They care about the content. They care about the content. We should have a Amendment on this Bill that requires specific content in these reports. I have read some of these reports and you have read some of these reports and there is nothing in these reports of value sometimes. Certainly, adding orange and red and green is not value. Orange and red and green are colors designed to make some printers some money. Designed to make a report look good on a shelf. But, these are not reports. These are not issues that make one read the report. Citizens of our state that chose to read the reports, will do so. They will clean whatever information they can. They will use it in whatever way they desire.

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But, the information in the report is what is valuable, not the colors and to say on the Floor of this House that we are going to trust the agencies themselves to determine what is waste and what is not waste. What colors are necessary and what colors are not necessary. And say that we know that they are going to not frivolous spend our money is kind of silly. It is putting the fox in charge of the chicken coop. These are the people that are wasting the money. These are the people where we need to cut waste. These are the people who should be spending less money, not more money. And so Jack McGuire has a great idea with this Bill. It says print your reports. Put them together. Tell the citizens of our state what is in the report, what your agency is doing. But, for certain, for certain don't waste our money. Tell us what you need to tell us, but don't waste the hard earned tax dollars of the citizens of the State of Illinois. And those of you who are freshman here, those of you who are targets, political targets better not vote no on this Bill, because somebody is going to be saying that you're wasting the tax payers money. Don't waste the tax payers money. Vote for the Bill."

Speaker McAuliffe: "Representative McGuire to close."

McGuire: "Thank you very much, Mr. Speaker."

Speaker McAuliffe: "Excuse me, Representative Wennlund."

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

Speaker McAuliffe: "He indicates he will."

Wennlund: "Thank you, Representative McGuire. I don't have a copy of the actual Bill, it seems like somebody ran off with it here, in the Bill file. Does this include...does this include legislative reports prepared and sent out by individual legislatures?"

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Speaker McAuliffe: "Representative McGuire."

McGuire: "I'm sorry, Representative. I couldn't hear the last part of your question."

Speaker McAuliffe: "Representative Wennlund, would you repeat the question?"

Wennlund: "Yes, the question is this, I now have a copy of the Bill and it appears it says no state agency. Well, I assume that, that would include the legislative printing unit. Is that correct?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "Sure. Yes, it would include them."

Speaker McGuire: "Representative Wennlund."

Wennlund: "So, this does include the legislative printing unit. And what it says is, as I read it, it says no state agency which includes the legislative printing unit, may print or contract for the printing using no more than one color. So, that from now on, every time a legislator sends a newsletter or state printed Christmas cards even, every time they send out a newsletter, it has to all be black and white including the photo. Is that what the intent and purpose of you Bill is?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "That is perfectly alright with me."

Speaker McAuliffe: "Representative Wennlund."

Wennlund: "I assume you look good in black and white and don't need any color added in your photograph when you send it out in your newsletter. Anything that the printing unit prints for legislators has to be in black and white only. Not even little note pads can be printed in blue ink. Is that the purpose of your Bill?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "Not, exactly, Representative Wennlund. Early on I said

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I was partial to green and I said I would go with black indifference to our Representative from Danville. Actually the Bill doesn't say black and white, I don't believe. I think it says two colors are allowed. So, it doesn't specify black and white. I'm just trying to have a Bill passed that would have these things done more economically. And I don't care if it is blue or green or orange. I don't think it should be nine different colors."

Speaker McAuliffe: "Representative Wennlund."

Wennlund: "So, your Bill would prohibit three different colors used in any newsletter that you sent out. So, you couldn't have white, blue and red in the vary same newsletter or printed item of any kind. Which, would also include business cards printed by the legislative printing unit. Is that correct?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "Yes"

Speaker McAuliffe: "Representative Wennlund."

Wennlund: "Thank you, Representative McGuire. How much money does it cost to print a newsletter in three colors as opposed to two colors?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "I want to correct something that I just said to Representative Wennlund because we are getting a little far off the track. This Bill doesn't address anything, but annual reports. It doesn't address business cards, it doesn't address legislative mailings by Members of the General Assembly. This Bill actually addresses annual reports. And I think that is what we were trying to get at in the first place. And to very honest with you, I think we have gotten far off the track with a lot of the questions."

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Speaker McAuliffe: "Representative Wennlund."

Wennlund: "In response to my previous question, you stated that the legislative printing unit is indeed covered by the terms of this Bill. And it just talks about...reports."

Speaker McAuliffe: "Representative McGuire."

McGuire: "Yeah, Representative Wennlund, if you're reading the legislation you will see that it says for its annual reports. I think we are getting way off the intent of the legislation, but that is fine with me. I have got all day. And I have enjoyed the debate and the banter, but to be serious we are getting way off the intent of the legislation."

Speaker McAuliffe: "Representative Wennlund."

Wennlund: "Oh, so this Bill is solely limited to annual reports and does not indeed...it is not your intent to include items printed by the legislative printing unit. Is that correct? So that everybody knows that all of State Government will know that it was not intended to apply to either stationary printed for the Governor or stationary printed for any individual Representative which may have more than one color. I'm just trying to get it clarified so that we all know what we are talking about and we know what the legislative intent was. Is that correct, Representative?"

Speaker McAuliffe: "Representative McGuire."

McGuire: "In the words of Bob Biggins, it is in the Bill."

Speaker McAuliffe: "Representative Wennlund."

Wennlund: "I thank you very much, Representative McGuire. You have been very helpful and at least now we know that we can send out a..."

Speaker McAuliffe: "Representative McGuire to close."

McGuire: "Thank you, Mr. Speaker. I have enjoyed the debate and

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the questions and the banter back and forth, but I think the real nut of the question here is, my good friend Representative Lang said, if you think this is a good Bill, if you think it will cut down on the cost of printing, then vote yes. If you think its for wasteful spending on color...and everything else, vote yes for the Bill. If you don't care what it costs to put an out annual report, you don't give a darn what the tax payers think, you don't care how you spend the tax payers money, put out these reports with high style colors, with competing covers, so that they hope to get your attention, then you vote against the Bill. It is as simply as that. I would appreciate your Affirmative Action, thank you."

Speaker McAuliffe: "The Question is, 'Shall House Bill 629 pass?' All those in favor, vote '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 112 voting 'aye', 1 voting 'no', none voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. Return to the Order of House Bills Second Reading. Mr. Clerk, read House Bill 224."

Clerk McLennand: "House Bill 224. A Bill for an Act that Amends the Illinois Vehicle Code. A Bill for an Act that Amends the Illinois Vehicle Code. Second Reading of this House Bill. Amendment #1 was Adopted in committee. Floor Amendment #2 offered by Representative Mulligan has been approved for Consideration."

Speaker McAuliffe: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. This is Floor Amendment #2 to House Bill 224. It becomes the Bill. It provides that no local unit of government with a population of more than two

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million may test, register, regulate, restrict or license any vehicle with exception of taxi cabs that is registered and licensed with the Illinois Commerce Commission or is operated under or in conformity with a certificate of authority or registration issued by the ICC. In addition, the local of government may not register the vehicles owner, operator or driver who poses a proper commercial drivers license. This subsection also, it does not prevent a home rule unit of government from regulating local parking, traffic control, enacting local revenue enhancement ordinances or other non solicitation ordinances authorized by the General Assembly."

Speaker McAuliffe: "Discussion? The Gentleman from Cook, Representative Dart."

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

Speaker McAuliffe: "She indicates she will."

Dart: "Representative, what vehicles will be affected by this? You exclude taxi cabs, correct?"

Speaker McAuliffe: "Representative Mulligan."

Mulligan: "Yes, Representative, it excludes taxi cabs."

Speaker McAuliffe: "Representative Dart."

Dart: "So, what vehicles would be covered by this, then?"

Speaker McAuliffe: "Representative Mulligan."

Mulligan: "What vehicles would be covered? It would allow Limousines and buses."

Speaker McAuliffe: "Representative Dart."

Dart: "Limousine and buses. Would this also affect delivery drivers as well, or are they considered taxi cab drivers?"

Speaker McAuliffe: "Representative Mulligan."

Mulligan: "Yes, only those that have CDL licenses."

Speaker McAuliffe: "Representative Dart."

Dart: "Why are we doing this?"

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Speaker McAuliffe: "Representative Mulligan."

Mulligan: "Currently, the Chicago statute used to allow interstate...the interstate Commerce Commission and the Illinois Commerce Commission to regulate this area. But, the City of Chicago has been changing their statutes recently and what we are trying to do is codify the original intent, which is to let the Interstate Commerce Commission and the Illinois Commerce Commission regulate this area. It is a higher standard as far as insurance and under the Commercial Drivers license that is federally regulated and currently, that is suppose to be the only license they have."

Speaker McAuliffe: "Representative Dart."

Dart: "It is my understanding that the City of Chicago is opposed to that? Is that correct?"

Speaker McAuliffe: "Representative Mulligan."

Mulligan: "We have been trying to negotiate with the city since the inception of the Bill and we have met with them several times. Unfortunately, the negotiation basically were to not have any Bill. So, although we have negotiated and I have included in this Amendment some of things that they requested, I would imagine that they are still opposed."

Speaker McAuliffe: "Representative Dart."

Dart: "Why was it in general they were opposed to? I mean obviously, as you said they probably don't know. You haven't heard from their problems with Amendment #2, but what were their general problems with it, that the reason why they oppose this?"

Speaker McAuliffe: "Representative Mulligan."

Mulligan: "Originally, they were opposed because taxi cabs would have been included, which we Amended into the Bill. They also were concerned about taxes that were not specifically

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authorized by the General Assembly, quite frankly. And I think that what they do now is they double register or provide an extra amount of business reporting, extra licenses, extra courses on certain classes of people that already are tested to a higher degree. So, it is like a double whammy on a business owner to provide all the extra information."

Speaker McAuliffe: "Representative Dart."

Dart: "So, the people behind this as far as the individuals who are seeking this legislation, would this be the operators of these other limousines and the buses? Is that who the people are favoring this?"

Speaker McAuliffe: "Representative Mulligan."

Mulligan: "Yes, Representative, the people that have a higher standard that are already being regulated, which are not a whole lot by the Illinois Commerce Commission and whoever the successor will be, which will be the Illinois State Commerce Commission most likely, and the Illinois State Commerce Commission feel that they provide over and above the insurance requirements, the business requirements, and the other things. And that the city is duplicating what they are doing and holding them to a lower standard, but making them jump through hoops, so that was the genesis."

Speaker McAuliffe: "Representative Dart."

Dart: "Just for clarification then, by the application of this law would mean that these limousine drivers and bus drivers, they would be held to a greater standard or lesser standard. Which one, I'm sorry?"

Speaker McAuliffe: "Representative Mulligan."

Mulligan: "It seeks to regulate both. Anybody that has a CDL license is a greater, they are drug tested and alcohol tested. They have a different kind of a background check

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that is federally done. The difference that the city does is they fingerprint, which they could still do, if they required it. And also, as far as the business owners, they have to carrier a greater amount of insurance if they are registered by the ICC, than the City requires. They also have to register each of their cars each year. They have to pass an inspection on the car. The city basically taxes them and makes them do different business things than what the ICC would."

Speaker McAuliffe: "Representative Dart."

Dart: "To the Amendment. I rise in opposition to it, for the single reason that really am not a fan of preempting Home Rule as this would do. I understand the Representative has worked with the City of Chicago trying to work something out and they to this point, have not come to an agreement, but given that fact I still have an difficult time supporting something that will remove local authority and local control over this matter and for that reason I oppose it."

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

Hartke: "Thank you very much, Mr. Speaker. Will the sponsor yield?"

Speaker McAuliffe: "She indicates she will."

Hartke: "First, I would like to say that I would like a Roll Call on this Amendment. Representative Mulligan, is this the same piece of legislation that we discussed time and time and time again in committee and it was beat to death and every...every week we wasted an hour or two hours of committee time on because it was a highly controversial piece of legislation. Now here you are trying to Amend the thing and put it in some way, shape or form or some fashion

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so that it actually passes."

Speaker McAuliffe: "Representative Mulligan."

Mulligan: "Representative, part of what you say is true, part of is not. Yes, we did hear the Bill several times, not at my request. I...we heard it twice at my request. We heard it at other peoples...other Representatives' requests, because they had constituents that came down with the hope of talking to the Bill and we certainly...the committee was kind of enough to do that to honor the Representatives' requests and when the Bill came out, it was with the understanding that we would discuss and have negotiations. We have spent substantive hours negotiating on this Bill. It is not exactly the same Bill, it is fairly close. We have exempted taxi cabs. We have added non solicitation ordinances which would keep part of the bus companies from standing on street corners or excursion buses from trying to argue with people on...at the cities request. There are some things that the city requested...they didn't actually request a lot. What they said is they wanted us to take it on good faith that they would do these things, but not to bring the Bill out."

Speaker McAuliffe: "Representative Hartke."

Hartke: "What happened to this process that when...you know, you had an Amendment for a Bill and so forth, that these Bills would be signed back to the committee from when the Bill came out of, so that we would have an opportunity to work at this. I see now we are on Amendment #2 and Amendment #1. I don't recall ever discussing either of these Amendments, because it was my presumption that if you're going to Amend this thing, you would take it back to committee and there would be a Committee Hearing on this Amendment. Here we find that we are on Amendment #2 and I

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know that this piece of legislation is not been addressed as far as the Amendments and all Members are not familiar with what is going on. Not even members of the Transportation Committee. I was shocked to see that this Amendment is up here on this legislation."

Speaker McAuliffe: "Representative Mulligan."

Mulligan: "Representative Hartke, I certainly agree with you on most of what you said. The first Amendment was presented in committee and it gutted the Bill in order to have substantive discussion on it. Amendment #2 basically, I would have been happy to go back to committee with it, but it was felt that everything that was in the Amendment had been discussed as you said, at a great length in committee repeatedly and we tried to acquiesce to some of the suggestions and others we did not."

Speaker McAuliffe: "Representative Hartke."

Hartke: "Thank you, Mr. Speaker. To the Bill. I would suggest to all Members on both sides of the aisle, those in the suburbs, those in Chicago and even from downstate, we look at this piece of legislation hard and heavy. We have here a piece of legislation that was talked to death in committee each and every week and so forth. We were never allowed to call the Bill in committee as far as a vote. I wanted to vote on this each and every week, so that we could kill it dead once and forever but as it turned out, she gutted the Bill at the last minute and said she would continue working. Now we are arguing about a piece of legislation and I'm sure that if you took a survey out here on the Floor, you would find that most Members have absolutely no idea what we are doing with this legislation. So, I would encourage Members to vote 'no' on this Amendment so that we still have a Shell Bill until it is

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perfectly explained to every Member out here. I don't think it deserves passage to put on for a final vote and I would encourage no votes."

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

Erwin: "Thank you, Mr. Speaker. I just first would just like to echo the remarks of Representative Hartke, that the House Transportation Committee spent a great deal of time on this Bill. I think more than any other piece of legislation that we heard this year. I would like my colleagues, particularly from the suburbs to understand that this preempts Home Rule and secondly, it has for any area that is served by O'Hare Airport, which as we well know many of our suburban neighbors to the North, West and South are served by O'Hare. This Bill has potential for causing significant havoc with anyone who uses limousines. I mean, this has a potential and I believe is a deregulation of the limousine business. Now, we may all be for deregulation of lots of things and on the surface of it, it may sound good, but I think the potential here could be of udder chaos in terms of...of gypsy services that in a deregulated environment has a potential for causing great havoc for anyone going in and out of municipalities and particularly, in and out of the City of Chicago and to O'Hare. I think this is a terrible, terrible Bill for anybody that is interested about improving tourism in the metropolitan area in Chicago. I think it is a terrible thing for people who have a commercial industrial cliental in their districts, where business men come in and out of O'Hare. They go into meetings, maybe have a limousine pick them up at O'Hare to go to Oak Brook or some place for a meeting for the afternoon and have to get back to O'Hare. I just think that the potential here is really, really significant.

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Now, let me just add finally that I appreciate that Representative Mulligan has some constituents with some difficulties. And I do think sincerely that there is a way to work out some sort of a reciprocity licensing agreement for these limousine companies and I think that, that is where our efforts ought to go. I have asked the City of Chicago to kindly try and move in that direction. And I think that they are amenable, but to essential deregulate this industry and to preempt Home Rule is a terrible idea and I would urge all of you to vote no. And, Mr. Speaker, if I just might add, will the Chair please Rule on whether or not this will require a 3/5 majority. Not for an amendment, but if it passes...if this Amendment is Adopted will House Bill 224 require a 3/5 vote?"

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

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

Speaker McAuliffe: "She indicates she will."

Lang: "Thank you. Oh, before I ask my question, we would request a Roll Call on this and should it receive the requisite number we would ask to verify. Do you acknowledge, Sir? Thank you very much. Representative, I'm told that you purposed this legislation, because you have certain constituents that have had certain specific problems and maybe you mentioned them in debate, but I didn't hear it. I don't know what those problems are. Why do we need this legislation?"

Speaker McAuliffe: "Representative Mulligan."

Mulligan: "Representative, I think that the people that brought the Bill were concerned, because the city seemed to be changing their Rules to the detriment of business men who were honestly operating and trying to conform with those

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Rules. So, in order to get a uniform set of Rules that are basically to a higher standard because they require higher insurance and different standards that the city doesn't require in certain areas, they went to the ICC. Quite frankly, not that many companies have registered under the ICC or the Interstate Commerce Commission, because the insurance requirements and the other requirements are quite stiff and quite expensive. So, not every company or every fly by night outfit would certainly choose to do that."

Speaker McAuliffe: "Representative Lang."

Lang: "Well, with all do respect, Representative, you just told me nothing. I still have no idea why we need this, but you did say something that was interesting. You said the people who brought you this Bill. This is your Bill, is it not? Why don't you tell me what the Bill does? Why we need to do it? And why this is only specific to the City of Chicago and nobody else?"

Speaker McAuliffe: "Representative Mulligan."

Mulligan: "Representative, I will be more than happy to answer those questions. I have been requested to take it out of the record for the time being and I will."

Speaker McAuliffe: "Take it Out of the Record. House Bill 532."

Clerk McLennand: "House Bill 532. A Bill for an Act that Amends the Child Care Act of 1969. Second Reading of the Bill. Committee Amendment #1 was withdrawn. Committee Amendment #2 was Adopted. Floor Amendment #3 offered by Representative Krause has been Approved for Consideration."

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

Krause: "Thank you, Mr. Speaker. I would at this time like to present Amendment #3 to House Bill 532. This Amendment #3 adds to the Bill and it provides that child care licenses with the exception of day care centers, day care homes and

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group day care homes, would be valid now for four years instead of previously two. In addition, the Amendment provides that licenses for day care homes, day care centers and group day care homes would now be valid for three years, now currently it provides for two. In addition, it puts into the statute the current practice of doing annual monitoring of day care homes, day care centers and group day care homes. This amendment comes about and these provisions come about, because of an agreement in meetings that were arranged and agreed to by the Department of Children and Family Services. Groups representing the day care providers and groups representing children. As I said, this Amendment comes about because of the negotiations and agreements of DCFS and the various advocacy groups. I would be willing at this time to answer any questions and then ask for your support for the Amendment."

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

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

Speaker McAuliffe: "She indicates she will."

Schakowsky: "First of all, Representative, I'm a little confused about why we are dealing with this major change in the Bill that I know that there was a lot of discussion in committee, why this Bill has...this Amendment has come directly to the Floor rather than go back to committee to make sure that all the wrinkles have been worked out of it. I thought that other than technical Amendments, that Amendments were to go back to committee."

Speaker McAuliffe: "Representative Krause."

Krause: "I think the reason for it and I think you raised a good point, but after the discussion that you will recall that

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we had in Health Care, I think it was agreed that as long as all the parties had agreed to work it out and if they came to an agreement as we had discussed, then I think that we sort of look upon this as an agreed Bill and that we could move forward and that is what has been done in this case."

Speaker McAuliffe: "Representative Schakowsky."

Schakowsky: "Well, I don't want to belabor the point, but I do want to make it again, but just by saying that I think when you have got major changes like this at the appropriate place to discuss it, so that we can bring back the advocacy groups to make sure that they agreed to all these pieces is in committee. But, let me ask you that. Are you saying that all of the groups who raised concerns at the time this Bill was heard in committee are now in agreement with this language?"

Speaker McAuliffe: "Representative Krause."

Krause: "Representative, from both my looking into it and according to the Department, I would represent to you that they are satisfied."

Speaker McAuliffe: "Representative Schakowsky."

Schakowsky: "So, the bones of contention had to do with the period of the license and I know the original Bill would have had day care centers in homes on the valid license for four years. This...how has that been changed in this Amendment?"

Speaker McAuliffe: "Representative Krause."

Krause: "The compromise is to put it into three and in addition, the Amendment now puts into statute the practice of the annual monitoring."

Speaker McAuliffe: "Representative Schakowsky, didn't hear your remarks."

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Krause: "The compromise now makes the licensing period for three years for day care homes, day care center, group day care homes and puts into the statute the practice of the annual monitoring."

Speaker McAuliffe: "Representative Schakowsky."

Schakowsky: "What is the status though for other child care institutions and was this also agreed to? For example, foster families and group homes and maternity centers, those licenses are valid now for how many years?"

Speaker McAuliffe: "Representative Krause."

Krause: "Representative Krause."

Krause: "The foster homes would now be four years. The Amendment reads with the exception of day care centers, day care homes and group day care homes, licenses shall be issued valid for four years."

Speaker McAuliffe: "Representative Schakowsky."

Schakowsky: "It...that seems...that appears to me to be a long time, but you are saying that the child advocacy communities have agreed to the four years in terms of foster homes?"

Speaker McAuliffe: "Representative Krause."

Krause: "My understanding sincerely, is that they have agreed. That is the information I have as well as those who have spoke to me personally."

Speaker McAuliffe: "Representative Schakowsky."

Schakowsky: "Could you just repeat...I know this was testified to in committee, but the reason for wanting to extend the period of a license, why was the Department wanting to do this in the First place?"

Speaker McAuliffe: "Representative Krause."

Krause: "The reason that the Department proposed this Amendment is that it believed that it was a judicious use of its

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staff resources and the number of agency and foster homes have grown. That the staff has not increased in that number. And that the Department would not be able to complete the licensure and the renewals and complaint investigation in a timely manner and that is the basis."

Speaker McAuliffe: "Representative Schakowsky."

Schakowsky: "Well, to the Bill, Mr. Speaker. I certainly believe in an agreed Bill process where people on all sides of the issue sit down and work out a compromise. So, I support the process of an agreed Bill mechanism, where we try to come to some kind of an agreement together with all the sides; however, it seems to me that the premise of this Bill is that the Department of Children and Family Services could not fulfill its obligation to inspect day care centers or foster homes or institutions in which our children are placed. And it seems to me that we need to be concerned about that. That the Department can't even keep track of all the children that are...that is in state care in foster homes and now we want to increase this licensing period to four years. So, you know while I understand that there has been some kind of agreement, I can't help but think that it has been a reluctant agreement based on the reality that the Department of Children and Family services is really deficient and I think that is a pretty sad way to make public policy."

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

Flowers: "Speaker, Mr. Speaker, will the Lady yield? Mr. Speaker, will the Lady yield? You are taking up my time."

Speaker McAuliffe: "She indicates she will."

Flowers: "Representative Krause, this Bill...this is the same Bill that we discussed in committee and instead of monitoring the foster families more often, we are doing it

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less. Am I correct?"

Speaker McAuliffe: "Representative Krause."

Krause: "Yeah, we continue to monitor at the same as before, but the licensing goes from two to three years on the day care homes, day care centers."

Speaker McAuliffe: "Representative Flowers."

Flowers: "Representative Krause, do you know how often a Veterinarian have to have his license renewed? A Veterinarian."

Speaker McAuliffe: "Representative Krause."

Krause: "Did you mention that in committee, Representative?"

Speaker McAuliffe: "Representative Flowers."

Flowers: "Yes, Representative, I did, but I just want to hear it again. Just out of curiosity. How often does a Veterinarian have to have his license renewed?"

Speaker McAuliffe: "Representative Krause."

Krause: "You'll have to refresh my recollection. Was it one or two years?"

Speaker McAuliffe: "Representative Flowers."

Flowers: "Representative Krause, I believe if my memory serves me right, it was two years. And my point to you, is that just like a person, just like you and I go every four years to have our drivers license renewed, our drivers license is not something that the state has to give us. There is a test in which we must pass and we must earn the right to have a drivers license. And the same principal would apply to a family who has our future in their hands. These families, we are assuming by stretching out this monitoring that everything is okay in a foster home and we know from everyday that we pick up the newspaper that things are not okay, so therefore, we need to monitor these homes more often then less. Can you please address that for me?"

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Speaker McAuliffe: "Representative Krause."

Krause: "But again, I do stress that for the foster care will be the monthly monitoring and one of things that we had discussed in committee was the significance of the monitoring that would occur. And that very clearly the case worker assigned to them is to visit them monthly and I do put emphasis on that, Representative."

Speaker McAuliffe: "Representative Flowers."

Flowers: "Representative Krause, we have given the Department of Children and Family Services more money to hire more case workers to monitor these foster families more often and you are saying as a result of the monies that we have given them, they still can not do their job, so therefore we are placing our children in harms way, that much longer."

Speaker McAuliffe: "Representative Krause."

Krause: "But, licensing is one issue, monitoring is another. And I think the monitoring provisions are very important that are provided for here. The licensing gets down to what is the size of the room and so forth. But the monitoring, they will be there every month and that is something that to me is very important and significant. The licensing gets into a different issue and a different standard. It is the monitoring in this Bill that I think will give the protections that you are interested in and others are concerned with."

Speaker McAuliffe: "Representative Flowers."

Flowers: "Representative Krause, with all do respect, I understand what it is that you are trying to do and I think you are going about it the wrong way. And I think if we can send someone out to a persons home to monitor their home every month that is a waste of dollars. I think if we were to do it right the first time, we could save the tax

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payers dollars on the monitoring as well as the licensing, because a lot of things could change in a matter of years that could cause more harm done to a child. And it's obvious, it is obvious because of what we have been reading in the newspaper lately, that there is not the monitoring that should be going on, so for you to say that once this Bill become law there would be more monitoring, I don't think that is true and unfortunately, I think what we are going to do is read about more kids again being placed in harms way at a longer time. And I think that is unfortunate. And I truly with all do respect urge for the defeat of your Bill. Thank you very much."

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

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

Speaker McAuliffe: "She indicates she will."

Black: "Thank you. Representative Krause, you're dealing with a subject that I have been working on for many years, and I think that hopefully if the people will just listen, it doesn't make any difference how long the license is good for. You could issue a license for ten years. There is nothing that I see in your Amendment that prevents or prohibits the department from inspecting that licensee once a week, once a month, once a day if they want to do that. Is that correct?"

Speaker McAuliffe: "Representative Krause."

Krause: "That is very correct and a often true of licenses, it is the complaint procedure that is very important. They will follow up on any complaints and will investigate those regardless of the extent of a license period. That does not bar them in anyway from coming in and investigating."

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Speaker McAuliffe: "Representative Black."

Black: "Let me ask you one other question. Representative Phelps put in a committee Amendment on this Bill. That committee Amendment is still on the Bill. Is that correct?"

Speaker McAuliffe: "Representative Krause."

Krause: "Yes."

Speaker McAuliffe: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentleman of the House. To the Bill. Here we are again arguing about what I'm not sure of. It doesn't make any difference what the license period is. There is nothing in this legislation that prohibits the department from inspecting that licensee once a week, once a month, once day, five times a day, every 15 minutes. That doesn't change. That is up to the department as to how many times they inspect that licensee. It is just a simple matter that the license itself will be issued for a longer period of time, maybe even save money that you don't have to print new licenses every year. We go off on some of the strangest witch hunts in this Chamber that I have ever seen. This Bill was debated thoroughly by all of those people interested and concerned with the way day care operations are conducted in this state. The Lady has crafted a very reasonable Bill. It does not put anybody at risk. It certainly doesn't put our children at risk or in danger. It's a eminently good Bill. It was the Committee Amendment #2 I believe, Representative Phelps sponsored became the Bill. This Amendment simply adds to the Bill. I can't imagine that anybody is going to get themselves all worked up and vote against the Bill. I intend to vote for the Amendment."

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

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

Speaker McAuliffe: "She indicates she will."

Lang: "Thank you, before I ask my questions, I would ask for a Roll Call vote on this Bill and a verification, if it should receive the requisite number. Do you know, Sir? Thank you very much. Representative, do you agree with the prior speakers comments that it doesn't make any difference how long the license is for?"

Speaker McAuliffe: "Representative Krause."

Krause: "The license does not bar any agency that has the jurisdiction to examine it from going in on a complaint. It is not the license as much as it is the right of any department or the agency that has the power over there, to be able to go and investigate on any complaint. That is what I'm interested in. Be it in this area or be it in the area of a lawyer or be it anywhere."

Speaker McAuliffe: "Representative Lang."

Lang: "Is it not the fact though, that the Fiscal Note filed by DCFS has indicated that unless they do this, it is going to cost them 5.6 million dollars and isn't the real reason for this Bill that DCFS has no ability today to meet the statutory requirements necessary to check out these licensees?"

Speaker McAuliffe: "Representative Krause."

Krause: "What the Fiscal Note does address is that to continue with the two year, the department feels that they can make a better use of their staff time, in their expertise than to hire people to just merely be refiling on licenses, they would rather use their staff time better for investigation, for monitoring, which they feel would be a better use of funding and of staff."

Speaker McAuliffe: "Representative Lang."

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Lang: "Well then, explain this for me if you would. The original licensing period was one year, then it was extended to two years. What is the need for this Bill if they still can monitor every year? The fact is they are not going to monitor every year, because if they were the licensing period would still be one year. There is no need for this change if it is not to save money. So, the bottom line is that DCFS can not do the job they are suppose to be doing. They can not check these licensees as often they should."

Speaker McAuliffe: "Representative Krause."

Krause: "I think it gets down to, do you put the emphasis on the licensing or do you put it on the monitoring and the investigation. And I think those that are in the Department believe that their time is better spent again as I said before, on the monitoring and the investigation than on the licensing procedure, which as I said was to check out the size of the room and to run things through. That time is not as well spent for the protection of children as are these other steps."

Speaker McAuliffe: "Representative Lang."

Lang: "Well then, why do we need licensing at all then? Why don't we just do a simple registration and never check out the licensees. What happens next year when DCFS comes back here and they say, well you know four years is not good let's make it eight, let's make it twelve, let's make it twenty. At what point is DCFS going to be held accountable for their own inability, for their own negligence in taking care of the children of the State of Illinois. When will we do that, Representative?"

Speaker McAuliffe: "Representative Krause."

Krause: "I think that I have addressed this and that is, is from the point of DCFS the best use of staff resources is on the

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emphasis of investigation and monitoring. The licensing now under this Amendment falls within a three year or four year period, which is reasonable for when they start out. So, then additional time can now be used for any type of a complaint process. Which to me is more significant than filling out procedures or licenses."

Speaker McAuliffe: "Representative Lang."

Lang: "Representative, a few years ago, one year was long enough, now they need four years. How do we know that next year you won't want eight?"

Speaker McAuliffe: "Representative Krause."

Krause: "I think that the answer is, is that they have looked at it this year and in looking at this year they feel that what they have proposed is what they can work under and can handle and make the best use of their staff time and the goals that they have. And it is on that basis that they are asking for this Amendment and proceeding and that they can operate under this."

Speaker McAuliffe: "Representative Lang."

Lang: "I find it very curious that you keep talking about what they want. This is your Bill, Representative. It is your Bill. And if you believe everything that DCFS tells you, then we have a serious problem over there on your side of the aisle. DCFS is in shambles. It is in chaos. And will you just file any Bill they give and bring it to the Floor of the House and say, well, that is what DCFS says, so I guess we have to do it. Do you feel that is appropriate legislation?"

Speaker McAuliffe: "Representative Krause."

Krause: "I think it is appropriate and I really think the shame, Representative, is that your side of the aisle has consistently turned this into political football. Children

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should not be treated that way and instead of trying to support this into a by partisanship way, you have totally refused and failed to do so. This Amendment comes out and I do support it based upon the soundest and the work that has been put in by the department and by all the work that is put by the supportive agencies and the advocacy groups. Why don't you just step back and try and work with them and support them, instead of trying to gain political advantage."

Speaker McAuliffe: "Representative Lang."

Lang: "The soundness of the work of the department, a department that has loss two thousand children in the State of Illinois in the last couple of years? They don't even know where they are and they give us a Bill that says they aren't even going to look for them. That department?"

Speaker McAuliffe: "The Lady from DuPage, Representative Pankow."

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

Speaker McAuliffe: "The Lady has moved the previous question. All those in favor...the Lady has moved the previous question and on that we will have a Roll Call. All those in favor, signify by voting '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 question, there are 63 voting 'aye', 50 voting 'nay' and the previous question has been put. Representative Krause to close. Excuse me, Representative Krause. Representative Lang."

Lang: "Thank you, Mr. Speaker. Just to remind the Chair, that we have asked for a verification. Thank you very much."

Speaker McAuliffe: "Representative Krause to close."

Krause: "Thank you, Mr. Speaker, and after this full discussion, I would ask a favorable consideration for the House to

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Adopt Amendment #3."

Speaker McAuliffe: "The question is, 'Shall the House Adopt Amendment #3 to House Bill 532?' All those in favor, 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? Have all voted who wish? Representative Lang, do you persist? Mr. Clerk, take the record. On this vote, there are 63 voting 'aye', 52 voting 'nay'. It needs a simple majority, Representative Lang, do you persist in a verification?"

Lang: "Thank you, I know this does require a simple majority and it is simple, and I would ask for a verification."

Speaker McAuliffe: "All right we will have a verification. Representative...Mr. Clerk, please call the Roll of those voting 'aye'. Representative Johnson requests leave to be verified. Leave is granted."

Clerk Rossi: "The Poll of those voting in the Affirmative, Representatives: Ackerman. Balthis. Biggert. Biggins. Black. Bost. Brady. Churchill. Ciarlo. Clayton. Cowlishaw. Cross. Deuchler. Durkin. Hanrahan. Hassert. Hoeft. Hughes. Johnson, Tim. Johnson, Tom. Jones, John. Klingler. Krause. Kubik. Lachner. Lawfer.

Speaker McAuliffe: "Excuse me, Representative Wennlund asked to be verified."

Clerk Rossi: " Leitch. Lindner. Lyons. McAuliffe. Meyer. Mitchell. Moffitt. Moore, Andrea. Mulligan. Murphy, Maureen. Myers. Noland. O'Connor. Pankau. Parke. Pedersen. Persico. Poe. Roskam. Rutherford. Ryder. Salvi. Saviano. Skinner. Spangler. Stephens. Tenhouse. Turner, John. Wait. Weaver. Wennlund. Winkel. Winters. Wirsing. Wojcik. Zabrocki and Zickus."

Speaker McAuliffe: "Representative Lang, Representative Persico

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would like to be verified. Questions of the Affirmative vote?"

Lang: "Representative Meyer?"

Speaker McAuliffe: "Is Representative Meyer in the Chamber? Representative Meyer in the Chamber? Remove him from the Roll Call. Further questions?"

Lang: "Representative Balthis?"

Speaker McAuliffe: "Is Representative Balthis in the Chamber? Representative Meyers returned to the Floor, restore him to the Roll Call. Representative Jim Meyer. Representative Meyer in the Chamber? He is right here. Representative Balthis? Is Representative Balthis in the Chamber? Remove him from the Roll Call. Representative Andrea Moore...Representative Andrea Moore requests to be verified."

Lang: "Sure. Representative Wirsing?"

Speaker McAuliffe: "Representative Wirsing in the Chamber? Representative Wirsing in the Chamber? Remove him from the Roll Call."

Lang: "Representative Noland?"

Speaker McAuliffe: "Representative Noland? Is Representative Noland in the Chamber? Restore Representative Balthis to the Roll Call, he is in the back of the Chamber. Restore Representative Wirsing to the Roll Call, he is in the Chamber. Representative Balthis has returned, restore him to the Roll Call. Further Questions?"

Lang: "Bear with me just one moment, Mr. Speaker. No further, Sir. Thank you."

Speaker McAuliffe: "Sixty three voting 'aye', 52 voting 'nay'. Amendment #3 to House Bill 532 is declared passed. Further Amendments?"

Clerk Rossi: "No further Amendments have been Approved for

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Consideration. A Fiscal as Amended by Amendment #3 has been filed to the Bill."

Speaker McAuliffe: "Third Reading. Representative Stephens."

Stephens: "Thank you, Mr. Speaker. If I could have the Members attention, if you don't mind. Thank you, Mr. Speaker. I would like to speak about the death of a former staffer if I could have everyone's attention. Mr. Speaker, I rise today to...with regret to mark the passing of Ron Roebuck, a former member of the House Republican Staff. Ron passed away peacefully this past Thursday afternoon and was interred today in Dixon, Illinois, near his home. Last Friday would have been Ron's 45th Birthday. He served for the last year as a public information officer for the Department of the Emergency Management Agency, where he merged his legislative experience with his background as a news reporter for the good of the department. Before that Ron worked here for five years as an assistant press secretary for the House Republican Press office. He came to that position after successful career in radio bolstered by the journalist credentials he received at Southern Illinois University and here in Sangamon State University. Yesterday at funeral services held in Sterling, Ron's coffin was draped in an American flag. He earned that flag while serving with the United States' Army as an Infantryman during the Vietnam war. Ron used to delight in stories for those of us who were in the military of humping in the Boonies that was something he referred to frequently. His path through life gave him the ability to make friends almost instantly. Everywhere he went and anyone who met him remembers those thick glasses and that smile and his witty way. I know there are law makers and staffers on both sides of the aisle in this Chamber and

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 serving in the Senate, who feel the pain of Ron's loss. He was a born newsman and he enjoyed working the legislature more than anything. He loved each and everyone of you. He thrived on the pace, the competition, and the impact of the legislative process. He is survived by his wife, the former Jan Shoeman and other family members and I know I speak for many in this Chamber when I say our thoughts and prayers are with Jan and all of Ron's families and friends. Ron's time with us, like many is too short and for those of us that knew him, our sorrow is exceeded only by the good fortune of having known Ron Roebuck. He touched us each in a special way and he will be missed. Mr. Speaker, I found a book on my desk a couple of weeks ago. It is a book titled Dak To. Ron knew that I served in the 173rd Airborne and Dak To is a story about the history of the war we called it in Vietnam. I didn't know where the book came from and last night I was reading it and I was just about through and a page fell open near the rear that I had not seen and it just said and this typical of the gentleman, it says, 'Ron, I thought you might find this interesting about the war. Signed Ron Roebuck.' And I'll...when I die this note will be with me. I thought a lot of the Gentleman and I know a lot of you did and I mourn his missing...his passing. Thank you, Mr. Speaker."

Speaker McAuliffe: "Mr. Clerk, for announcements."

Clerk McLennand: "Committee Announcements. Executive Committee will meet at 5:00 p.m., in room 114 for Consideration of Amendments on House Bill 1109, House Bill 1498. Cities and Villages Committee will meet at 6:00 p.m. in room D-1 in the Stratton on House Bills 884, House Bill 1489, House Bill 2278, and Amendments pertaining to those Bills. In Environment and Energy Committee will meet at 6:00 p.m. in

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room 118 dealing with Amendments on House Bill 901 and House Bill 1089. Again, Executive at 5:00 p.m., 114. Cities and Villages 6:00 p.m., D-1. Energy and Environment...Environment and Energy at 6:00 p.m. in room 118."

Speaker McAuliffe: "The House will now stand in recess until 6:30."

Speaker Ryder: "The House will be in order. proceeding to the order of House Bills Second Reading. Mr. Clerk, what is the status of House Bill 238."

Clerk McLennand: "House Bill 238 has been read a second time previously. Committee Amendment #1 was Adopted. Floor Amendment #2 is referred to committee. No further Amendments."

Speaker Ryder: "Third Reading. What is the status of House Bill 262? Representative Ryder in the Chair."

Clerk McLennand: "House Bill 262. A Bill for an Act in relation to designation of holidays. Second reading of this House Bill. Amendment #1 was Adopted in committee. Committees #2, 3, and 4 were referred to Rules. No Floor Amendments."

Speaker Ryder: "Third Reading. Mr. Clerk, what is the status of House Bill 991."

Clerk McLennand: "House Bill 991, the Bill has been read a Second time previously. Committee Amendments #1 and 2 were referred to subcommittee. Floor Amendments #3, 4 and 5 have been referred to Rules. Floor Amendment #6 offered by Representative Weaver has been Approved for Consideration."

Speaker Ryder: "Representative Weaver on Amendment #6 to House Bill 991."

Weaver: "Thank you, Mr. Speaker, and I do believe the roof is falling in. This Floor Amendment #6 basically establishes,

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it codifies the duties of a type 73 school certificated personnel for psychological services. It is a Bill that we have working on for quite some time to essentially put in statute the jobs of a school psychologists. We had some initial objections by the school counselors and by some other folks in the related professions, but as far as I know, this Amendment takes care of all the problem areas that we had run into before. So, I will be more than happy to answer any questions and I would ask passage of Amendment #6 on House Bill 991."

Speaker Ryder: "And on that, the Chair recognizes the Gentleman from Cook, Representative Dart."

Dart: "Will the Sponsor yield?"

Speaker Ryder: "The Sponsor indicates that he will yield."

Dart: "Representative, I have been receiving and I know other Members have received a lot of letters in regards to this Bill in its original form. Is everybody with this new Amendment, is this something that everybody has agreed to or is there still some people that are not on board with this?"

Speaker Ryder: "Representative Weaver."

Weaver: "To be real frank, we have attempted to include all of the various incendiary groups that might even be touched with this and the only group that we have not heard formally back from are the clinical psychologists."

Speaker Ryder: "Representative Dart."

Dart: "I guess maybe, I haven't got a chance to look at the Amendment too well. If you could explain to us what the original Bill did and how this Amendment changes that, so that to move the objections from these folks."

Speaker Ryder: "Representative Weaver."

Weaver: "One of the objections was that it set out guidelines

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where by school psychologists would be responsible for all testing. It was our intent that it be all psychological testing, but it was brought to our attention that, that might cause some problem with a lot of the other types of testing and so we kind of relaxed that standard a little bit. And also, it...there was some concern about parents and children being able to access outside services for psychological counseling. And also too, we didn't want to step on the toes of the school counselors so basically, we said this is...these job classifications and these job duties may be part of what makes up part of the school psychologists. So, it did not exclude those other groups."

Speaker Ryder: "Representative Dart."

Dart: "And for my edification, why was this needed in the first place? Why were we doing this?"

Speaker Ryder: "Representative Weaver."

Weaver: "Well, apparently there has been some wide variation from school to school as to what was being asked of a school psychologist and so they wanted to get some kind of a standard established so that it would be the same if for example, your school district wanted to hire a psychologist from say another school district in the state, that they would come aboard knowing what was expected of them."

Speaker Ryder: "Representative Dart, anything further? No further questions. The Chair recognizes the Gentleman from Clinton, Representative Granberg."

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

Speaker Ryder: "The Gentleman indicates that he will yield for your questions, Representative."

Granberg: "Thank you, Mr. Speaker."

Speaker Ryder: "You're welcome, Representative."

Granberg: "My pleasure."

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Speaker Ryder: "Thank you."

Granberg: "You're Welcome. Representative Weaver, I just want to make sure that I understand this correctly. Your Amendments clarifies your legislation, because the underlined Bill mandates psychological services to be provided in schools or at least have a psychologist there present in the school. Is that correct?"

Speaker Ryder: "Representative Weaver."

Weaver: "No, it doesn't mandate psychological services. What it does is establish those duties that a school psychologist, if they were present in that school system, would perform."

Speaker Ryder: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker."

Speaker Ryder: "You're welcome."

Granberg: "My pleasure. So, Representative Weaver, the underlined Bill would say they have to provide certain types of services in fact, if they were a licensed psychologist in that school environment. Your Amendment then clarifies the types of responsibilities they would have if in fact your legislation passes. Is that correct, is that fair?"

Speaker Ryder: "Representative Weaver."

Weaver: "That is correct."

Speaker Ryder: "Representative Granberg."

Granberg: "And frankly, Mike, I couldn't understand when you were explaining to Representative Dart on the need for this clarification. Could you please state that again? The need for the clarification in your Amendments."

Speaker Ryder: "Representative Weaver."

Weaver: "Yes, to establish a...I guess a state wide standard of the job, what it is to perform."

Speaker Ryder: "Representative Granberg."

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Granberg: "Thank you, Representative Weaver, and, Mr. Speaker, thank you for being so gracious."

Speaker Ryder: "Always a pleasure to be gracious to you, Representative. Anything further?"

Granberg: "No, thank you very much. I appreciate your patience and your tolerance and you do a fine job."

Speaker Ryder: "Thank you, Representative."

Granberg: "You're welcome."

Speaker Ryder: "The Chair recognizes the Gentleman from Cook, Representative Lang."

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

Speaker Ryder: "The Sponsor indicates he will yield."

Lang: "Thank you. Representative, is this the Bill that may be characterized as the psychiatrist versus the Psychologists?"

Speaker Ryder: "Representative Weaver."

Weaver: "Not at all and I'm curious as to why you don't have the same kind of report the previous questioner did. I was starting to get a little bit tired of all that honey and sweetness and it is a pleasant change to have you ask some questions, Representative. No it is not a battle between the psychologist and the psychiatrist."

Speaker Ryder: "Representative Lang."

Lang: "Well then, perhaps I'm confused. I don't want you to have to go into the whole Bill, because we are going to do that on Third Reading, I guess, but I'm unsure as to what your Amendment does. Can you try one more time to let us know what your Amendment does?"

Speaker Ryder: "Representative Weaver."

Weaver: "It essential codifies what has been the excepted duties of a school psychologist. In psychology there are a number of divisions of the profession, clinical psychology, school

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psychology, and then general psychology and then you will also have some offshoots of school counselors. This establishes in cases where you have hired a school psychologist, what that individuals duties ought to be."

Speaker Ryder: "Representative Lang, any further?"

Lang: "No, I think the Sponsor has done an excellent job explaining his Amendment. Thank you, Mr. Speaker."

Speaker Ryder: "Thank you, there being no further persons seeking recognition, all those in favor of the Adoption of Floor Amendment #6, please say 'aye'; those opposed 'nay'. The 'ayes' have it. The Amendment is Adopted. Any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Ryder: "Third Reading. Mr. Clerk, what is the status of House Bill 1270."

Clerk McLennand: "House Bill 1270 has been read a Second time previously. Committee Amendments #1 and 2 were Adopted. Committee Amendment #3 Failed. Floor Amendment #4 has been referred to Rules and Floor Amendment #5 is offered by Representative Mulligan. It has been Approved for Consideration."

Speaker Ryder: "Thank you, Mr. Clerk. The Chair recognizes Representative Mulligan on Floor Amendment #5, Representative."

Mulligan: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. Floor Amendment #5 amends the Bill to be more specific as to how the lottery would post signage and on what materials they would have to post the 1-800 number. In committee we offered specific Amendments to the Bill and I asked that other groups that had any interest in doing the same thing and did not want to leave it to DASA if the Bill were to pass to regulate that to offer Amendments and

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so what we did is the...we accommodated the lottery people with a Specific Amendment. And I would be willing to answer any questions on the Amendment."

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

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

Speaker Ryder: "The Sponsor indicates she will yield to your questions, Sir."

Lang: "Hi, Representative. How are you? Nice to see you. Representative, the statement that you want posted, I don't have a particular problem with, except that you say the text of the statement shall be determined by Rule by DASA. Why don't we want to create this one sentence statement by ourselves? Why do we want DASA to determine what this one sentence statement ought to be?"

Speaker Ryder: "Were you finished with your question, Sir? Thank you, Representative Mulligan."

Mulligan: "Representative Lang, I had no problem with stating what it should be. The problem was, we weren't sure how they would establish the hotline and exactly what it should be, so we were leaving it to DASA to formulate. But, in concept what it will be, will not be that much varied from what we have discussed in the past."

Speaker Ryder: "Representative Lang."

Lang: "Don't we have some inherit danger in allowing a state agency by rule to create a signage that is going to be all over the State of Illinois? Wouldn't we better off to determine in advance what that should be?"

Speaker Ryder: "Representative Mulligan."

Mulligan: "I think that the Bill is pretty straight forward and I was not uncomfortable with DASA doing that, since we have always discussed that the statement would be similar to, if

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you have a problem or if you know of anyone who has problem gambling, please call the number and that has yet to be established. We assume it would be a 1-800 number with either the number or some kind of an acronym to specify the number. But seeing how it was difficult to be specific about that, I was leery about actually stating in the Bill how to present it."

Speaker Ryder: "The Chair apologizes to you, Representative, for interrupting.

Representative Lang."

Lang: "Thank you. The Amendment does not have any language regarding additional funding for the crisis counseling services. Where will the funding come from?"

Speaker Ryder: "Representative Mulligan."

Mulligan: "Representative, I don't think that is part of this Amendment. This Amendment addresses only the signage for the lottery and when we discussed the whole Bill, I would be more than happy to discuss that with you. It would probably be similar to...as we have discussed in the past about this."

Speaker Ryder: "Representative Lang."

Lang: "Well, I only mentioned it because your Amendment also includes the 800 number, the toll free number for crisis counseling, but we can discuss that on Third Reading if you wish. Also, there are some comments I have regarding the current hotline we have for gambling problems that seems to not be used properly. This isn't the same hotline as the one the gaming board is running currently, is it?"

Speaker Ryder: "Representative Mulligan."

Mulligan: "Representative, it is my understanding that the gaming board is not moving forward with the hotline. They are

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going to do a study and that too, we can discuss when we discuss the main Bill, but it is not my understanding that the gaming board is not going to establish the hotline that they said they were going to let a bid on."

Speaker Ryder: "Representative Lang."

Lang: "Do you have any idea what they are doing with the four hundred thousand dollars we gave them for that purpose?"

Speaker Ryder: "Representative Mulligan."

Mulligan: "Representative, I certainly do and when we address the main Bill, I will have a number of things to say about that."

Speaker Ryder: "Representative Lang."

Lang: "I will just simply wait to hear what you have to say on Third Reading. It sounds like all of my questions will be answered then. Thank you, Representative."

Speaker Ryder: "Seeing no further discussion, Representative Mulligan to close."

Mulligan: "Thank you, Mr. Speaker. I would ask everyone to please vote 'aye' to add this Amendment to the Bill."

Speaker Ryder: "All those in favor of Floor Amendment #5 to House Bill 1270, please vote 'aye', those opposed 'nay'. The 'ayes' have it. Anything further?"

Third Reading. Mr. Clerk, what is the status of House Bill 1334."

Clerk McLennand: "House Bill 1334. A Bill for an Act that Amends the Property Tax Code. Second Reading of this House Bill. Amendment #1 was Adopted in Committee. No Floor Amendments. A Fiscal Note and State Mandates note have been requested and have been Filed."

Speaker Ryder: "Third Reading. Mr. Clerk, what is the status of House Bill 1662."

Clerk McLennand: "House Bill 1662 has been read a Second time

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previously. Committee Amendment #1 was referred to Rules. Committee Amendment #2 was referred to subcommittee. Floor Amendments #3 and 4 Referred to Rules. Floor Amendment #5 offered by Representative Kenner has been Approved for Consideration."

Speaker Ryder: "Representative Kenner, Representative Kenner on Floor Amendment #5 to House Bill 1662, Representative."

Kenner: "Thank you, Mr. Speaker. Basically, Amendment #5 provides that by January 1st, 1998 the Department of Corrections should Consider building and operating a correctional facility within 100 miles of a county with over 2 million inhabitants. Especially a facility designed to house juvenile participants in an impact incarceration program. Basically, this Amendment addresses three particular problems. The first being the high proportion of offenders that come from Cook County and it deals with the related costs, for example, transportation costs that are involved with transporting inmates from one part of the state to another. The second issue that it deals with, it addresses the economic benefits that one of these facilities would bring to the Cook County area."

Speaker Ryder: "Please proceed, I'm sorry to interrupt, Representative."

Kenner: "And third it addresses the problem of not having a pool of qualified minorities to work as correctional or youth officers. I would encourage your support for this Amendment and take any questions at this time, thank you."

Speaker Ryder: "Thank you, Representative. Is there any discussion on that Amendment? Is there any discussion on that Amendment? The Chair would recognize the gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I have an inquiry of

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the Chair."

Speaker Ryder: "State your inquiry."

Black: "Yes, has Floor Amendment #5 to House Bill 1662 been printed and distributed?"

Speaker Ryder: "Mr. Clerk."

Clerk McLennand: "Yes, it has been printed and distributed."

Black: "May I inquiry as to why I don't have a copy?"

Speaker Ryder: "Mr. Black, perhaps you might wish to discuss that with the Republican page. Mr. Black, are you prepared to proceed, Sir?"

Black: "Yes, I just received a copy of Amendment #5 to House Bill 1662 from the Republican page. Would the Sponsor yield?"

Speaker Ryder: "Representative, would you yield? He indicates that he will, Representative Black."

Black: "Is...Representative, why is your Amendment pertain only to a county of over two million inhabitants?"

Speaker Ryder: "Representative Kenner."

Kenner: "Because, this Bill addresses...if you had heard what my three reasons for sponsoring this legislation. Those three reasons basically addressed that. It basically deals with a correctional facility within 100 miles of Cook County to address those three specific issues that I talked about. One being the high proportion of inmates from that area. Number two, the benefits...the economic benefit of the facility to Cook County. And number three, addressing the pool of minority applicants as correctional or youth officers."

Speaker Ryder: "Representative Black."

Black: "Thank you very much, Mr. Speaker. Representative Kenner, in your opinion, does this constitutes special legislation for the County of Cook?"

Speaker Ryder: "Representative Kenner."

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Kenner: "No."

Speaker Ryder: "Representative Black."

Black: "Thank you very much, Representative. And thank you, Mr. Speaker, for your kindness in letting me ask these questions. I'm not sure I got everything answered, but I look forward to his answers when we go to Third Reading, Mr. Speaker. Thank you so much for giving me this opportunity."

Speaker Ryder: "Any further discussion? No one seeking recognition, Representative Kenner to close."

Kenner: "I would appreciate a thumbs up vote on this piece of legislation, thank you."

Speaker Ryder: "You have heard the Gentleman's Motion. All those in favor of Floor Amendment #5 to House Bill 1662 say 'aye'; those opposed 'nay'. The 'ayes' have it. The ayes have it and the Amendment is Adopted. Third Reading. Mr. Clerk, what is the status of House Bill 1677?"

Clerk McLennand: "House Bill 1677. A Bill for an Act that Amends the Sale of Tobacco to Minors Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments."

Speaker Ryder: "Third Reading. Mr. Clerk, what is the status of House Bill 1709?"

Clerk McLennand: "House Bill 1709 has been read a Second time previously. Floor Amendment #6 has been Adopted. Fiscal Note, Correctional Budget and Impact Note requested on Bill as Amended by #6. They have been Filed."

Speaker Ryder: "Third Reading. Representative Hoffman, for what purpose do you seek recognition? Are you waving at me for a reason, Sir? It could be a much...I won't say that. Mr. Clerk, what is the status of House Bill 2070?"

Clerk McLennand: "House Bill 2070, the Bill has been read a

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Second time previously. Amendment...Committee Amendment #1 was Adopted. Committee Amendments #2, 3, 4 were referred to Rules. A State Mandates Note has been requested on the Bill and has been Filed."

Speaker Ryder: "Third Reading. Mr. Clerk, do you have any Committee Reports?"

Clerk McLennand: "Committee Reports. Committee Report from Representative Balthis. The Chairman for the Committee on Cities and Villages to which the following Bills, Resolutions, Amendments were referred. Action taken on April 18, 1995. Reported the same back with the following recommendations: Do Approve for Consideration Floor Amendment #1 to House Bill 1489. Floor Amendment #3 to House Bill 2278. Floor Amendment #2 to House Bill 884. Committee Report from Representative Persico, chairman for Committee on Environment and Energy to which the following Bills, Resolutions, Amendments were referred. Action taken on April 18, 1995. Reported the same back with the following recommendations: Do Approve for Consideration Floor Amendment #4 to House Bill 1089 and Floor Amendment #2 to House Bill 901. Committee Report from Representative Stephens, Chairman for committee on Executive, to which the following Bills, Resolutions, and Amendments were referred. Action taken on April 18, 1995. Reported the same back with the following recommendations: Do Approve for consideration, Floor Amendment #1 to House Bill 1109 and Floor Amendment #2 to House Bill 1498."

Speaker Ryder: "Mr. Clerk, what is the status of House Bill 2230?"

Clerk McLennand: "House Bill 2230 has been read a Second time previously. Committee Amendments #1, 2 and 3 have been referred to Subcommittee. Floor Amendments #4, 5 and 6

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referred to Rules. A Fiscal Note and State Mandate Note have been requested on the Bill and have been filed. A Fiscal Note and State Mandates Note have been requested on Bill as Amended. The Bill has not been Amended, so the note requests are out of order."

Speaker Ryder: "Third Reading. Mr. Clerk, what is the status of House Bill 2351?"

Clerk McLennand: "House Bill 2351 is on the Order of Second Reading. It has been a Second time previously. Committee Amendment #1 was Adopted. Committee...Floor Amendment #2 offered by Representative Andrea Moore has been Approved for Consideration."

Speaker Ryder: "The Chair recognizes Representative Moore, on Floor Amendment #2 to House Bill 2351."

Moore, Andrea: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. Floor Amendment #2 deletes all of sections 5 and 10, which pertain to the lease portion of this Bill and I would ask for a favorable vote and answer any questions, thank you."

Speaker Ryder: "The Chair recognizes the Gentleman from Cook, if the Gentleman from St. Clair would please be seated. Thank you. Representative from Cook, Representative Dart. Thank you, Mr. Hoffman."

Dart: "Thank you, Mr. Speaker. I was having a hard time seeing that whole area with him standing there, as well. I appreciate that."

Speaker Ryder: "The Chair will not make any comment concerning the situation."

Dart: "In case you were wanting to know, he did just finish five cheeseburgers. Will the Sponsor yield?"

Speaker Ryder: "The Sponsor indicates that she will yield to your question, Sir."

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Dart: "Representative, from what Amendment 2 deletes the substance of the original Bill, is that it? What is left in the Bill then?"

Speaker Ryder: "Representative Moore."

Moore, Andrea: "Amendment #2 deletes the least term extension portion that was considered in the original Bill."

Speaker Ryder: "Representative Dart."

Dart: "And what does it leave in the Bill, now then?"

Speaker Ryder: "Representative Moore."

Moore, Andrea: "The remaining language is identical to House Bill 2352 that Amends the state employee group insurance Act. It provides that the Department of CMS, Central Management Services may establish the amount employees must contribute for group health benefits. It removes the current limit of \$12.50 per month."

Speaker Ryder: "Representative Dart."

Dart: "Is there any opposition to this Bill as it is with just that Amendment on it now?"

Speaker Ryder: "Representative Moore."

Moore, Andrea: "To my knowledge, there is no opposition to this Bill."

Speaker Ryder: "Representative Dart, were you waving at the Chair? Are there flies there? Any further questions on this Amendment? The Chair recognizes the Gentleman from McHenry, Representative Skinner."

Skinner: "Would the Lady yield to a question or two?"

Speaker Ryder: "Representative, she indicates that she will yield to your questions."

Skinner: "Representative, you indicated that this will remove the limit of \$12.50 per month, which state employees may now be required to pay for their health insurance, is that correct?"

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Speaker Ryder: "Representative Moore."

Moore, Andrea: "I believe they have to do that now, if I understood the question. If you could speak into the microphone."

Speaker Ryder: "Mr. Skinner, just a moment. Ladies and Gentleman, please. I would...Ladies and Gentleman, please I would ask that you keep your conversations to a minimum, so the amount of noise in the Chamber is reduced. There is a debate taking place. Representative Skinner, would you care to repeat the question for Representative Moore?"

Skinner: "Yes, previously I believe I heard her indicate that the current \$12.50 per month contribution, if you will, that state employees have to pay for their health insurance will be subject to increase, if this Amendment passes. Is that correct?"

Speaker Ryder: "Representative Moore."

Moore, Andrea: "Yes, that is correct."

Speaker Ryder: "Representative Skinner."

Skinner: "Is there any upper limit in this Amendment?"

Speaker Ryder: "Representative Moore."

Moore, Andrea: "There is no upper amount mentioned in this Amendment, however, according to this contract, it would be \$22.50."

Speaker Ryder: "Representative Skinn..."

Moore, Andrea: "per month maximum."

Speaker Ryder: "My apologies. Representative Skinner."

Skinner: "Why should we give the Department of Central Management Services, no upper limit. Why do we trust them that much?"

Speaker Ryder: "Representative Moore."

Moore, Andrea: "This issue has been negotiated with ASME and it is also a contract issue."

Speaker Ryder: "Representative Skinner."

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Skinner: "Well, I'm not too concerned about what my...what I have to pay for health insurance at the current time, but I am concerned after I retire. I have seen many retired employees find that they can not afford health insurance, because rates have been increased after they retire. Is there...does this affect retired state employees?"

Speaker Ryder: "Representative Moore."

Moore, Andrea: "No."

Speaker Ryder: "Representative Skinner."

Skinner: "Thank you."

Speaker Ryder: "The Chair recognizes the Gentleman from Vermilion, Representative Black. For what purpose do you rise, Sir?"

Black: "I would like to move the previous question, Mr. Speaker."

Speaker Ryder: "That will not be necessary, since none others are seeking recognition. The Chair recognizes the Lady from Lake, Representative Moore to Close."

Moore, Andrea: "I would ask a favorable vote for Amendment #2 for House Bill 2351."

Speaker Ryder: "The Chair...you have heard the Ladies motion. All those in favor of the Amendment #2 to House Bill 2351, say 'aye'; opposed say 'nay'. The 'ayes' have it, the Amendment is Adopted. Anything further?"

Clerk McLennand: "A Fiscal Note had been requested on the Bill as Amended and has been Filed."

Speaker Ryder: "Third Reading. Mr. Clerk, what is the status of House Bill 2443."

Clerk McLennand: "House Bill 2443, the Bill has been read a Second time previously. Committee Amendments #1, 2 and 3 were Referred to Subcommittee. Floor Amendments #4, 5 and 6 were referred to Rules. A fiscal note and state mandates note were requested and have been filed."

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Speaker Ryder: "Third Reading. We will now move to the order of Third Reading, House Bill 496. Representative Spangler, for what purpose are you seeking recognizance? Representative Spangler."

Spangler: "Mr. Speaker, it appears that my light has inadvertently been punched and I regret the time delay here."

Speaker Ryder: "Your apology is accepted. Mr. Clerk, House Bill 496."

Clerk McLennand: "House Bill 496. A Bill for an Act that Amends the Counties Code. Third Reading of this House Bill."

Speaker Ryder: "Representative Hughes. Mr. Clerk, please return that Bill to Second Reading. Yes, the Chair recognizes the Gentleman from St. Clair, Representative Hoffman. For what purpose do you rise?"

Hoffman: "Well, Representative, I did not see Representative Murphy. I assume this is a Murphy Bill, as the board indicates, not Representative Hughes. You had made reference to Representative Hughes."

Speaker Ryder: "Had I...I apologize, if I mislead you. House Bill 1237. Move House Bill 1237 to Second Reading. Mr. Clerk, House Bill 1424. House Bill 1424, Mr. Clerk."

Clerk McLennand: "House Bill 1424. A Bill for an Act that Amends the Property Tax Code. Third Reading of this House Bill."

Speaker Ryder: "Representative Young, Representative Young, Representative Young. The Lady is not on the Floor, take the Bill Out of the Record, Mr. Clerk. Mr. Clerk, House Bill 1458."

Clerk McLennand: "House Bill 1458. A Bill for an Act that Amends the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Ryder: "Representative Biggert."

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Biggert: "Thank you, Mr. Speaker. House Bill 1458, Amends the Criminal Code and provides that a person who permits the use of a single family dwelling as a multiple family dwelling or boarding house after having been charged with a violation of a local housing code or zoning or health and safety ordinance regarding the occupancy of that dwelling, commits the offense of criminal housing management and it provides that such a violation is a Class A Misdemeanor. This Bill is to expand the definition of Criminal Housing management and provides that a personal manager, managing agent or a legal equable owner of residential real estate commits this offense, when having been charged with that violation. I would be happy to answer any questions."

Speaker Ryder: "Thank you, the Chair would like to represent...would like to recognize Representative Dart from Cook, but was unable to do so, but now the view has been opened. Representative Dart."

Dart: "Thank you, Mr. Speaker. Now that the obstruction has been removed, would the Sponsor yield?"

Speaker Ryder: "The Sponsor indicates she will yield for your questions, Sir."

Dart: "Thank you. Representative, in regards to the changes in this Bill here, I was looking through it and this is a criminal offense, correct?"

Speaker Ryder: "Representative Biggert."

Biggert: "That is correct. The violation is a misdemeanor and it is amending the criminal code."

Speaker Ryder: "Representative Dart."

Dart: "My recollection on the criminal matters were that you...it required a criminal intent of some type and I have been looking through the language of this Bill and I don't see any criminal intent. Can you point it out to me, please."

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Speaker Ryder: "Representative Biggert."

Biggert: "Within this statute itself, in part A of the criminal Housing Management, says that the person commits the offense of criminal Housing Management when having control of the real estate. He recklessly permits the physical condition or facilities of the residential real estate to become or remain in any condition, which endangers the Health or safety of the person. This section then is an addition to that, which is an expansion, which then provides that when a person continues to commit that offense by violating the code that,

that will also be a criminal matter."

Speaker Ryder: "Representative Dart."

Dart: "The way I look at this, Representative, it is a complete...it is another additional section here, which is setting up another type of behavior, which would be an offense and in the normal criminal code, if you were relying on the proceeding section, you would have something to the affect of a person commits the offense of Criminal Housing Management, when they commit the offense as defined in section A and does A, B, C and D, whatever the additional things are, I don't see that in here at all though, so I'm really concerned of whether or not the problematic in the sense that we have skipped the criminal intent needed for this offense, because I understand the proceeding section has the reckless requirement in there, but there is no criminal intent in this next section, which...and doesn't reference the above section either as far as I can see."

Speaker Ryder: "Was that a question, Representative?"

Dart: "Yeah."

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Speaker Ryder: "Indeed it was. Representative Biggert."

Biggert: "Thank you. I believe that while it doesn't reference the first section that the criminal intent is what we are trying to reach here is the slum landlord, who is violating this ordinance time after time. And that really is a disregard of the law and they will go in, pay the fine of a local ordinance, let's say \$50.00 and then continue to use the premises for multiple family use, which is in itself causes great concern as far as safety as well as a disregard of local ordinances. So, this was a extension and it did pass out of committee without any... 14 to 1. I..."

Speaker Ryder: "Representative Dart."

Dart: "The way I look at it in addition to slum landlords, this would also cover owner occupied residence as well, I believe. But, I mean this, I see there is a problem...there should be some criminal intent mentioned in this section somewhere or if not there should be a direct reference to the proceeding section. I mean, I just I don't see it here. It looks as if we have set up a offense, which is one that lacks intent, which is prohibited for felony offenses."

Speaker Ryder: "Representative Biggert."

Biggert: "Well, Representative, I think that the statute is clear as to what the violation is and that if you are violating local ordinances, you are in violation of the law."

Speaker Ryder: "Representative Dart."

Dart: "Well, I understand that, but I mean you are violating the law, but the law requires that you have intend your actions. You can't just make it that you have committed something and there is no intent required. I understand what a violation of the law is, but you have to have some

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type of intent. Whether it is negligence, recklessness, knowledge, whatever it is and I don't see any here of any type. Is there a reason for that or am I over looking something?"

Speaker Ryder: "Representative Biggert."

Biggert: "Well, I think that the criminal intent is the violation of the repetitiveness, of the violation of the local ordinance or any housing ordinance in...and disregard of the safety. That is all I can answer to you. I think that is the criminal intent."

Speaker Ryder: "Representative Dart, I will give you an extra minute. Anything further, Sir."

Dart: "Thank you. As I said, I still have this concern about this, because I really don't see any criminal intent, which for a Felony offense, a potential Class 4 Felony or Class A misdemeanor, whatever it may be, there is usually a requirement of a criminal intent involved here. How is this Bill...how does it affect or is it contradict at all the eviction laws, which are on the book now, in regards to throwing people out of their houses in Winter or whatever maybe in clement whether?"

Speaker Ryder: "Representative Biggert."

Biggert: "Well, I really think that, that is unrelated. The person that is involved here is either the equable owner, the legal owner or the manager. We really are not going after here is anybody that is trying to have someone come in, let's say an immigrant family to get them on their feet. It really is going after somebody who is doing this time and time again, of having the twenty person bungalow."

Speaker Ryder: "Your time has expired, Representative. The Chair has recognizes the Gentleman from Cook, Representative Lang."

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Lang: "Mr. Speaker, I would like to yield my five minutes to Representative Dart."

Speaker: "Representative Dart, you have been given a reprieve. Use your time wisely, Sir."

Dart: "I shall. Can you explain to me exactly what Criminal Housing Management is then?"

Speaker Ryder: "Representative Biggert."

Biggert: "I couldn't hear the question."

Speaker Ryder: "Just a second, Sir. Please give the Representatives your attention. I would ask for the conversations in the aisles to please move to the rear of the Chambers. Representative Dart."

Dart: "Thank you, can you explain to me what the Criminal Housing Management is then?"

Speaker Ryder: "Representative Biggert."

Biggert: "Well, there would be two things of Criminal Housing, number one would be where the person having management of the real estate permits the physical condition or facilities to become or remain in any condition, which endangers the health or safety of any person. Secondly, if they operate a single family house as a multiple family house in violation of a local housing code or zoning or health in safety ordinance, regarding the occupancy of that house, as criminal housing management."

Speaker Ryder: "Representative Dart."

Dart: "What would occur if somebody who was the owner of the house, was an absentee owner, unbeknown to that person, the person that was occupying that house brought their family over and set up shop in there and allowed the family to subdivide the house and have multiple people living in there and this owner of the house is unaware of that and we don't have any intent in here. So, this owner is unaware

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of that now and this is not section A, this is the new section, so they are unaware of it. Is that person guilty under this offense?"

Speaker Ryder: "Representative Biggert."

Biggert: "Because, first there has to be a violation and they would have to be charged under the local housing code ordinance, or ordinance regarding safety and health and that would have...they would have to receive notice of that."

Speaker Ryder: "Representative Dart."

Dart: "Well, the way I read it, it says they...all they have to do is have personnel management or control of the real estate and it says or otherwise have been charged with a violation of the zoning ordinance and then the dwellings being used a multiple family dwelling, so it is 'or'. So, if they have personal management or control of the residential state, so...or they are an equable owner of it, but they don't there and somebody that they have lent it to sets up these multiple families in there, it seems as if that person is guilty then."

Speaker Ryder: "Representative Dart."

Dart: "I'm asking, is that correct, the way I'm looking at that?"

Dart: "Representative, the way I'm reading this, it says a person commits this offense when having personal management or control of real estate or an equitable owner and they permit or continue to permit the single family dwelling to be used in violation of a zoning or health ordinance, the use of a single family and multi family...well, ordinances, because some of them are petty offenses, they can be offenses where there is not an intent required. We are raising this up to a Class A Misdemeanor, then a possible Class 4 Felony, without an intent. The first section

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requires some recklessness. In this instance here we can have an owner of a house who doesn't even know that this house is being sub divided and used and all of a sudden they are going to be found guilty of this offense. And I think that is sort of troubling. The real estate agents ought to be a little nervous about this. There's a couple of people that should be nervous about it, because the owner might be completely unaware that somebody that they have let use this house, now all of a sudden has their family sub dividing it and now they are going to be guilty of a class 4 felony."

Speaker Ryder: "Representative Biggert."

Biggert: "No, first of all the way that the statute is, they have to already have been charged with this violation once. So, that would mean that the legal owner, even though he is an absentee owner would have to have prior knowledge of this. He would have had to be in charge of the violation. He would have had to go to his local village or local city and have had paid a fine. He would have already been charged with this. Second of all, it could be the manager, if he had been charged. They could also be guilty of this. Thirdly, in the end of this statute, this is only a Class A Misdemeanor. The felony only applies to Section (A) of this statute, which is the willful disregard of the safety. So, that part of the sentence does not apply to Section (B)."

Speaker Ryder: "Representative Dart, your time has expired. Is there any further discussion? Seeing none, the Lady from DuPage, Representative Biggert to close."

Biggert: "Thank you, Mr. Speaker. I think we have had much discussion of this and I would urge a favorable vote."

Speaker Ryder: "The question is 'Shall House Bill 1458 pass? All

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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 106 voting 'aye', 3 voting 'nay', 4 voting 'present', and 5 'not voting'. And this Bill having received a constitutional Majority, is hereby declared passed. House Bill 1510, Mr. Clerk."

Clerk Rossi: "House Bill 1510. A Bill for an Act in relation to women in military service. Third Reading of this House Bill."

Speaker Ryder: "Representative Zickus. Representative Zickus. Representative Zickus. Out of the record. Mr. Clerk, House Bill 1693."

Clerk Rossi: "House Bill 1693. A Bill for an Act Amending the Civil Administrative code of Illinois. Third Reading of this House Bill."

Speaker Ryder: "The Chair recognizes Representative Mitchell."

Mitchell: "Thank you, Mr. Speaker."

Speaker Ryder: "Mr. Mitchell, you may proceed."

Mitchell: "Thank you, Mr. Speaker. Ladies and Gentleman, I bring before you House Bill 1693, which is a Bill to set up and implement a small business safety loan program to allow employers the opportunity to improve work place safety. These loans will be made from appropriations just for that purpose. These loans will be secured by adequate collateral and maybe for a term of no more than five years and may bear interest at a discounted rate. The whole intent and purpose of this Bill is to improve the on sight safety of the work place. I would be more than happy to answer any questions regarding this Bill."

Speaker Ryder: "You've heard the Gentleman, is there any

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discussion? The Chair recognizes the Gentleman from St. Clair, Representative Hoffman. Are you standing to address the issue or block the view? Representative Hoffman, proceed."

Hoffman: "Yes, will the sponsor yield?"

Speaker Ryder: "The sponsor indicates he will."

Hoffman: "Representative, with regard to this Bill, Amendment #1 has been Adopted, I believe that essential would give the Department of Commerce and Community Affairs the power over this as opposed to the Central Management Services. Is that correct?"

Speaker Ryder: "Representative Mitchell."

Mitchell: "Yes, the Department of Commerce and Community Affairs would regulate and set up the regulations to carry out the loan program."

Speaker Ryder: "Representative Hoffman."

Hoffman: "I'm just pointing out, because I think there may be a drafting error in the Bill. If you would note the Amendment creates Chapter (20) Illinois Compiled Statutes (406/67.36). The Amendment would create that and I think that actually, possibly Act (405) was intended, not (406), because (405) governs CMS powers, not DECCA. DECCA's powers are governed in (605). I don't know that maybe your staff would look at that. (406 20) Illinois compiled Statutes, (406) Act...(406) does not exist presently."

Speaker Ryder: "Did you conclude your question, Representative Hoffman? Then I shall inquire Representative Mitchell."

Mitchell: "Thank you, Mr. Speaker. We are checking into that right now, Representative Hoffman."

Speaker Ryder: "A technical review is taking place. Representative Hoffman, did you wish to expand?"

Hoffman: "Maybe why the technical staff is looking into the

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drafting provisions. Maybe we can go into the Bill itself. It is my understanding that this would set up a business safety loan program. Is there an upper amount of money that will be put forward in the first year?"

Speaker Ryder: "Representative Hoffman, let me ask Representative Mitchell. Representative Mitchell, did you hear the second question, that was just purposed to you?"

Mitchell: "No, Sir, I didn't. I was getting a answer to the first question."

Speaker Ryder: "Representative Hoffman, do you wish an answer to your first question or to repeat your second? What is your pleasure, Sir?"

Hoffman: "I mean, if the tech review...if I could just take a second without my time running out, I could talk maybe with Representative Black real quickly and we could figure this out."

Speaker Ryder: "We would be glad to take a hyades. Representative Hoffman, excuse me. The Chair recognizes Representative Mitchell."

Mitchell: "Mr. Speaker, may I take a look at this. I would like to take this out of the Record, for the time being."

Speaker Ryder: "That request will be acknowledged. Take the Bill Out of the Record, Mr. Clerk. Mr. Clerk, House Bill 1698."

Clerk McLennand: "House Bill 1698. A Bill for an Act Amending certain Acts in relation to hospital leans. Third Reading of this House Bill."

Speaker Ryder: "The Chair recognizes the Gentleman from Livingston, Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker. House Bill 1698 would Amend the Hospital Lean Act. Currently, the hospital lean Act permits non profit and County hospitals to file a lean against money that a former patient recovers for the

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injuries that require hospitalization. Let me give an example, if a patient is injured in automobile accident and can not pay his or her hospital bill, but he or she files a lean against the other driver, the statute permits the hospital to file a lean against the amounts received by the patient as a result of this law suit. The hospitals lean is only limited to 1/3 the amount received by the patient. Presently, the statute is restricted to non profit and county hospitals. This legislation would expand it to be available for the for profit hospitals as well."

Speaker Ryder: "Ladies and Gentleman of the House, if we could again ask you to reduce the noise level so that we might have discourse on this debate. The Chair would recognize the Gentleman from Cook, Representative Frias."

Frias: "Thank you, Mr. Speaker. I would like the record to reflect a 'no' vote for House Bill 1458."

Speaker Ryder: "The Chair recognizes the Lady from Cook, Representative Schakowsky."

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

Speaker Ryder: "Yes, he indicates that he will. If I could ask the conversations that is taking place at the Speakers desk, to move to another location. I would like to be able to see the Sponsor of the Bill. Thank you, I believe we are ready to proceed, Representative."

Schakowsky: "Thank you. Representative, do the rationale why originally this only applied to not for profit hospitals as opposed to for profit hospitals?"

Speaker Ryder: "Representative Rutherford."

Rutherford: "No, I do not."

Speaker Ryder: "Representative Schakowsky."

Schakowsky: "Why is it that...as I understand this Bill, it would require that hospitals be paid first before other health

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care providers. Is that right? Does this Bill say that hospitals would have to paid first before other health care providers. Is that essentially what this says?"

Speaker Ryder: "Representative Rutherford."

Rutherford: "Hospitals would have to get in line as would any other providers during a lean process."

Speaker Ryder: "Representative Schakowsky."

Schakowsky: "I guess I don't understand, maybe others don't too. Then tell me

what this Bill does. What does it change?"

Speaker Ryder: "Representative Rutherford."

Rutherford: "What this does is it would expand the fact that a hospital who today is a non profit or a county hospital has the authority under statutes to apply a lean against receipts coming as a result of a law suit. What this does is it would expand it to allow not for profits and there is only about 15 of them in the State of Illinois that this would be able to expand to allow them the same ability as the not for profits of the counties."

Speaker Ryder: "Representative Schakowsky."

Schakowsky: "Are you saying though, that there are only 15 hospitals to which this would apply? I thought there were more than that, that don't fit into the non profit category?"

Speaker Ryder: "Representative Rutherford."

Rutherford: "I apologize Representative, it is 17."

Speaker Ryder: "Representative Schakowsky."

Schakowsky: "Okay, then let me...let me understand this. So, what your Bill does is apply current law for not for profit hospitals and county hospitals to the 17 hospitals that currently can not place a lean for payment. Is that what

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it amounts to?"

Speaker Ryder: "Representative Rutherford."

Rutherford: "That is correct. Would you like me to read you the list or the cities they are from? It is CPC, Streamwood, which is based in Streamwood, Illinois., Michael Reese Hospital and Medical Center based in Chicago, Hoffman Estates Medical Center based in Hoffman Estates, Charter behavioral Health System of Chicago based in Chicago, Grant Hospital based in Chicago, Midwestern Regional Medical Center based in Zion, CPC Old Orchard Hospital based in Skokie, Chicago LakeShore Hospital based in Chicago, Columbia HCA River Ridge based in Forrest park, Forest Hospital based in Des Plaines, Vencor Hospital of Chicago based in NorthLake, Vencor Hospital of Sycamore based in Sycamore, Woodlane Hospital based in Hoffman Estates, Chicago Osteopathic Hospitals and Medical center based in Chicago, Olympia Fields Osteopathic Hospital and Medical Center based in Olympia Fields, La Grange...I'm sorry, LaGrange Memorial Hospital in La Grange, Illinois and Linden Oaks Hospital based in Naperville."

Speaker Ryder: "Representative Schakowsky."

Schakowsky: "Are there any opponents to this legislation, Representative?"

Speaker Ryder: "Representative Rutherford."

Rutherford: "Thank you, Representative, for the question. There are no opponents to it that I'm aware of. This actually comes as an initiative from a group of hospitals from around the state and is a part of the Illinois Hospital Association, whatever their new name is, their associations initiative."

Speaker Ryder: "Representative Schakowsky."

Schakowsky: "Actually, no further questions. Thank you."

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Speaker Ryder: "Nothing further, the Chair is required to recognize the Gentleman from St. Clair, Representative Hoffman."

Hoffman: "Will the sponsor yield?"

Speaker Ryder: "The Sponsor indicates that he will."

Hoffman: "Yes, Representative, it is my understanding that this Bill, all it really does is give these certain hospitals the same rights that not for profit hospitals have had in order for them to collect the Bills for medical services that they provided, provide the lean rights. So, it's really...it's not taking anything away from anybody, its just making fair playing ground for all hospitals throughout the whole state. Is that right?"

Speaker Ryder: "Representative Rutherford."

Rutherford: "Thank you, Representative, for that further clarification. That is absolutely correct."

Speaker Ryder: "Representative Hoffman."

Hoffman: "Yes, I think this is a good Bill. I know of no opponents. And I think that I would urge everybody on this side of the aisle to vote 'aye'."

Speaker Ryder: "The Chair is delighted to recognize Representative Granberg from Clinton."

Granberg: "Thank you, Mr. Speaker. I'm delighted you recognize me. Would..."

Speaker Ryder: "Glad to do it, Sir."

Granberg: "Thank you, I appreciate that."

Speaker Ryder: "You're Welcome."

Granberg: "My pleasure."

Speaker Ryder: "Mine too."

Granberg: "Would the Gentleman yield?"

Speaker Ryder: "Representative Rutherford. Representative Granberg."

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Granberg: "Mr. Speaker, there seems to be a...the Gentleman presiding seems to have lost a little control. If you could please calm yourself down. We..."

Speaker Ryder: "I appreciate your concern, Representative. I will do my best if you will do your best, we will do our best."

Granberg: "Absolutely."

Speaker Ryder: "Thank you."

Granberg: "Very good, you're welcome. Representative Rutherford...Representative Rutherford, this in no way changes the priority of leans, does it?"

Speaker Ryder: "Representative Rutherford."

Rutherford: "Thank you, Representative Granberg. I appreciate your straight face and sincere efforts to help clarify this piece of legislation and particularly for the support of the Speaker. No, Representative, this does not in anyway change the priority in leans."

Speaker Ryder: "Representative Granberg."

Granberg: "So, no one would be impacted, who might have a lean otherwise? So, the order when it is filed at the court house in the counties seats, that would not have a negative impact on any party that you know of? Is that correct."

Speaker Ryder: "Representative Rutherford."

Rutherford: "Again, Representative, I appreciate your further clarification in this. You are absolutely correct. It would not impact on that."

Speaker Ryder: "Representative Granberg."

Granberg: "Well, we had Bill here a few years ago, Representative, that changed the actual priority of leans. That's why I wanted to clarify it for the record to make sure that this has no impact on any other party that would have the legal right to file lean or in fact, their

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priority. So, this would not have any impact whatsoever on a lawyer or any other body that could perfect their lean or file their lean. For the record, is that correct as well?"

Speaker Ryder: "Representative Rutherford for the record."

Rutherford: "Thank you Representative, you are correct."

Speaker Ryder: "Representative Granberg."

Granberg: "Thank you, Representative. I appreciate the time for the remarks. I want to clarify that for the record. Thank you, Mr. Speaker, for your statesmanship in the Chair and that historic figure and that residence in your voice. We always enjoy hearing your comments."

Speaker Ryder: "The Chair recognizes the Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. And if Mr. Granberg thinks he is going to get more out of the Chair, talking to you that way, I don't think he will. So, I'm not even going to try."

Speaker Ryder: "He is correct, Sir."

Lang: "He is? Oh well then, it is pleasure to be in your company, Mr. Speaker, and I thank you for recognizing me. I'm the guy with no hair."

Speaker Ryder: "I know."

Lang: "Will the sponsor yield?"

Speaker Ryder: "He indicates he will, Representative."

Lang: "Thank you. Hi, Representative...oh, excuse me, was that in your way? Thank you. Nice to see you. I just wanted to make sure I understand this Bill. So, what you're doing is saying that for profit hospital have the same lean rights as not for profit hospitals, correct?"

Speaker Ryder: "Representative Rutherford."

Rutherford: "That is correct. For profits will have the same lean rights as non for profits and for county hospitals."

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Speaker Ryder: "Representative Lang."

Lang: "See if you had just said that in one sentence, straight forward out like that, we would all understand that, Representative. So, I just wan...oh, you have something to say? Sure, sure we would be happy to hear what you have to say."

Speaker Ryder: "Representative Rutherford."

Rutherford: "Actually, Representative, I did say it, but it took me three sentences."

Speaker Ryder: "Representative Lang on a sentence count."

Lang: "You see how precise one can be when they speak succinctly. You can explain these things in one sentence. Relative to the lean rights, to the priority, you indicated it doesn't change priority of leans at all, but my question would be, what if there are two leans? One from a not for profit and one for a for profit hospital. Who takes priority then?"

Speaker Ryder: "Representative Rutherford."

Rutherford: "As I stated in one sentence previous to this, it would be whoever got to file that lean first, would have first priority and whoever filed the lean second, would have the second priority."

Speaker Ryder: "Representative Lang."

Lang: "Well, would this be an anti-lawyer Bill, Sir? Is the idea to pay off all those hospital leans so the lawyers can't get paid?"

Speaker Ryder: "Representative Rutherford."

Rutherford: "I'm chagrin, Representative, to even begin to think that I would introduce, support or even advocate any anti lawyer legislation."

Speaker Ryder: "Representative Lang."

Lang: "Well, I understand that you're chagrin, but are you shocked and appalled? I'm not sure were chagrin fits on

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the continuum of your irritation, but I think you've sufficiently answered my questions, as a matter of fact so well that I'm going to vote for your Bill."

Speaker Ryder: "No further debate. Representative Rutherford to close."

Rutherford: "Thank you, Mr. Speaker. In one sentence, I would dully respect the body voting favorable...favor this piece of legislation."

Speaker Ryder: "The question is, 'Shall House Bill 1698 pass?' All those in favor, vote 'aye', all those 'opposed' vote nay. The voting is open. This if final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'aye', none voting 'nay' and none not voting. This Bill, having received a Constitutional Majority, is hereby declared passed. Speaker Daniels in the Chair."

Speaker Daniels: "Returning to the Order of House Bills Second Reading. House Bill 1498. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1498, this Bill has been read a second time previously. Committee Amendment #1 was referred to rules. Floor Amendment #2 has been approved for consideration and is Sponsored by Representative Churchill."

Speaker Daniels: "The Gentleman from Lake, Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment does six things. First of all, this Amendment considers fund-raising in Springfield and prohibits fund-raising on Session days in the City of Springfield. Furthermore, after April 1st and until the adjournment of the spring Session of the General Assembly,

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this Amendment would prohibit all fund-raising in Springfield. This applies to legislators, to candidates and all those committees supporting and opposing General Assembly candidates. The second thing this would do is to prohibit legislators from excepting honorarium. This would be cash payments made to a Member for an appearance or a speech. Third thing it does is to prohibit legislators from receiving their per diem allowance, their food and lodging allowance, from June 1st of each calendar year until the adjournment of the annual spring Session. Basically, saying that if we go past that point at which time we would need an extraordinary majority vote that we would not be receiving our per diem. The fourth thing this does is to prohibit the awarding of legislative scholarships after July 1st, 1996. The fifth thing this does is to have ward and township committeemen in counties in excess of 3 million and population, basically Cook County, comply with disclosure requirements that are similar to the disclosure requirements that we face here in the Legislature. The last thing in which this does is to apply the existing law governing competitive bidding of Chicago City contracts, which exists already, to airports operated in and by the City of Chicago. Requires bidders for those contracts to disclose the names of their officers, directors, and other individuals who may own more than 7 1/2% of the stock or other beneficial interest in the bidding corporation. Many times what we do in this legislative process, we deal with perception. Sometimes perception becomes reality. Many of the people of this state, there is a perception that what we do here in Springfield as a relationship particularly between lobbyists and Legislators that is a cozy relationship. To

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some extent perhaps that true, in other extents perhaps that's false, but the fact is the perception exists and in that case perception becomes reality. What we are trying to do with this ethics package is to cleanup some of those kinds of things where perception is reality. Where perhaps there aren't problems today but the general public believes that there are problems. I would answer any questions and be available for any further comments."

Speaker Daniels: "The Chair recognizes the Gentleman from Macoupin, Representative Hannig."

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

Speaker Daniels: "He indicates he will."

Hannig: "Well, Representative, you mentioned fund raisers in Springfield and this proposal would eliminate those. Is that what you said?"

Speaker Daniels: "Representative Churchill."

Churchill: "There are two different parts of the Amendment. The first part would eliminate or prohibit fund raisers on Session days before April 1st. So if you are in the month of March and you had a fund raiser on a Monday, which is a non-session day, that would be okay. But if you had it on a Tuesday, that was a Session day, that would be prohibited. After April 1st the Amendment would create an outright prohibition of fund-raising in Springfield from April 1st until the adjournment of Session."

Speaker Daniels: "Representative Hannig."

Hannig: "Well, Representative, the City of Springfield sends at least two legislators currently serving here. How would this affect them this being their home district, if they wanted to have a fund raiser in Springfield, maybe they live here."

Speaker Daniels: "Representative Churchill."

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Churchill: "They would be prohibited from having a fund raiser in Springfield on Session days before April 1st and at all after April 1st until the adjournment of Session. They would have to plan any fund raisers they might wish to have for times other than those times."

Speaker Daniels: "Representative Hannig."

Hannig: "So, you and I could go back to our respective districts and hold a fund raiser if we so chose after Session on a Friday, for example, or a Thursday if it's the last day of the week, but the people who live and represent Springfield would be prohibited under this proposal?"

Speaker Daniels: "Representative Churchill."

Churchill: "That is correct."

Speaker Daniels: "Representative Hannig."

Hannig: "What about, as in the recent case where we had a sitting Member of the State Senate who was running for mayor of this community here in Springfield. Would that individual be able to have a fund raiser for mayor in the City of Springfield?"

Speaker Daniels: "Representative Churchill."

Churchill: "The specific language says no legislator or candidate for the General Assembly."

Speaker Daniels: "Representative Hannig."

Hannig: "So, someone who is a State Representative or a sitting State Representative or a sitting State Senator from Springfield who aspired to be the mayor of this community and ran for that office would be prohibited from having a fund raiser in the community that he or she wished to represent during this time. Is that correct Sir?"

Speaker Daniels: "Representative Churchill."

Churchill: "Under the Amendment they would have their fund raisers prior to April 1st on a day when the legislature

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was not in Session. This year the election was April 4th. I doubt there were any fund raisers during the first four days of April."

Speaker Daniels: "Representative Hannig."

Hannig: "But theoretically, if they wanted to have these fund raisers in the future, four years from now when that seat is open for mayor, they would be prohibited during these Session days. Is that correct?"

Speaker Daniels: "Representative Churchill."

Churchill: "The election is the first Tuesday in April so I don't think that's a real problem. They would be able to hold their fund-raising prior to the first of April."

Speaker Daniels: "Representative Hannig."

Hannig: "I mean so, if someone wanted to have a fund raiser the Monday before the Tuesday election, they would be prohibited?"

Speaker Daniels: "Representative Churchill."

Churchill: "There is a period of time that if they are a sitting Member of the Legislature and they are running for another office and they wish to hold a fund raiser in Springfield, they would be prohibited from doing that. That period of time would be from April 1st until the first Tuesday in April, whatever date that might be. Prior to that time, prior to April 1st, they would be able to hold a fund raiser on any day in which the Legislature was not in Session."

Speaker Daniels: "Representative Hannig."

Hannig: "So, any day before April 1st. Is that the day or did you say after April 1st? I'm sorry, I didn't quite catch that date."

Speaker Daniels: "Representative Churchill."

Churchill: "Any day prior to April 1st they will be able to have

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a fund raiser on a day when the Legislature was not in Session."

Speaker Daniels: "Representative Hannig."

Hannig: "And when we talk about legislative days, are we talking about Perfunctory days? And are we talking about, well first of all, are we talking about perfunctory days?"

Speaker Daniels: "Representative Churchill."

Churchill: "I believe it would be days when we're actually in Session, not in Perfunctory Session."

Speaker Daniels: "Representative Hannig."

Hannig: "And what about days, for example, when maybe the Senate decided to be in Session, but we in the House chose not to be in Session, would you and I as House Members be prohibited from having fund raisers on those days?"

Speaker Daniels: "Representative Churchill."

Churchill: "That would be a fund raiser on a day when one House was in Session, would be prohibited. So in other words, it doesn't take both Houses being in Session. It doesn't mean that if you are a House Member and the Senates in Session, but you're out of Session, that you can have a fund raiser. If the Legislature is in Session, any part of it is in Session on that day, then you would be prohibited from having a fund raiser."

Speaker Daniels: "Representative Hannig."

Hannig: "Does it make any exception for the fund raisers frequently held by the Speaker of the House and the Minority Party, the President of the Senate here in Springfield?"

Speaker Daniels: "Representative Churchill."

Churchill: "The Bill applies to Legislators, candidates for the Legislature, and also, those political committees that would support candidates for the Legislature. So, if you

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were talking about the House Republican Campaign Committee or the Democratic Campaign Committee, they also would be prohibited from having fund raiser on any..."

Speaker Daniels: "Representative Churchill."

Churchill: "They also would be prohibited from having fund raisers on any date that a candidate or Legislator would be prohibited from having a fund raiser."

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

Granberg: "Thank you, will the Gentleman yield?"

Speaker Daniels: "He indicates he will."

Granberg: "Representative Churchill, I do not have a copy of the Amendment in front of me so, if you don't mind if I can ask a couple of questions as what is in the Amendment and what may not be. Does you Amendment contain any provision for the restriction of legislative mailing that may occur prior to an election?"

Speaker Daniels: "Representative Churchill. And would a page from the Democratic side please get a copy of the Amendment to Representative Granberg so he has those. You now have a copy of it, Sir? Representative Churchill."

Churchill: "No, there is no prohibition of mailings."

Speaker Daniels: "Representative Granberg."

Granberg: "Does it include any provision that...we had our legislation that did not make it out of the Elections Committee that would have prohibited legislative mailings two months before an election because we didn't feel that was fair and might be using taxpayer's money to influence an election, but that provision is not included in your Bill. Similarly, did you include our Bill that would have capped campaign spending in primary and general elections?"

Speaker Daniels: "Representative Churchill."

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Churchill: "That is not a part of this Bill."

Speaker Daniels: "Representative Granberg."

Granberg: "Do you included in your legislation, Representative, the Auditor General's blue ribbon study and recommendations on contract selection and office procurement?"

Speaker Daniels: "Representative Churchill."

Churchill: "That is not a part of this Bill."

Speaker Daniels: "Representative Granberg."

Granberg: "Do you intend to include any of those provisions in another Bill, Representative?"

Speaker Daniels: "Representative Churchill."

Churchill: "One never knows what's going to happen by the time we get to the end of legislative Session."

Speaker Daniels: "Representative Granberg."

Granberg: "And, Representative, you also have a provision, I believe, in your Amendment that states certain reporting requirements for organizations within population centers of 3 million or over. So I assume that it would be limited to Chicago. What is your rationale for just having Chicago have to live by these regulations?"

Speaker Daniels: "Representative Churchill."

Churchill: "I'm sorry, Representative Granberg, there are a couple parts of the Bill that, I'm not sure which one of the parts of the Bill you're asking your question about and that answer might be different depending of which question you're asking so would you please be kind enough to restate your question?"

Speaker Daniels: "Representative Granberg."

Granberg: "Representative, I believe you have a provision for all of Cook County and the reporting requirements. Is that correct? I believe it's on page 3, Sir."

Speaker Daniels: "Representative Churchill."

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Churchill: "Okay, you're talking about that section that deals with ward and township committeemen?"

Speaker Daniels: "Representative Granberg."

Granberg: "Yes, Sir."

Speaker Daniels: "Representative Churchill."

Churchill: "For those people who live in Cook County you elect your political people based on townships or wards. Those people are usually elected in areas that have maybe 50 or some thousand more people. So in other words, you might have 50,000 or 75,000 or 100,000 people. Outside of Cook County the same political person would be elected as a precinct committeemen. They are elected from a precinct which normally contains less than a thousand residents and would have a lot fewer voters. In the outside of Cook County, the precinct committeemen get together and elect one of their own as their township chairmen and elect one of their own as a county chairman. Most county chairmen that have organizations file under these disclosure statements. Inside Cook County the election is for the township chairman and then the township chairman appoints captains under them. So basically, from Cook County you elect the top guy and they appoint down. Outside of Cook County you elect the bottom guy and they appoint up. So what we are doing here is basically taking those people at a political party that would have something that would be large size, a kin to all the other types of political offices that have to file these disclosure statements."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative, it's my understanding on downstate and Dupage or other counties that would...the same principle would apply though because you have certain people who are elected by precinct committeemen. So, wouldn't the

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principle be the same whether it's Cook County, Dupage County, Kane County, Kendall County or even downstate? Why would we just single out Cook County just because of it's size?"

Speaker Daniels: "Representative Churchill."

Churchill: "Again, as I've stated, the township chairman and committeemen and ward committeemen in Cook County usually are elected by a great number of people. They have large areas that include a very decent population outside of Cook County. The precincts are very, very small. You're most likely to have less than 500 or 750 people in a precinct."

Speaker Daniels: "Representative, your time is out. Representative Klingler, the Lady from Sangamon."

Klingler: "Thank you very much, Mr. Speaker, I rise in support of this Bill and I would like to address three specific portions. I first support the limitation of all fund-raising in Springfield from April 1st to the end of the Session and I say this as the Legislator who is most affected by this legislation more than anyone else because I am the only Legislator that actually resides within the City of Springfield. And in fact, this legislation would prohibit me from even having a fund-raising coffee or anything for personal friends within the city of Springfield for a two month period. I think this is important because in a city such as Springfield, it would be very difficult for me to separate personal friends from friends who may have an interest in legislation. For instance, if I had coffee at someone's house and a teacher came, could that be misconstrued? I think in light of the importance of separating fund-raising from what is happening in the Capitol, I think that a total prohibition is appropriate and I support that. And I would remind the

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other Representatives, that you are able to go home on the weekends to your own districts and to your own cities for fund-raising, but I accept this legislation as good for the entire General Assembly. I support the prohibition of excepting honoraria for speeches. I have already been invited to give a number of speeches, have never excepted an honoraria for doing that and I think this is important. I would note, for those of you who may travel to do speeches, that it does include reasonable expenses for travel. Finally, I would like to comment of the elimination of the legislative scholarships, as I think is a very important and adding...adds to the credibility of the General Assembly. I remember at a new Member orientation before I was sworn in, of a Democratic Senator talking to us about how important it was to be so careful in the procedures that we use. And even though this Democratic Senator had been extremely careful and I know her and respect her had, had a committee, she still ended up being the focus of some newspaper articles indicating that something improper was done and I think in fact she had worked very, very hard to give these scholarships out fairly. So, as though I know that some of our constituents would be very concerned that they may feel that this is the only opportunity for such scholarships especially perhaps, for the middle income families. I think it's important to avoid any appearance of impropriety. So again, I support this entire ethics package. Thank you, Mr. Speaker."

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

Davis, M: "Thank you, Mr. Speaker."

Speaker Daniels: "You're welcome."

Davis, M: "I would like to know why your scholarships have to be

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given by July? Why?"

Speaker Daniels: "Is that a question of the Sponsor?"

Davis, M: "That's a question of the Sponsor."

Speaker Daniels: "The Gentleman indicates he will yield.
Representative Churchill."

Churchill: "We have provided that the last scholarships that you could give would be by July 1st of 1996. Not this year but next year. That would be the last set of scholarships that you would give during this term of the Legislature anyway and so as the new Legislature came into being, there would not be anymore legislative scholarships. So basically, by putting 1996 in there, it permits those people who ran for this office and knew that, that was a part of the office to complete those scholarships before the next General Assembly is elected."

Speaker Daniels: "Representative Davis."

Davis: "I fail to see why it would have to be done in July. Why couldn't it be done in December? Your term does not end until, I believe, December 30th, so why must it be July? It could be December and have the same intent and purpose. If your intent is to make sure you have nothing to carry over for the new legislation or the next General Assembly, then December would be in my opinion, no later than December 30th would be the proper date."

Speaker Daniels: "Representative Churchill."

Churchill: "First of all, Representative Davis, most schools start sometime in August so, if you're going to give a scholarship, you want to give it out before the kids go to school. Which would mean that if you did it by July 1st, they would know that they had that scholarship and they would be prepared to go onto college. Secondly, July 1st starts our budget year so that any impact that there might

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be from the scholarships would be accounted for by the state universities in their budgeting and they would be prepared by July 1st when the new budget year began to accommodate any action that we might make on those scholarships."

Speaker Daniels: "Representative Davis."

Davis: "Some students who plan to go to college in July find that in September they really don't go for whatever reason, but maybe they do go in January. So, you have students who give back the scholarship or don't use it if you give it too early and if your not sure that student or the student isn't sure. But I would like to go on to another point, Mr. Speaker, and that is in reference to the bidding that occurs in the City of Chicago or other cities perhaps. They have their own rules, they have home rule and they have regulations regarding bidding. Now, are you attempting to affect that?"

Speaker Daniels: "Representative Churchill."

Churchill: "The current law in biding was put in place in 1961. This does not seek to change that. All we are doing is making sure that, that law on bidding is done at the airport so that we can make sure that they comply with all the laws of the City of Chicago and the State of Illinois."

Speaker Daniels: "Representative Davis."

Davis, M: "Representative, will that effect the set aside rules and regulations or policy that the City of Chicago now has in place? Set asides for women. Set asides for minorities. Will that effect that?"

Speaker Daniels: "Representative Churchill."

Churchill: "It would not be the intent of this legislation to affect those. Again, this law has been on the books since 1961. It is the current law. It has not impacted those

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set asides since it's been put in place. I doubt that it would impact them in the future."

Speaker Daniels: "Representative Davis."

Davis: "I believe if you read your Amendment, if you read it and have somebody really explain it to you, you're going to find that you are affecting home rule in the cities that have it and you would be affecting their set aside policy. The state law, of course, supersedes the city ordinances; however, that would negatively affect a large group of people who reside in that city. And I don't think you want to do that."

Speaker Daniels: "Representative Churchill."

Churchill: "We have not changed division 10 of the law. Division 10 was there. Division 10 started in 1961. I don't believe anything we are doing, in this particular Amendment, changes that relationship between division 10 and all of the other laws regarding set asides. As you'll note, all we do is apply the same requirements on division 10 to airports that would be within the City of Chicago. And that's their...their under the operation of the City of Chicago and they should be doing the same bidding as the city should be doing."

Speaker Daniels: "Representative Davis."

Davis: "My final question is, are they prohibiting fund raisers in Washington?"

Speaker Daniels: "Representative Churchill."

Churchill: "There would be no prohibition of fund raisers in Washington."

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

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

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Speaker Daniels: "He indicates he will."

Black: "Representative Churchill, could you tell me approximately how long has this concept of legislative scholarships been around?"

Speaker Daniels: "Representative Churchill."

Churchill: "I wasn't here back then, Representative Black, maybe you can recall but I think it was about 90 years ago."

Speaker Daniels: "Representative Black."

Black: "I remember it well. Yes, it was, I think, 94 years ago to be exact. To get to that issue, each legislator in the Senate and the House can give up to, if you take a 1 year tuition waiver, and you can give that then to eight people, if my math is correct, each year this Legislative Body could give out approximately 1,400 tuition waivers. Do we appropriate any money to pay the various universities and colleges for those wavers?"

Speaker Daniels: "Representative Churchill."

Churchill: "No, we appropriated no additional moneys. That's a cost to the universities that they have to absorb in their regular budget."

Speaker Daniels: "Representative Black."

Black: "So in other words, when you look someone in the eye who has gone before your committee and you award a scholarship, you may have to look another parent in the eye and say, well your child is going to pay a higher tuition because I'm part of a process that gives out 1400 waivers and we don't appropriate one dime to cover that cost. So isn't it really a cost shifting measure?"

Speaker Daniels: "Representative Churchill."

Churchill: "That's absolutely correct, Representative Black. I doubt that any of us would look those other parents in the eye and tell them they have to afford a higher cost for

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their kids to go to college because someone is getting one of your legislative scholarships but in effect, that is exactly what is happening."

Speaker Daniels: "Representative Black."

Black: "Thank you very much, Representative. One additional question on another item of your package, on the elimination of per diem, when the General Assembly fails to finish it's business in a timely fashion, I not only support that, I've practiced it the last three years. But a question has come up, if we adjourn on time and are called back through no fault of the General Assembly, a disaster or some other problem, the Governor calls us back into special Session, would the General Assembly then qualify for a per diem payment if they were called back into a special Session on the call of the Governor?"

Speaker Daniels: "Representative Churchill."

Churchill: "The per diem is lost between June 1st and the end of the spring Session. So, if the Governor were to call a special Session the per diem would apply. Likewise, if there were committee meetings after the end of the spring Session, the per diem would apply."

Speaker Daniels: "Representative Black."

Black: "Thank you very much, Representative. Mr. Speaker, to the Bill...or to the Amendment, I'm sorry. Ladies and Gentlemen of the House, you know, there are time that we fall into being creatures of habit and things are done because they have always been done that way or there's always been legislative scholarships. Well, I would submit to you that 94 years ago they didn't have pell grants. They didn't have the monetary assistance program. They didn't have the Illinois Students Assistance Commission. They didn't have the various student loans and other

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financial aides that are now available. In light of that, I think it is unconscionable that we continue to award a legislative tuition waiver and appropriate no money for that. You know, how many of your constituents are notified year after year that they qualify as an Illinois State scholar and are eligible to receive \$500 to help them go to school, but we don't fund that. So in effect, all they get for being an Illinois State scholar is a nice letter. And I suppose you could frame it and put it on your wall but it doesn't help pay tuition. And the issue of per diem, as I've stood on this floor for three years and said that's the only way the rank and file Member is going to put pressure on the leadership in this Body to conduct our business in a timely fashion and adjourn on time. I think what we've done in the last three or four years going into a mid or late July is unconscionable and I think it's clear to any of you who have a newspaper or a radio station or a television station that feeds into your district, that the public is fed up with us being here in mid July drawing per diem. That's not part of the intent of that legislative emollient. We all know that and it's time to put it to an end and I suppose some of you will get up and say this package doesn't go far enough or the package goes too far. Well I think for once, for once in the ten years that I've been here, we have a package where you can put all of your campaign promises and all of your brochures on to that board and vote yes. Does it accomplish everything that some of us want to, probably not but it's a far better start than we have been allowed to vote on in the ten years that I've been here. I commend the Sponsor for his efforts in this package and I urge and 'aye' vote."

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

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Currie: "Thank you, Speaker, and Member of the House. They say generally that imitation is the sincerest form of flattery. In our business, I think that the sincerest form of flatter is theft and I'm proud that there are some items from legislation of my own that Representative Churchill has seen fit to include in Amendment 2 to House Bill 1498. The problem, from my perspective, is that the theft wasn't wholesale. I introduced a Bill this Session and have done so on previous occasions that would require campaign disclosures, financial disclosures. Not just from ward and township committeemen in the County of Cook, but from ward, township and precinct committeemen all across the state. Representative Churchill suggested that there might be a legitimate reason to distinguish between political, party political office holders in Cook from other counties on the grounds that there may be more people in some wards than there are in some precincts downstate. I think from the perspective of an interested public, the question is how much money and from whom that money is coming. It seems to me that the voters in Cairo, the voters in Decatur, the voters in every part of the state have just as much interest in finding out how their party office holders are getting and spending money as people do in the County of Cook. And I can't think of a single constitutional reason for making the distinction that this Amendment does. We've seen legislation that looks to be special legislation in this Assembly. For example, larger counties can enact gas taxes. The Supreme Court found that okay, but you can make a argument that the population differential in those counties means that there may be greater usage of the highways, more need to spend money on those kinds of projects than in more rural areas. There is nothing that

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makes the kind of distinction between Cook and every other county with respect to the right of the public to know how money is got, how money is spent. There is no possible conceivable constitutional reason for that distinction. There is another part of the Bill that I personally support and that is the decision to abolish the General Assembly scholarships. I think most of us do a good job in trying to allocate those, but from the public's perspective, there's always the question, was somebody helping somebody who had been helpful to the politician. Was there some reason other than merit and need that guided that choice. But I have a question for Representative Churchill if he'd be prepared to answer it. And the question, Representative Churchill, is this. How many votes did our colleagues in the Senate supply on the question of abolishing General Assembly scholarships earlier this Session?"

Speaker Daniels: "Representative Churchill, will you respond? He indicates he will, Representative Churchill."

Churchill: "I know they didn't pass it in the Senate, but I don't know the exact vote total. I think it was a stand alone Bill and of course because this has other components to it. As a package, I think it's a very fine package. I would remind you, Representative Currie, that you had twelve years to get your package passed. I don't remember ever voting on any of these items and I wish you could have passed them before. We'll be happy to do it today and happy that you're joining with us tonight."

Speaker Daniels: "Representative Currie."

Currie: "Speaker, the Gentleman did far more than answer my question and I resent his using my time for his rhetorical excesses. The fact is...the fact is, the Senate soundly rejected the scholarship abolition Bill and if these people

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who are offering us this Amendment are serious about this ethics package, they will separate out the scholarship abolition from the rest of the package. I think to the Amendment, Speaker, and Members of the House, I think this is a hoax. A hoax of major proportions. I think what you've done is to say, we are going to do some cleanup activities, we are going to provide ethics for the State of Illinois, for Legislators and for politicians in Cook County and the fact is, you aren't serious. The fact is, with the provisions with respect to General Assembly scholarships in this measure, this package is DOA when it gets to the Senate chamber. All you're doing is giving yourselves fodder for a press release. All your doing is pretending to the folks back home that you really care about something that is really important. The is half baked and from your perspective, you're going to make sure that it never gets baked at all. I think this is a phony, bologna program and I think the people in this Chamber ought to be pretty clear about what kind of hoax this whole program is about tonight."

Speaker Daniels: "The Lady from Dupage, Representative Pankau."

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

Speaker Daniels: "The Lady has moved the previous question. The question is, 'Shall the main question be put?' All those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this question there are 64 'aye', 51 'no', none voting 'present'. The previous question has been moved. The Gentleman Representative Churchill to close on the Amendment. Representative Churchill"

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

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House. Representative Currie said she thought that this was phony bologna and then I think perhaps, you ought to vote no on it if that's what you really believe. You tell me that you tried to pass these concepts for twelve years when you were the majority party. I don't even remember seeing a package like this come to the Floor during that period of time when I was here. Ladies and Gentlemen, these are legislative perks that deserve to be abolished. Today they are legal. The Legislators avails themselves of some of these perks. But we all worry that maybe some of these perks are wrong and that we should not do them. Tonight we have the opportunity to abolish these perks. I believe that this is a Bill that will receive acceptance here and will go to the Senate and will be passed over there. I believe that we can change the law, that we can change the way that we do business right here in this legislative process. This Amendment needs your support and I would ask for a favorable vote both here on the Second Reading and also on Third Reading when we get to that point. Thank you."

Speaker Daniels: "The Gentleman, Representative Churchill, moves for the adoption of Amendment #2 to House Bill 1498. 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? The Clerk, will take the record. On this question, there are 96 'ayes', 17 'no', none voting 'present'. The Amendment is adopted. Third Reading. Let the record reflect that Representative Shirley Jones would have voted yes on that Amendment if she would have made it to her switch. The record will so reflect Representative Jones. Third Reading. House Bill 1498. Read the Bill, Mr. Clerk."

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Clerk McLennand: "House Bill 1498, a Bill for an Act that amends the Illinois Government Ethics Act. Third Reading of this House Bill."

Speaker Daniels: "The Gentleman from Lake, Representative Currie, for what purpose do you rise, ma'am."

Currie: "I have a parliamentary inquiry. Our constitution requires us to read Bills three days, three separate days. This Bill, although been read by title I believe before we adopted the Amendment, the Amendment deals in a variety of additional subject than those that were covered by the Vehicle Bill that was House Bill 1498 as introduced. So my question to the Chair is, first, would it be wiser public policy to read this Bill on Third Reading tomorrow so as to comport with the spirit if not the specific meaning of the constitution. And second, is there not in fact a problem with the specific language in the constitution if we do not read this Bill on a third separate day given especially the change in the number of topics that are included. And I think the reason for the three reading provision in the constitution is that there ought to be some public notice, public opportunity to consider what it is we are voting on and when we adopt an Amendment that is as...involves so many different areas of the law on one day and then proceed to a Third Reading vote on the same day, it seems to me we clearly undercut what the constitutional framers had in mind with the three separate day reading provision."

Speaker Daniels: "We will get back to you. The parliamentarians ruling is that we have met the spirit of the constitution in reading the Bill on three separate days. And your argument is interesting, but not persuasive and we rule that we have complied. The Gentleman from Lake, Representative Churchill."

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Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We have just had a very thorough debate on this. The Amendment became the Bill and everything in it is exactly the same..."

Speaker Daniels: "Any discussion on the Bill? The Gentleman from St. Clair, Representative Hoffman."

Hoffman: "Yes, will the Sponsor yield?"

Speaker Daniels: "He indicates he will."

Hoffman: "First of all, we would like to take this Bill off of Short Debate with the requisite number of individuals we would request that."

Speaker Daniels: "Proceed. Representative Hoffman."

Hoffman: "Yes, Mr. Speaker we would like to take this off of Short Debate with the requisite number of individuals..."

Speaker Daniels: "Talk away."

Hoffman: "Will the Sponsor yield?"

Speaker Daniels: "He indicates he will."

Hoffman: "And I asked this in Executive Committee and we were running short on time and I just wanted to maybe expound upon this. First of all, I think that the Bill has a lot of merit and I wanted to say that up front. I think there needs to be certain reforms, the question is, with respect to this Bill, are we really doing anything when we limit the Springfield fund raisers. I mean, can't people just go to Chatham and have their fund raiser instead of staying it's Springfield? I mean Chatham is right outside the city limits and it's my understanding this Bill would prohibit that type of activity."

Speaker Daniels: "Representative Churchill."

Churchill: "Yes, people could go to Chatham, Lincoln, Pontiac, Joliet, Chicago, but not in Springfield."

Speaker Daniels: "Representative Hoffman."

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Hoffman: "So they could also go to Jerome which is right outside of Springfield or Sherman or any type of place such as that. They could even go to the Coliseum in Benld in Gary Hannigs district. There is no limit on where you can have it other than in Springfield? Is that correct?"

Speaker Daniels: "Representative Churchill. Ladies and Gentlemen. This is Third Reading of a very important piece of legislation. Could we please have your attention? Ladies and Gentlemen will we please clear the aisles. And staff please remove themselves to the rear of the Chambers. Representative Churchill"

Churchill: "The only prohibited geographical location is Springfield. Other geographical locations would be acceptable."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Well, I guess that was the point of many people on this side of the aisle. If we are going to do something maybe, although this is a step, I think that we should do something that isn't seemingly so shallow, because what we are talking about, you go to the Rail Country Club, you could still have a fund raiser, a golf outing or any of the like because it's my understanding that's in Sherman. You go to the Barrelhead which I believe is in Woodside Township which is in Jerome, I've heard that maybe Jim's Steakhouse is in Woodside Township which is the Village of Jerome. So really what we are doing is we are really just shifting the ability of people to go to the districts of the people who represent Springfield, bring in money into that district by having these fund raisers and allowing them to go to Chatham. I would think that the Chatham Chamber of Commerce would be the biggest Sponsor of this Bill because everybody is going to be going to Chatham to

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have their fund raisers. Now I for one, I for one have never had a fund raiser in Springfield during Session. Now, I'm not trying to have...I'm not saying that to have a holier than thou attitude. I'm just say the fund raisers will go on. The fund raiser that was held yesterday by the Speaker of the House will still go on it will just go on in Jerome, it's just going to go on in Sherman, it's just going to go on Chatham. And so if we are going to have some kind of artificial...artificial type of legislation where number one, when we see the press releases that we've read throughout the state. They said we are going to have some kind of limit on the way we spend campaign contributions. The press releases that I read in my district say that there is going to be some kind of limit on this proposal that you could no longer utilize campaign funds for personal reasons. Now Representative Salvi had a Bill that I supported doing just that. That is not contained in this Bill. It is not contained in this Bill that there would be any limits on the expenditure of campaign contributions. I think that is something that the people in my district is crying out for. To see the end of the madness of spending 3 and 400,000 in each legislative district for 35-\$40,000 a year job. That isn't addressed in this. So what we are going to do is I think unfortunately, although I think may of us are go to support it because it is at least a step, be it a tiny one, we are still going to see business as usual, \$300,000 being spent in campaigns and districts. We are going to see people moving out of Representative Klingler's district into Chatham, which may be her district, but into Jerome, into Sherman, having these fund raisers and it's going to be business as usual."

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Speaker Daniels: "The Gentleman from Winnebago, Representative Winters."

Winters: "Thank you, Mr. Speaker. I rise in support of House Bill 1498, particularly the provision which eliminates the legislative scholarships. The public perception of the General Assembly is the entire meat of this Bill. Because the General Assembly scholarship recipients are hidden. There is the perception among the public that there is abuse. Far and exceeding what actually may have been done in the past. We simply have to maintain and enhance the reputation of the General Assembly by ridding us of the potential of fraud that we have with these particular perks that we as legislators now have. If we eliminate the scholarship there is no potential whatsoever, for fraud and abuse of these scholarships. Illinois is the only state in the nation with these particular perks. They were started as Representative Black mentioned, 94 years ago at the turn of the twentieth century. We are not looking at the start of the 21st century, it is time we moved ahead. We now have in place many sources of scholarships, the Illinois Students Assistance Commission is now in existence with numerous scholarships that are available based on merit and need. We do not need this perk for us as Representatives and Senators. It is important for the General Assembly to live under the same rules as our citizens. We have to attack these special perks and this Bill is very important in doing that. It is time that these scholarships are ended and this alone, this particular provision alone makes me support this Bill. Again, I'd urge it's support. Thank you."

Speaker Daniels: "The Gentleman from Sangamon, Representative Poe."

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Poe: "Now, Mr. Speaker, I rise in support of this Bill. I, as the second Legislator from the Sangamon County area feel that the ban on fund-raising well outweighs the negative that it would have. I think it brings credibility to the General Assembly, and anytime we could do that we ought to try. Second part of this ethics Bill that I like is the part where the per diem is limited to the end of May. I feel that we are elected by the voters to do a job and I feel we ought to do that job on time. And I feel that as we are in our other business, we are expected to do the job and we complete it on time and very valuable to our assets as a Body. I would urge everybody to vote for this Bill. I think it brings a lot of credibility to this Assembly and I would urge a 'yes' vote."

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

Hartke: "Thank you very much, Mr. Speaker, will the Sponsor yield?"

Speaker Daniels: "He indicates he will."

Hartke: "Representative Churchill, I listened to the debate as we adopted the Amendment and Representative Black spurred an interesting thought through my mind. You know he asked the question whether we appropriate any dollars through the General Assembly here to the University of Illinois or to Eastern Illinois University for the scholarships that we as legislators grant to constituents in our district and his answer was no and the thought occurred to me, do we appropriate any dollars for Lou Henson and the coaches at the University of Illinois who give scholarships for the football team and the basketball team and the tennis team and the golf team and does...do we appropriate dollars for the president to give presidential scholarships such as

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Stan Lakenberry gave or are those just perks that we give to our coaches who can't seem to put together a winning team for the University of Illinois or Eastern Illinois University and just how many scholarships are we granting there. And are we appropriating those dollars or are they absorbed by the University of Illinois?"

Speaker Daniels: "Representative Churchill. Ladies and Gentlemen of the House. Representative Churchill."

Churchill: "I'm told that most of the money that comes in for that is through grants and aid. It's private money."

Speaker Daniels: "Representative Hartke."

Hartke: "Yes, are you sure about that? Absolutely sure about that? How about for the presidential scholarships given by the University?"

Speaker Daniels: "Representative Churchill."

Churchill: "I'm being told that they are grants and aid, I believe that's true but if you know something different perhaps you could share that with us."

Speaker Daniels: "Representative Hartke."

Hartke: "I really doubt that all those scholarships are grant and aid, but I think there's probably enough good in this package that I'm going to support it, but I think we are being kind of disingenuous with the general public when we say this is real ethics legislation. I've looked at things and I really think it's phony bologna and I got to agree with my colleague but to not incur the wrath of the constituents who think that I'm a crook and a thief and want all these perks for this wonderful job. I'm going to support this legislation, but I really think that it is put in perception that we agree with the general public that it is scurrilous to be a Legislator and I don't think so. I take my job with honor and I give my scholarships with

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pride to those individuals in my district who are truly deserving and so I'm going to support your legislation but I think it's wrong."

Speaker Daniels: "The Gentleman from Whiteside, Representative Mitchell."

Mitchell: "Thank you, Mr. Speaker, will the Sponsor yield for a couple of questions?"

Speaker Daniels: "He indicates he will."

Mitchell: "Thank you. Representative Churchill, I just have a couple of questions I would like to clear up. First of all, in the area of honorariums, my understanding is that if I do speak and they wish to give me a cash payment, I can request that, that particular money be given to any 501C3 charity in..."

Speaker Daniels: "Representative Churchill."

Churchill: "Yes, that's correct."

Speaker Daniels: "Representative Mitchell."

Mitchell: "So, in other words, if I do speak and there is money involved and I could ask that, that go to the Dickson School Foundation, for instance, in my own district. That would be legitimate?"

Speaker Daniels: "Representative Churchill."

Churchill: "That would be legitimate under this Bill."

Speaker Daniels: "Representative Mitchell."

Mitchell: "Just a couple other questions. On the Chicago contract and reform, I'm just a country boy here but I've got a couple questions in that area. This explicitly applies to existing law and governs the competitive bidding let's say for the City of Chicago in the contracting area, let's say airports that are operated by the City of Chicago."

Speaker Daniels: "Representative Churchill."

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Churchill: "That's correct. It's a 1961 law and we are just making sure that, that applies across the board to the airports."

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

Mitchell: "For instance..."

Speaker Daniels: "Representative Mitchell."

Mitchell: "And for instance, in requiring bidders in the City of Chicago to disclose the names of officers, directors, and more individuals, more of those individuals who own 7 1/2% of stock or other beneficial interest. In the bidding process, if I happen to be the mayor of Chicago and my brother-in-law happens to be on the board of one of those people that bid during that, then that would have to be disclosed. Am I correct?"

Speaker Daniels: "Representative Churchill."

Churchill: "As long as he owned more than 7 1/2% he would have to disclose his ownership interest, if he's on the board."

Speaker Daniels: "Representative Mitchell."

Mitchell: "Thank you and it further states that if in some way if I happen to be a Mayor of Chicago and I try to violate that particular part of the bidding process then I would automatically forfeit my office. Is that right?"

Speaker Daniels: "Representative Churchill."

Churchill: "Yes, if it's a knowing and intentional violation."

Speaker Daniels: "Representative Churchill. Representative Mitchell."

Mitchell: "Thank you. Mr. Speaker, to the Bill. I stand in support of the ethics Bill, of House Bill 1498. I too, have seen that the appropriations is not there for the scholarships and if we were totally honest, we would appropriate the money up front for those scholarships and

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let people know exactly what it's costing the various institutions for this legislative perk. I also support the method in which honorariums are handled in this legislation, but in particular, the Chicago contracting reform I believe is needed. If we can put something in to break up the good old boys club and make sure that everybody has an honest attempt at appropriating these contracts that have millions and millions of dollars at stake without any suspicion of favoritism or partisan politics being a part of this. It's not just good government but it's the right thing to do for everyone that's trying to have a shot at these particular contract. It's time that we took a look at this and I think this Bill is going to give us a chance to make sure that there's honesty in the bidding process in the City of Chicago. I urge everyone to support this particular legislation. Thank you."

Speaker Daniels: "The Lady from Will, Representative Ciarlo."

Ciarlo: "Thank you, Mr. Speaker I too rise in support of this Bill. It...Especially the honorarium. Being a Freshman Legislator, I have not had the ability nor have I been asked to perform or give speeches at any particular event. However, let me tell you I do believe that it is a responsibility as an elected official and that therefore the compensation is in doing the job that you were elected to do. I believe this Bill holds us to those responsibilities. We all work very hard to get here and we are all honest people and this just tells John Q. Public that we are honorable and that we are deserving of the position and it doesn't necessarily take extra compensation. I think this is a good Bill, I think it will do good things for both sides of the aisle and I strongly

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urge everyone's support of this fine Bill. Thank you."

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

Skinner: "Mr. Speaker, when I was a Freshman Legislator back in 1973, I couldn't figure out how to give away these scholarships. I knew that some of my colleagues were giving them away to campaign contributors or sons and daughters...that is sons and daughters of campaign contributors or sons and daughters of campaign workers, but that didn't seem to be appropriate and it wasn't until during the Watergate era that I was speaking to a group of fourth and fifth graders in McHenry and one little girl who was very...well she will probably be a congressman someday. She was sitting in the front row and she raised her hand twice and the second time she said or she asked, would you like to be President. I said, well sure that's the top of my profession, wouldn't you. I got a whole chorus of noes from the kids. At that point I concluded that what I wanted to do with my scholarships was try to encourage people to realize that they could get some benefit from participation in the political process. Now, I've been doing that ever since but I've also traveled to Maryland last December and while staying with my sister I was reading the Baltimore Sun and the headline was, 'last legislative scholarship program doomed', or something like that, and the reporter for the Baltimore Sun thought that Maryland was the last state that had scholarships that were given away by Legislators or designated by Legislators. Obviously, that reporter had not done adequate research. I suspect we are the last state to do so. I suspect given the history of some Legislators having given scholarships to their kids, I know one who ended up being an official of

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the University of Illinois did that. That probably there's enough abuse out there that in order to avoid the appearance of impropriety that we probably ought to abolish these scholarships, but I also note that there are young men and women in my district who probably will think more kindly about entering public service or participating in the political arena in the future because of the scholarships they have been awarded through the committee that I've appointed. Thank you very much."

Speaker Daniels: "Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Mr. Speaker, I move the previous question."

Speaker Daniels: "The Lady has moved the previous question. All those in favor, signify by voting 'aye'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Clerk, will take the record. On this question, there are 63 'ayes', 50 'noes', the previous question has been moved. The Gentleman from Lake, Representative Churchill to close."

Churchill: "Thank you, Mr. Speaker. I would ask for an affirmative vote."

Speaker Daniels: "The Gentleman moves for the passage of House Bill 1498. 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? The Clerk, will take the record. On this question, there are 101 'ayes', 15 'noes'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2445. Read the Bill, Mr. Clerk. Excuse me, read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2445. A Bill for an Act that Amends Juvenile Court Act of 1987. Second Reading of this House Bill. Amendment #1 was Adopted in...Committee Amendment #1

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was Referred to Rules. Committee Amendment #2 Referred to Subcommittee. Committee Amendment #3 was Adopted. Floor Amendment #4, 5 and 6 have been Referred to Rules. A Fiscal Note and Correctional Budget and Impact have been requested on the Bill and have been filed. State Mandates Note and Judicial Note have been requested on the Bill and they have been filed as well."

Speaker Daniels: "Third Reading. The Lady from Cook, Representative Feigenholtz."

Feigenholtz: "Mr. Speaker, thank you. I inadvertently voted Affirmative on the Amendment. Could you please change that negative...could change it to affirmative on the Amendment? Amendment #2 to House Bill 1498. Let the record reflect it, thank you."

Speaker Ryder: "The record will reflect your request, Representative Feigenholtz, but I can't change the...now your vote on Amendment #2 to House Bill 1498 was recorded as 'no' and you would like it to be recorded as 'yes'. The record will reflect that, but I can't change the vote, but the record will so reflect. Thank you. Third Readings. Mr. Clerk, read House Bill 238."

Clerk McLennand: "House Bill 238..."

Speaker Ryder: "The status of the Bill is on Third Reading."

Clerk McLennand: "Is on Third Reading, it was moved to Third Reading earlier today."

Speaker Ryder: "Return that Bill to Second Reading, Mr. Clerk. House Bill 1322. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1322. A Bill for an Act that Amends the Alternative Health Care Delivery Act. Third Reading of this House Bill."

Speaker Ryder: "Return the Bill to Second Reading. House Bill 1510. Read the Bill, Mr. Clerk."

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Clerk McLennand: "House Bill 1510. A Bill for an Act in relation to Women in Military Service. Third Reading of this House Bill."

Speaker Ryder: "The Lady from Cook, Representative Zickus."

Zickus: "Thank you, Mr. Speaker, and members of the House. House Bill 1510 creates the Income tax check off to provide funding for a monument to honor women who have served in the military. House Bill 1510 authorizes the Department of Veterans Affairs to make grants from the fund to assist in the construction of the women in military service for America Memorial located at Arlington National Cemetery. It Amends the state finance Act to add the Women in Military Service Memorial Fund to the list of funds in the state treasury and Amends the Illinois Income Act to create a check off for the Women in the Military Service Memorial funds."

Speaker Ryder: "The Lady has moved for the passage of House Bill 1510. Is there any discussion? The Gentleman from St. Clair, Representative Hoffman."

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

Speaker Daniels: "She indicates she will."

Hoffman: "Representative, I agree with the concept that we should have a Women in Military Memorial and I don't think anybody on this side of the aisle disagrees. The question comes to what we have went through over the past few years, I know you have been here for many years, Representative, with regard to these Income tax check offs, in the past it seems that the Department of Revenue has always been against us adding additional income tax check offs. What is their position with regard to this Bill?"

Speaker Daniels: "Representative Zickus."

Zickus: "They have no position."

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Speaker Daniels: "Representative Hoffman."

Hoffman: "Is there any cost estimate as to what it would cost in order to change the income tax forms in order to add an additional check off requirement, because I know when we tried to do certain things for instance for the Persian Gulf Veterans and for other needy type things, the Department of Revenue always came in and would raise cane that they were concerned because the forms would have to be changed for all the tax forms in the State of Illinois. They thought that would create a substantial hardship to them and many times they opposed those types of check offs. What would be the cost of this Bill?"

Speaker Daniels: "Representative Zickus."

Zickus: "There is room on the form, right now for aid. And each year they have to reprint them anyways, to change the year that appears on there."

Speaker Daniels: "Representative Hoffman."

Hoffman: "What are the other check offs that presently exist, on the income tax form?"

Speaker Daniels: "Representative Zickus."

Zickus: "Non game Wildlife Conservation Fund, Child Abuse Prevention Fund, Alzheimer's Disease Research Fund, Homeless assistance Fund, Breast Cancer Research Fund, Korean War Memorial Fund, Heart Disease Treatment and Prevention Fund, and the Hemophilia Treatment Fund. I would also like to add that the memorial was authorized by Congress and is supported by the Department of Defense and the Department of Veterans Affairs. But, the money has to be raised by private donation."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Which I understand and I think... that us on this side of the aisle, probably agree with the concept of the Bill,

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but its my understanding that in the past, for instance when we had the fund for the Persian Gulf Veterans, We wanted to give them bonuses and we had a check off, and even that right after the war and the tax form, even that didn't bring in sufficient money in order to provide those bonuses. It's my understanding that this has to reach a hundred thousand or more annually for the check off to remain on the tax form. Do you have any estimation as to: #1) How much you would like to send to the Arlington National Cemetery for this purpose and then #2) Any estimation as to how much it would raise?"

Speaker Daniels: "Representative Zickus."

Zickus: "Yes, they have requested one dollar per women veteran in Illinois, which would be a little under \$37,000."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Has there been any thought toward...we're talking about \$37,000 dollars, I would assume. Has there been any thought to the attempt if this doesn't have sufficient money, because I think this is a good concept that we could potentially have a back up appropriations in order to send this for this memorial, because I think it is an absolutely wonderful cause and I think it should be done."

Speaker Daniels: "Representative Zickus."

Zickus: "I think it is a great cause too. And this Bill really deals only with the income tax check off."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Well, I would hope that it does... My only concern is that I think we named off about ten check offs and I think over the years unfortunately many of those causes have not received the sufficient money and we've given lot of people false hope. I would hope that we could do this in a way that we could insure that this gets funded and we actually

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make a contribution to this very needed memorial. So, I would hope that we have some kind of back up mechanism, just in case this doesn't pan out as far as the money. Otherwise I think it is a good Bill."

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

Mulligan: "Thank you, Mr. Speaker, Will the sponsor yield?"

Speaker Daniels: "She indicates she will."

Mulligan: "Representative Zickus, If this gets on the income tax form and they don't get a \$100,000 dollars, but say they do get \$40,000 dollars. Would the \$40,000 dollars still be contributed for what you intended it to be contributed for?"

Speaker Daniels: "Representative Zickus."

Zickus: "Yes, it would."

Speaker Daniels: "Representative Mulligan."

Mulligan: "So, actually this would probably be a one time only check off on the income tax form, because if you got any amount money up to \$100,000 dollars it would be contributed in that it would cover basically what are contribution should be."

Speaker Daniels: "Ladies and Gentleman of the House. Representative Zickus."

Zickus: "There is my understanding... anyone that doesn't receive the \$100,000 dollars by October 1st is removed from the form. So,... in order for it to stay on the form, because it is also going to be upkeep for the memorial."

Speaker Daniels: "Representative Mulligan."

Mulligan: "To the Bill Mr. Speaker, I commend the Representative sponsoring this. We've been trying to raise money in Illinois and it doesn't seem we're doing that. I personally contributed. I have an aunt that is a World War 2 veteran, any other Representative here could contribute if they so

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desire. And I also have a relative named. So, I certainly intend to vote for Representative Zickus's Bill and it solves the problem of us funding in Illinois and I really commend her for sponsoring this Bill."

Speaker Daniels: "Lady from Cook, Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. Mr. Speaker, I wanted to... make known my protest in reference to your... your not calling any Members of this side of the aisle for House Bill 1498. And especially, when its so severely impacts upon the City of Chicago. You know, there are a number of us who... who...who represent working parents and working parents, who make too much to get certain scholarships for they're children, but who appreciate a legislative scholarship. And for us to vote to limit that, would be hurting our districts. To have the Cook County Ward committeemen only to have to report according to article 9 of the election code. It is tremendously unfair to Cook County. Why not Kane County or Dupage County? Should Cook County be punished because the majority of the people are African American or Hispanic? Is that why that piece legislation is there for them? But to deny us the opportunity to address those."

Speaker Daniels: "Representative. Representative. Representative. Representative. The Majority Members from your party voted for that Bill. The majority Members of your party voted for that Bill. Further discussion. The Gentleman from Will, Representative Meyer."

Meyer: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I would like to stand in strong support of House Bill 1510. House Bill 1510 was considered by the veterans Affairs committee and received unanimous support. Just to frame the previous speakers comments from the other side of

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the aisle, that individual did vote in committee to support this Bill and I accept his explanation for his comments here on the Floor and he does support the concept. Ladies and Gentlemen of the House, I think for many, many decades now, women have played an important role in their support of the Military effort in this country and I believe that it is time that support of that military effort has strongly recognized. I think this Bill is a Bill that will allow for that recognition to take place, at least a step in that direction. And...I stand again in strong support of it, and urge my colleges on both sides of the aisle to vote affirmative on this Bill."

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

Zickus: "Thank you, Mr. Speaker. I just ask for the Members support of this Bill and ask for it's passage."

Speaker Daniels: "The Lady has moved for the adoption of House Bill 1510. 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 114 'aye', none voting 'no', 2 voting 'present', this Bill having received the Constitutional Majority is hereby declared passed."

Speaker Daniels: "House Bill 1800. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1800, a Bill for the Act that amends the liquor control act of 1934. Third Reading of this House Bill."

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

Stephens: "Well, thank you, Mr. Speaker. House Bill 1800 is fairly straight forward. It simply...The current law prohibits a manufacturer or distributor or an importing

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distributor to furnish or lend, rent or erect an additional sign on a retail property. This simply provides language that allows and limits to one per brand the number of signs that a manufacturer, distributor, or importing distributor may furnish to a retail license. That's one in excess to any permanent signs they may have. So, for the purpose of temporary signage...the language is presented and I would be glad to respond to any questions, and I would ask for favorable consideration of House Bill 1800."

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

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

Speaker Daniels: "He indicates he will."

Mautino: "Is Amendment #1 on the Bill?"

Speaker Daniels: "Representative Stephens."

Stephens: "Committee amendment #1 was adopted in committee. And simply provided cleanup language that made it clear that we limited to one per brand the number of signs that a manufacturer, distributor, or importing distributor may furnish to a retail license. That's of course, the extra temporary signage."

Speaker Daniels: "Representative Mautino."

Mautino: "I apologize, I couldn't hear over the noise in here."

Speaker Daniels: "Ladies and Gentlemen. Representative Stephens, could you restate the answer?"

Stephens: "Thank you, Mr. Speaker. The question was, was Amendment #1 adopted? Yes, Representative, it was adopted and it says that notwithstanding limitations set forth in other sections, a manufacturer at all may furnish to a retail licensee one temporary outside sign per brand, without being subject to the limitations set forth in subpart one of this section. A temporary outside sign

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includes, but are not limited to banners, flags, pennants, and streamers and must be temporary and non-permanent in nature. Each temporary outside sign shall only advertise the product of the manufacturer, distributor or importing distributor, who furnished the sign to the retail licensee."

Speaker Daniels: "Representative Mautino."

Mautino: "Okay, on this the...So, in a situation where in the... say last year for example, a liquor store or a tavern if they had two identical banners, be it a Miller ban... two Miller banners or two Miller Lite banners or two Budweiser banners, for having those, they were in violation of the law and were being fined. Is that correct?"

Speaker Daniels: "Representative Stephens."

Stephens: "You are correct, Sir."

Speaker Daniels: "Representative Mautino."

Mautino: "Then your Bill as it stands now, would allow for them to have, as long as they are purely on a temporary basis, pendants, banners, which may be placed at retail outlets?"

Speaker Daniels: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker. Yes, that is correct. One additional temporary banner."

Speaker Daniels: "Representative Mautino."

Mautino: "Are there any...Is it unlimited in the...I don't have a copy of the actual Bill but, what if they had three or four, say they were having a festival or promoting something inside the town where they had multiple signs, would there be any fineable offense on any number exceeding two or more?"

Speaker Daniels: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker. Representative, it would be unlimited except with the restriction that one per brand,

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per establishment on a temporary sign. So, in other words, if company (A) has a permanent sign at a location, retail location, and they want to have a little festival in the back of that place, they set up a tent, they can have one sign for each product that company (A) produces, but one only."

Speaker Daniels: "Representative Mautino."

Mautino: "This legislation...was this legislation put forward by the retail liquor association?"

Speaker Daniels: "Representative Stephens."

Stephens: "Beer Distributors."

Speaker Daniels: "Representative Mautino."

Mautino: "The...And also is supported by the retail liquor dealers?"

Speaker Daniels: "Representative Stephens."

Stephens: "Yes, it is."

Speaker Daniels: "Representative Mautino."

Mautino: "I...On that, to the Bill."

Speaker Daniels: "To the Bill."

Mautino: "I rise in support of the Gentlemen's Amendment. It creates a problem that the distributors and the small mom and pop retailers have had throughout the State of Illinois. I think it is timely, I know there is... at this time, no opposition to the Bill and would appreciate 'aye' votes.

Speaker Daniels: "The Gentleman from Clinton, Representative Granberg. Are you opposed to the Bill, Sir? That it, the Gentleman, Representative Stephens, to close."

Stephens: "Thank you, Mr. Speaker. I would appreciate an 'aye' vote. I move passage of House Bill 1800."

Speaker Daniels: "The Gentleman moves for passage of House Bill 1800. All those in favor, signify by voting 'aye', opposed

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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 104 'ayes', none voting 'no', 112 voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. We have a Motion filed House Bill 1246. Mr. Clerk, read the Bill. Read the Motion."

Clerk McLennand: "Motion to reconsider, pursuant to rule 715. Having voted on the prevailing side. I move to reconsider to vote, by which House Bill 1246 passed. Offered by Representative Jan Schakowsky."

Speaker Daniels: "Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I move to Table the Motion."

Speaker Daniels: "The Gentleman has Moved to Table the Motion. All those in favor, signify by voting 'aye', opposed by voting 'no'. On the Motion to Table, which is non debatable, voting is open. This is Motion to Table, the Motion of reconsideration. Representative Black has Moved to Table the Motion for reconsideration. 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? The Clerk will take the record. On this question, there are 63 'ayes', 53 'no', and the Motion to Reconsider is Tabled. Third Readings. House Bill 1843. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1843, a Bill for an Act that amends the Illinois Insurance Code. Third Reading of this House Bill."

Speaker Daniels: "Representative Schakowsky, for what purpose do you rise, Maam?"

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Schakowsky: "Thank you, Mr. Speaker. On House Bill 1246, I would like the record to reflect that I prefer to a vote 'no' on that Bill."

Speaker Daniels: "The record will so reflect. The Gentleman on House Bill 1843, Representative Hanrahan."

Hanrahan: "Thank you, Mr. Speaker. House Bill 1843, presently hearings are held for insurance agent license, suspensions, and denials. In Springfield or the County where the licensee, principal place of business is located. This Bill seeks to expand those meeting sights...those hearing sights to include Chicago. This was passed unanimously by the Insurance Committee and I would entertain any questions relative to it."

Speaker Daniels: "Any discussion on the Bill? Representative Lang, the Gentleman from Cook."

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

Speaker Daniels: "He indicates he will."

Lang: "Thank you. Representative, what is the purpose for this change and what is the cost?"

Speaker Daniels: "Representative Lang. Representative Hanrahan."

Hanrahan: "Relative to your second question, Representative, the Department of Insurance does not anticipate any increased expenses as a result of the passage of House Bill 1843. The purpose is to enable an individual who has a lawyer in the City of Chicago that represents him or her to have that hearing in the City of Chicago as opposed to there in Springfield or their principal county of residence. Nothing more than that."

Speaker Daniels: "Representative Lang."

Lang: "Well, despite the fact that the Fiscal Note says they don't anticipate any Fiscal impact if the Department of Insurance has to send people who are in Springfield to

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Chicago, isn't there some fiscal impact to that?"

Speaker Daniels: "Representative Hanrahan."

Hanrahan: "Many of these hearings are typically held in the City of Chicago. There are Representatives from the department both in Springfield and in Chicago, so, no."

Speaker Daniels: "Representative Lang."

Lang: "So, are you telling us that the department has indicated to you that in Chicago hearings, they will only use Chicago staff and in Springfield hearings, they will only use Springfield staff."

Speaker Daniels: "Representative Hanrahan."

Hanrahan: "I'm just suggesting that they would use common sense."

Speaker Daniels: "Representative Lang."

Lang: "Well now, let me get this straight. Your... You have a Bill here but, you're guessing that the department will use common sense. Is that what you're telling us?"

Speaker Daniels: "Representative Hanrahan."

Hanrahan: "No."

Speaker Daniels: "Representative Lang."

Lang: "Well then, what are you telling us? If you have no insurances from the Department of Insurance, that Chicago staff will handle Chicago meetings and Springfield staff will handle Springfield meetings, then there may indeed be a cost, isn't that correct?"

Speaker Daniels: "Representative Hanrahan."

Hanrahan: "This Bill simply makes it easier for those who are attending hearings both on the department side as well as the lawyers and the individual agents involved and is for that purpose only."

Speaker Daniels: "Representative Lang."

Lang: "Well, I understand the purpose, Representative, and I intend to vote for your Bill. So, let's get past your

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concern about me, you know, trying to down grade your Bill. I'm just concerned about the cost. If you...whatever you tell, I'm still going to vote for the Bill. So, the issue is, why don't we have a bill here that makes sure that costs are cut down, that requires that department, when they send their people to these hearings, to use Chicago staff in the Chicago hearings, Springfield staff at the Springfield hearings, so we know there is not going to be cost. Why don't we do that?"

Speaker Daniels: "Representative Hanrahan."

Hanrahan: "As I stated before, there is no anticipated increase in expenses as a result of this legislation."

Speaker Daniels: "Representative Lang."

Lang: "So, the Department of Insurance abuses this, what you assume they will do, if they start sending Chicago staff to Springfield, and Springfield staff to Chicago for these hearings, we'll be getting a bill from you next year to amend this provision, will we not?"

Speaker Daniels: "Representative Hanrahan."

Hanrahan: "I don't anticipate a need to do that."

Speaker Daniels: "Representative Lang."

Lang: "One additional question. Do you anticipate this Bill being a vehicle for any other purpose?"

Speaker Daniels: "Representative Hanrahan."

Hanrahan: "No."

Speaker Daniels: "Representative Lang."

Lang: "Will you agree not to recall this Bill on Concurrence, if the Senate amends it with some additional topic?"

Speaker Daniels: "Representative Hanrahan."

Hanrahan: "No."

Speaker Daniels: "Representative Lang."

Lang: "A very straight forward answer. Thank you,

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Representative."

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

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

Speaker Daniels: "There is no one else seeking recognition. Representative Hanrahan to close."

Hanrahan: "I would simply ask for a favorable vote on House Bill 1843."

Speaker Daniels: "The Gentleman moves the adoption of House Bill 1843. All those in favor, signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted to wish? Have all voted to wish? The clerk will take the record. On this question, there are 101 'ayes', none voting 'no', 6 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. House Bill 1941, read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1941, a Bill for an Act that amends the Nursing Home Care Act. Third Reading of this Bill."

Speaker Daniels: "Return the Bill to Second Reading. House Bill 1968, read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1968. A Bill for an Act that amends the Alcoholism and Drug Addiction and Intervenor Reporter Immunity Law. Third Reading of this House Bill."

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

Hartke: "Thank you very much, Mr. Speaker, and Members of the House. House Bill 1968 is a straight forward Bill that adds social workers as intervenors in our school system for alcohol and drug addiction. And I would ask for your favorable support this and I would be more than happy to answer any questions you may have."

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

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

Speaker Daniels: "He indicates he will."

Black: "Yes, Representative, how much is this Bill going to cost?"

Speaker Daniels: "Representative Hartke."

Hartke: "The Fiscal Note indicates that it will... cost the Department of Alcohol and substance abuse nothing."

Speaker Daniels: "Representative Black."

Black: "Let's not quibble over the Fiscal Note, what's it really going to cost. Really, tell me."

Speaker Daniels: "Representative Hartke. Representative Hartke."

Hartke: "I really don't have a clue, and...but and the Fiscal Note says its going to cost nothing."

Black: "Let me try something else. What is a trained intervenor?"

Speaker Daniels: "Representative Hartke."

Hartke: "When there is a indication that there is alcohol or drug abuse in a high school or whatever, and the student needs some help in rehabilitation or their programed to get over their problem, there is a committee form that... that...that advises the family, and so forth, as well as the child and their problems. So, in that process social workers in the city have not...in the school system have not been involved in the process, so, what this piece of legislation does, it adds a social worker from the school into the system to assist with that program."

Speaker Daniels: "Representative Black."

Black: "Would the social worker, then be expected to intervene? Was it somebody to help the staff who is having a problem

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or the student or both or none of the above."

Speaker Daniels: "Representative Hartke. Representative Hartke."

Hartke: "Well, Representative Black, I think it would be mainly to advise the student and assist the student and the interveners, all of them, in a program to... for the prevention and so forth, that the student has been involved in. So, it would help in their rehab program."

Speaker Daniels: "Representative Black."

Black: "Thank you very much, Representative. Just one other question, so I'm sure I understand your intent. You're adding school social workers to the definition of a trained intervener of... that will be working with people who are having alcohol or substance abuse problem and then you are extending tort immunity to the school social worker?"

Speaker Daniels: "Representative Hartke."

Hartke: "The same immunity would apply to the social worker as applies to the other interveners in the program. Right now, social workers are not included as one of those interveners, so, when they become involved in the program, they would have the same intervener... or same immunity as the rest of the interveners in the program."

Speaker Daniels: "Representative Black."

Black: "No further questions. Thank you, Mr. Speaker."

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

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

Speaker Daniels: "He says he won't."

Lang: "Thank you. Hi roomy. How are you? Representative, how much will this Bill cost?"

Speaker Daniels: "He answered that question."

Lang: "I wasn't paying attention, Sir."

Speaker Daniels: "Okay. Representative Hartke."

Hartke: "Representative Lang, you have the Fiscal Note in front

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of you in the file and I do believe it indicates that there is no cost to the State of Illinois, the Department of Alcohol and Substance Abuse. The one your... Yes."

Speaker Daniels: "Representative Lang."

Lang: "So, you stand by every word in this Fiscal Note, Sir?"

Speaker Daniels: "Representative Hartke."

Hartke: "I didn't prepare the Fiscal Note. It was prepared by the Department of Alcohol and Substance Abuse. If you would like to read into the Body that would fine with me."

Speaker Daniels: "Representative Hartke. Representative Lang."

Lang: "Thank you. I know you explained what a trained intervener was to a...the previous Representative, but perhaps you could be a little more specific, you can read it if you like, it goes on for pages, I'm sure. Please give us as much detail as you can, as to what a trained intervener is, Sir."

Speaker Daniels: "Representative Hartke."

Hartke: "A trained intervener is one of those individuals who's trained in the process of giving advice and so forth to individuals, who seem to have a problem with alcohol or substance abuse. In every school system where there is trained interveners, there is a team that works together with individuals who have drug and alcohol problems. Right now, social workers are not included in that team of trained interveners. Social Workers are a natural for the system. They have never been included in the system and this piece of legislation involves them in the team as well, and makes them part of the trained interveners."

Speaker Daniels: "Representative Lang."

Lang: "Sir, I'm wondering, when why...when I ask you questions you're looking that way. Is there some problem looking over here? Representative, this trained intervener thing, I

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think I understand it, but could you give us a practical example of how that would work."

Speaker Daniels: "Representative Hartke."

Hartke: "Very simple, Representative. When there is a problem with drug and alcohol abuse in a school and its reported and so forth, a program is devised by the intervener team to suggest changes in the individuals life style that would help him overcome this problem. The social worker in the school would now be part of that team, to help that individual. Not only that individual, but the parents and the other individuals involved, so that the student can become... overcome this alcohol or substance problem."

Speaker Daniels: "Representative Lang."

Lang: "This is a Bill that's been proposed by the school social workers."

Speaker Daniels: "Representative Hartke."

Hartke: "Yes, the school social workers came to me and asked me to sponsor this piece of legislation for them."

Speaker Daniels: "Representative Lang."

Lang: "Was there any opposition to this Bill in committee, Representative?"

Speaker Daniels: "Representative Hartke."

Hartke: "No, there was absolutely no opposition at all. I think it flew out of committee with a unanimous vote. Surprised everyone, but it did. I would hope that you would support it as well."

Speaker Daniels: "Representative Lang."

Lang: "Well, Representative Hartke, I think this is an excellent Bill. Would you...sign a slip to allow me to be a hyphenated Co-Sponsor on this Bill along with you? And please keep the debate going until I can come down with a slip, Sir. I think this is an excellent Bill. As always, I

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will support the schools social workers and most of your fine legislation. I appreciate you standing still for these questions that I've been making...asking as we've been going along. Thank you very much."

Speaker Daniels: "Representative Hartke to close."

Hartke: "Well, thank you very much, Representative Lang. I will more than happy to sign you on as a Co-Sponsor on this legislation. I would ask the Body to also support this piece legislation. I think it is something that we can do for those kids and so forth. The social workers of the State of Illinois want this, so they can be... so they feel they can be an important part of the alcohol and drug abuse prevention as well as intervention for those kids, so they can return to a good path and become good productive citizens in the State of Illinois. Thank you very much, and I appreciate your support."

Speaker Daniels: "The Gentleman has moved for the passage of House Bill 1968. 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 110 'ayes', none voting 'no', 4 voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. House Bill 1969. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1969. A Bill for an Act that amends the Illinois Public Accounting Act. Third Reading of this House Bill."

Speaker Daniels: "Representative Tenhouse."

Tenhouse: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1969 is a vehicle Bill. Well, it has been introduced with request to the Illinois State CPA Society. So, I have

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it available for some cleanup language that is going to be necessary to cleanup the Illinois CPA Public Accounting Act. That's pretty clear what we're trying to do. I would make this statement that this will be used only for accounting act practice cleanup, and not for any other purpose."

Speaker Daniels: "Any other discussion? Representative Granberg."

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

Speaker Daniels: "He indicates will."

Granberg: "Representative Tenhouse, I'm sorry I didn't hear the end of your comments. But I assume this has not be amended."

Speaker Daniels: "Representative Tenhouse."

Tenhouse: "That is correct, Representative Granberg. The Bill is actually, purely a vehicle Bill."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative...Thank you, Mr. Speaker. With that, I'm joined by five of my colleagues, who had this Bill removed from Short Debate. Please, Sir. . And, Representative Tenhouse, what is the purpose of the Bill? Do you have any idea what is going to be taking place in the Senate? Are there negotiations going on, as to what this Bill will be used for?"

Speaker Daniels: "Representative Tenhouse."

Tenhouse: "Yes, Representative Granberg. What this Bill is going to be used for is clearly the cleanup language as far as the Public accounting practice Act. And to give you an idea, some of the issues I know there looking at, first of all, there are some legislative initiatives that are happening in Washington D.C., that would put our public accounting act in conflict with the Federal Law or could. So, one of the things we are looking at here is...one of

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the reasons we can't really embody some of this until it gets an opportunity to get a little bit further along in the process, is because there will be some necessary language cleanup."

Speaker Daniels: "Representative Tenhouse. Representative Granberg."

Granberg: "Thank you. So, Representative Tenhouse, this legislation, this Bill will be used to comply with the Federal Law for any inconsistencies that may be in existence today. So, it would merely bring Illinois into compliance in the Public Accounting Act. Is that correct?"

Speaker Daniels: "Representative Tenhouse."

Tenhouse: "That is one of the issues I know is going to be addressed. Of course there will be other issues that will also be discussed, as well, Representative. I would assure you though, that the Bill will not be used for anything other than Public Accounting issues."

Speaker Daniels: "Representative Granberg."

Granberg: "Thank you, Representative. When you say...I just want to clarify this for the records, Sir. When you say, 'other issues' in regards to the Public Accounting Act, do you have any idea what those issues might be, or what may arise under that subject matter?"

Speaker Daniels: "Representative Tenhouse."

Tenhouse: "Yes, Representative Granberg. One of the issues that we have... I know has been in discussion, in fact, we had an amendment that had come in as the International Practice of Accounting. So, one of the problems is, we have Illinois accountants, who practice an International form, that are licensed and certified here in Illinois. Part of the problem is our current language. Those are the types of issues we're going to be looking at. At least that's my

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understanding."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative, you've always been a man of your word. I would assume that you would resist any amendments or would not call the Bill back in this House for a vote if there was anything outside the scope of this Act or anything that you and I would certainly deem controversial or very debatable for that matter. That would not be in agreement between the CPA's, their organization and everyone involved with this Act."

Speaker Daniels: "Representative Tenhouse."

Tenhouse: "Yes, Representative Granberg. My intention is to use this Bill solely for the great process as far as the CPA's are concerned and what they're going to be working at."

Speaker Daniels: "Representative Granberg."

Granberg: "Well, thank you, Representative. I appreciate your comments and I assume that you would resist that...resist that activity in the Senate if that did occur and if they did try to use your legislation to put something on there, that nature, then you would resist that movement, you would not call the Bill back in this Chamber. Is that correct?"

Speaker Daniels: "Representative Tenhouse."

Tenhouse: "It is my intention as to use the Bill and I would resist attempts to put amendments on here that are other than relate to the practice of Public Accounting."

Speaker Daniels: "Representative Granberg."

Granberg: "Thank you, Representative. To the Bill. I appreciate your comments. And certainly you have always been a gentleman in the process and that's why I wanted to clarify that for the record. I have no objections to the Bill, but as the Representative understands a lot of things can happen in the Senate. Of course this can be the... this

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Bill can be like 80% of the other Bills that we've passed in the last three weeks. There all never going to get out of Rules Committee in the Senate, so for you Freshman Members, maybe you don't understand this yet, but 80% of these Bill are dead after they pass here regardless. So, Representative, I thank you very much for your comments."

Speaker Daniels: "Representative Tenhouse."

Tenhouse: "Representative Granberg...or, do you want me to close?"

Speaker Daniels: "Representative Pankau. Representative Pankau, your light is on."

Pankau: "Mr. Speaker, I move the previous question."

Speaker Daniels: "The Lady has moved the previous question. All those in favor, signify by saying 'aye'; opposed 'no'. The ayes have it. The previous question is moved. Representative Tenhouse to close."

Tenhouse: "Thank you, Mr. Speaker. I think it is clear that this is a vehicle Bill and I'm certainly it is my intention as I have spoken to Representative Granberg here on the House Floor, that this Bill be used for cleanup language as far as the Public Accounting Act. So, I would urge a yes vote. Thank you."

Speaker Daniels: "The Gentleman moved for the passage of House Bill 1969. 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 94 'ayes'; 10 voting 'no'; 8 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. House Bill 1977. Read the Bill."

Clerk McLennand: "House Bill 1977. A Bill for an Act that amends the Civil Administrative Code. Third Reading of this House

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Bill."

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

Krause: "Thank you, Mr. Speaker. I would like to present House Bill 1977, which amends the Administrative Code, and it would require hospitals and other facilities to report to the Department of Public Health, each injury allegedly caused by a violent act. The Department of Public Health would coordinate the reporting with the existing reporting requirements, such as trauma and head and neck injury and the benefit of this is that the tracking of these acts would provide valuable and more accurate information about violent crimes, which would enable the authorities then to establish a Public Health priorities. I would be pleased to answer any questions on this Bill."

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

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

Speaker Daniels: "She indicates she will."

Schakowsky: "Representative, are all...Are all injuries caused by any possible violent act reported under this Bill?"

Speaker Daniels: "Representative Krause."

Krause: "It requires hospitals and other facilities in this state to report in a manner determined by rule, each injury allegedly caused by a violent act."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "In terms of then compiling and using this data, will the injuries be divided by category or will they just be this aggregate number of injuries caused by violent acts?"

Speaker Daniels: "Representative Krause."

Krause: "I would think that the Department of Public Health would, because the benefit would be to do it by categories. And I would imagine that's how they would do it."

Speaker Daniels: "Representative Schakowsky."

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Schakowsky: "So, this Bill though, does not specify if for example, that domestic violence injuries would be categorized one way and gun shot injuries would be categorized another. There is nothing in this Bill that requires that there be separate reporting of these various injuries or is there?"

Speaker Daniels: "Representative Krause."

Krause: "The Bill does not specifically direct the Department of Public Health how in their discretion to set up the reporting and I think it probably is best to have them determine it, but clearly there would a benefit and I would imagine they would approach it by categories. But the Bill does not state that."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "What other information is required? For example, is there a name, address, social security number? Are there any...is there any information that would link that injury to an individual person?"

Speaker Daniels: "Representative Krause."

Krause: "The information and data reported is confidential and privileged. So, that's going to be kept in the confidentiality manner."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "The legislation requires that hospitals and other facilities in the state to report. What are those other facilities?"

Speaker Daniels: "Representative Krause."

Krause: "It would be similar type of facilities that would be giving health care. Be it a trauma, a clinic, anything that would be tied into similar hospitals, but would relate to health care services."

Speaker Daniels: "Representative Schakowsky."

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Schakowsky: "It doesn't say other facilities which provide health care, so, I'm wondering if that would be perhaps, the school. Maybe there is an injury as a result of a fight in a hockey game or something. Would this require schools to report injuries caused by a violent act?"

Speaker Daniels: "Representative Krause."

Krause: "I do not believe the intent of the legislation would extend into the schools."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "I'm not sure though, that the language of the Bill itself defines facilities sufficiently to make sure that schools wouldn't be covered. But, let me ask you this; where are you going exactly with this legislation? What is the value in your view of collecting this information and do you see other public policy options coming out of this? What is the point here?"

Speaker Daniels: "Representative Krause."

Krause: "I think the goal of the legislation and the tracking of this type of acts would help ultimately the Department of Public Health itself, to perhaps help establish some type of preventative programs, education programs get a better idea of the type of violent acts there are and then based on that, I think also coming out, some programs that could address the type of violence that they see has occurred, and like I said, in prevention and education."

Speaker Daniels: "Representative Schakowsky, you're out of order."

Schakowsky: "My final..."

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

Skinner: "Yes, would the Lady yield?"

Speaker: "She indicates she will."

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Skinner: "Thank you. Will this Mandate be report of the type of weapon used?"

Speaker Daniels: "Representative Krause."

Krause: "No, it only talks about the injury."

Speaker Daniels: "Representative Skinner."

Skinner: "Well, that sounds like a fairly large loop hole. Will it show the location of the violence?"

Speaker Daniels: "Representative Krause."

Krause: "I think it addresses only the injury, although the Department of Public Health by rule, can go further as far as the reporting but I believe it is still only the injury that is the intent of this legislation."

Speaker Daniels: "Representative Skinner."

Skinner: "Will it require a report to the police department if there is an injury, that occurred as a result of some type of illegal act?"

Speaker Daniels: "Representative Krause."

Krause: "This legislation only addresses to the Department of Public Health. Other laws would apply to police."

Speaker Daniels: "Representative Skinner."

Skinner: "Who has access to the data, in which you say would be confidential?"

Speaker Daniels: "Representative Krause."

Krause: "The Public Health Department and those that would be in charge of looking at this specific item."

Speaker Daniels: "Representative Skinner."

Skinner: "Is there a right against self discrimination?"

Speaker Daniels: "Representative Krause."

Krause: "A right against self-discrimination or self-incrimination? What did you say?"

Speaker Daniels: "Representative Skinner."

Skinner: "Self incrimination."

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Speaker Daniels: "Representative Krause."

Krause: "Yes, nothing specifically in this Bill, however, there are other laws that would apply in that area. Those laws would apply to this Bill."

Speaker Daniels: "Representative Skinner."

Skinner: "What is the penalty for not reporting?"

Speaker Daniels: "Representative Krause."

Krause: "It is not specified at this time, in this legislation. It would have to be determined by Rule."

Speaker Daniels: "Representative Skinner."

Skinner: "Well, if there is going to be a penalty, it seems to me that it ought to be specified and I only state that because I have what you might call a familial of conflict of interest here. Every once in awhile, I have family dinners with my brother-in-law, who runs the emergency room at Good Shepherd Hospital. And if I vote for this Bill, he probably won't invite me back to his table."

Speaker Daniels: "Was that a question?"

Skinner: "Well, my question goes back to the penalty. What type of a penalty does your legislative intent? Is my brother-in-law going to be caned or is he going to get a letter from the Department of Public Health saying you've been a bad doctor or what?"

Speaker Daniels: "He won't invite you anymore for dinner."

Representative Skinner: "Well, that would not be...that would be a penalty."

Speaker Daniels: "Representative Krause."

Krause: "Again, I would state, that would be by Rule for the Department of Public Health to address."

Speaker Daniels: "Representative Skinner."

Skinner: "Is there any precedent, for example, what is the penalty the Department of Public Health now levies against

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doctors who do not report HIV infections, or doctors who don't report abortions or something like that?"

Speaker Daniels: "Representative Krause."

Krause: "I do not have that information before me."

Speaker Daniels: "Representative Skinner."

Skinner: "So, why are we passing this Bill? Why is this necessary? This extra Mandate upon doctors in emergency rooms."

Speaker Daniels: "Representative Krause."

Krause: "No, I do not believe it does. I think that there is a benefit in society that we work in the area of violent acts, that we do see in this Bill and in the proposal that the Department of Public Health does gather it and then basing on their information to have come out of it, programs in the area of prevention or education."

Speaker Daniels: "Representative Skinner."

Skinner: "Mr. Speaker, I do not understand the value of gathering this information if we don't know what caused the incident, what weapon was used, where it occurred. I don't understand why this Bill is necessary. Thank you, very much."

Speaker Daniels: "This matter is on Short Debate. The Lady from Cook, Representative Krause, to close."

Krause: "Thank you, Mr. Speaker. I would ask for support of this Legislation by the House. I think it addresses a need in society and that is to address the issues of violent act. It is kept in a confidential manner by the Department of Public Health and I think that coming out of that would be a benefit for prevention and education programs and I ask for a 'yes' vote on House Bill 1977. Thank you."

Speaker Daniels: "The Lady has moved for the passage of House Bill 1977. All those in favor, signify by voting 'aye';

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opposed vote '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 100 'ayes', 1 voting 'no', 9 voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. And the record should reflect that Representative Bugielski would have voted 'aye'. Mr. Clerk, House Bill 2083. Read the Bill."

Clerk McLennand: "House Bill 2083, a Bill for an Act concerning Nursing Home facilities. Third Reading of this House Bill."

Speaker Daniels: "Return the Bill to Second Reading. House Bill 1693. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1693. A Bill for an Act that amends the Civil Administrative Code of Illinois. Third Reading of this House Bill."

Speaker Daniels: "Return the Bill to Second Reading. House Bill 1699. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1699. A Bill for the Act that amends the Public Community College Act. Third Reading of this House Bill."

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

Wojcik: "Mr. Speaker, and members of the House, House Bill 1699 deletes the requirement that the city of Colleges or Chicago appear before the Chicago City council each year, for approval of the annual tax levy, for the community college district. Deletes a provision that prohibits federal funds received for a Capital Construction Project from being used by a local Community College as its 25% match. Amends the current bonding language to clarify that community college districts may issue bonds to refund short term indebtedness. Clarifies that all persons participating in the states universities retirement system who do not

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receive health insurance when they retire are eligible for an annual Health Insurance Grant from the Illinois Community College Board."

Speaker Daniels: "Any discussion on the Bill? The Gentleman from St. Clair, Representative Hoffman. Representative Hoffman."

Hoffman: "Yes, will the Sponsor yield?"

Speaker Daniels: "She indicates she will."

Hoffman: "Yes, Representative, what is the current law regarding the matching of costs for capitol improvement projects?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "Current language requires federal funds to be used in the states 75% share, which requires the college reduce 25% of the cost of the project."

Speaker Daniels: "Representative Hoffman."

Hoffman: "So, how does this Bill change the current law regarding the matching funds for these capitol investments?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "It allows them to use it for their local match, which has been prohibited."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Is there any opposition in the Bill?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "Representative, there is no opposition. The Bill is on Short Debate. You're not going to take it off, are you? It's too late to take it off."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Being joined by the requisite number. Hopefully, nobody will talk after me, so we don't have to worry about that. But being joined by the requisite number, I would like to take it off of Short Debate. What purpose was served by having the city colleges of Chicago appear before the City

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Council for the authorization of its tax levy. It's my understanding that's what has to happen now. What was the purpose and why are we now removing that, whatever purpose that may have been?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "Representative, there's no purpose, that's why we want to eliminate it now." Speaker Daniels: "Representative Hoffman."

Hoffman: "Well, didn't the City Council serve as kind of an oversight over the city college appropriations and the Capitol tax levy?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "They must approve the levy each year, they can't say no."

Speaker Daniels: "Representative Hoffman."

Hoffman: "So, essentially all they had to do is go and appear there and then the City Council turned into a rubber stamp. Is that right?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "That is correct."

Speaker Daniels: "Representative Hoffman."

Hoffman: "This then would remove that hurdle, so that we would no longer have to do that. The City Council, I assume, is not in opposition nor is the city, as far as the City of Chicago and the mayors office, their not in opposition of this?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "As I stated before, there is no one in opposition."

Speaker Daniels: "Representative Hoffman."

Hoffman: "What would be the practical affect of changing this process and what would it have on the financing of the Chicago City Colleges? Will it have any affect what so

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ever or will things go on as business as usual, and we're just taking out one step?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "Representative, there is no difference."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Will this put any additional money into the capitol projects? Will this allow for the more matching funds? You indicated that now this would allow for this to be used as matching funds; will this then allow more federal funds to come in, which would insure more capitol projects? Is that why... I mean there has to be a reason for the Bill, other than if we're just doing the same thing, why do we need the Bill? If we're doing something different and moving forward, maybe then we should pass the Bill. So, the question is, what is the positives for this Bill, other than we just feel like changing something?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "Actually, Representative, it brings more federal dollars into the state."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Into the state or into the city colleges of Chicago?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "The provision that is in the Bill is state wide."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Could the money then be used by any community college?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "Yes, this is for a specific project, but in the future, any college."

Speaker Daniels: "Representative Hoffman. Your time is running out."

Hoffman: "No further questions."

Speaker Daniels: "Okay, further discussion? The Gentleman from

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Cook, Representative Pugh."

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

Speaker Daniels: "Representative Dart, do you want to yield your time to Representative Erwin? Representative Dart."

Dart: "Yes, Mr. Speaker."

Speaker Daniels: "Alright, Representative Erwin."

Erwin: "Thank you, Mr. Speaker. I would just like in rise of support of House Bill 1699. I'm afraid at this late hour, I would be heart pressed to answer any technical questions about Representative Wojcik's Bill, but I can attest to the fact that, we did hear this Bill in the Higher Education Committee. There was no opposition. And I think that it is important to the City Colleges of Chicago and to Community Colleges around the state and I urge an 'aye' vote."

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

Black: "Thank you very much, Mr. Speaker. I simply rise to urge everyone to vote 'aye'. I think the Bill has been explained. The immediate beneficiary of the federal grant provision would be the Community College here in Springfield. It makes eminent good sense to do what is embodied in this Bill. It does not harm the city colleges of Chicago in any way, shape or form. In fact, it simply treats the city colleges of Chicago like all the other community colleges are treated in the state. No other community college has to go to a city council and present its levy. That levy is approved by the voters of that district and the city council can't disapprove or change the levy, they just have to have a public hearing. So, there is nothing at all in this Bill that is the least bit

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controversial. I see no reason to filibuster it, vote 'aye'."

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

Lindner: "Yes, Mr. Chairman, I would move the previous question."

Speaker Daniels: "The Lady has moved the previous question. All those in favor, signify by saying 'aye'; opposed 'no'. The 'ayes' have it. The previous question is moved. The Lady from Cook, Representative Wojcik to close."

Wojcik: "I think we've heard the discussion regarding this community college Bill. I think that those interested persons would be satisfied with the consensus of what the Bill represents, and therefore I ask a favorable vote."

Speaker Daniels: "The Lady has moved for the passage of House Bill 1699. 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 111 'ayes'; none voting 'no'; 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2338. Read the Bill, Mr. Clerk." Clerk McLennand: "House Bill 2338. A Bill for an Act that amends Illinois Human Rights Act. Third Reading of this House Bill."

Speaker Daniels: "Return the Bill to Second Reading. House Bill 2346. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2346. A Bill for an Act relating to the regulation of Financial Services. Third Reading of this House Bill."

Speaker Daniels: "The Gentleman from Cook, Representative Zabrocki."

Zabrocki: "Thank you, Mr. Speaker. House Bill 2346 is an agency Bill for the Department of Financial Institutions. It's

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makes four administrative... it requests four administrative changes by the department. The first one amends the Consumer Instalment Loan Act as specified that the state license can not be issued under this Act for out of state locations. Some companies have tried to obtain Illinois license for out of state business activity and the department feels that a clear statement on this law is necessary. The second change, House Bill 2346 amends the financial planning and management services act, concerning appointments to the advisory board under that law. Currently, the Governor makes five appointments to that advisory board, three of those appointments are suppose to come from a list submitted by The Illinois Association of Credit counselors. However, that industry is seized to exist. This Bill simply deletes the need for nominations from that defunct organization. The third change amends the Sales Finance Agency Act, to exempt entities called Special Purpose Vehicles from that Act. Banks and other financial institutions are already exempted. Special Purpose Vehicles are entities set up by these licensees as financing vehicles. House Bill 2346 clarifies that such vehicles would not need to obtain a separate license. It could be duplication and therefore unnecessary. And finally, 2346 repeals an obsolete law. The Pawnners Society Act. This is an old law that dates back to 1899 and has been unused for many, many decades. In fact, no one remembers exactly how long. House Bill 2346 is basically a good Bill. It cleans up some things. It is supported by the Department of Financial Institutions and the Bill was in committee and came out 17 to 0."

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

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

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Speaker Daniels: "He indicates he will."

Lang: "Has Amendment #1 become the Bill or is Amendment #1 an amendment to the original Bill, Representative?"

Speaker Daniels: "Representative Zabrocki."

Zabrocki: "It's an Amendment to the Bill."

Speaker Daniels: "Representative Lang."

Lang: "Perhaps the Floor was noisy, Representative, but I'm not sure what the Bill does. You're defining the word conduit, that's great, but I don't know what you're doing, why or the need for this. Can you tell me?"

Speaker Daniels: "Representative Zabrocki, could you explain again to Representative Lang what the Bill does?"

Zabrocki: "We're not defining conduit, we're defining special purpose vehicles and that was the intent of the Amendment."

Speaker Daniels: "Representative Lang."

Lang: "Well, whatever you're defining, could you explain to me please, what it is you're defining and what the Bill does and who needs this and why?"

Speaker Daniels: "Representative Zabrocki. Ladies and Gentleman."

Zabrocki: "As I said in the Introduction, the Bill has four purposes. One of them deals with a special vehicle... special purpose vehicle. The other three sections deal with various other parts of the Act. The revocation of the Pawnners Act, et cetera, that kind of thing."

Speaker Daniels: "Representative Lang."

Lang: "Representative, did you start that paragraph by saying there were four things and then you give me like one and a half of them? Could I get them all? Is that possible? I will give you all the time you need. You can take all of my three minutes and 14 seconds. Just tell me what it does."

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Speaker Daniels: "Representative Zabrocki."

Zabrocki: "Okay, four things. First of all, there is a provision in the change that would not allow out of state by a Consumer Financial Loan people to operate in the state. Secondly, the Financial Planning and Management Services Act had an advisory board and that advisory board has been defunct for several years and the Bill simply deletes the need for nominations from that defunct organization. The third... the third thing the Bill does in the sales finance agency Act is to exempt entities. These are loan companies, that package together various different products and then they sell them and it eliminates the need for another license, a duplication of license. And the fourth item is elimination of the Pawners Society Act."

Speaker Daniels: "Representative Lang."

Lang: "Thank you, was there any opposition to this Bill in committee?"

Speaker Daniels: "Representative Zabrocki."

Zabrocki: "No, it came out of committee 17 to zero."

Speaker Daniels: "Representative Lang."

Lang: "Were there any witness slips against this Bill in committee?"

Speaker Daniels: "Representative Zabrocki."

Zabrocki: "No."

Speaker Daniels: "Representative Lang."

Lang: "Was there any debate on this Bill in committee?"

Speaker Daniels: "Representative Zabrocki."

Zabrocki: "There was several questions, yeah. Nothing heavy."

Speaker Daniels: "Representative Lang."

Lang: "Well, I was just about finished with my questions, Sir, but I'm sure we all want to know what you meant by that. What do you mean nothing heavy? You mean, no questions you

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couldn't answer?"

Speaker Daniels: "Representative Zabrocki."

Zabrocki: "No controversial questions."

Speaker Daniels: "Representative Lang."

Lang: "Can you give me an example of one of the non controversial questions that were asked of you in committee?"

Speaker Daniels: "Representative Zabrocki."

Zabrocki: "Quite frankly, I can't remember."

Speaker Daniels: "Representative Lang."

Lang: "Well, I'm going to vote for your Bill, Sir, even though I have no idea what it does, but let me ask you if maybe you could have a trailer Bill here that would define for us what a light Bill or a heavy Bill or heavy question might be. Because, even your side of the aisle doesn't understand that. But, thank you very much."

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

Flowers: "Mr. Speaker, I would like to yield my time to Representative Hoffman."

Speaker Daniels: "He doesn't want the time. Representative Hoffman, do you have any questions, Sir?"

Hoffman: "Yes, will the Sponsor yield?"

Speaker Daniels: "Will the Gentleman yield? He says he will."

Hoffman: "My concern I think is a legitimate question. The first provision you indicated that the provision in this Bill would not allow consumer financial loan companies from outside the state to do business within the state. Is that what you said?"

Speaker Daniels: "Representative Zabrocki. Representative Hoffman."

Hoffman: "I thought I heard you say that one of the first provisions in this Bill, was that it wouldn't allow consumer financial loan companies from outside the state to

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do business within the state. Is that right?"

Speaker Daniels: "Representative Zabrocki."

Zabrocki: "No license may be issued, other than this Act for a location, outside of Illinois."

Speaker Daniels: "Representative Hoffman."

Hoffman: "So, Whole Financial...Whole Financial would like to do business in Missouri. How does this affect Whole Financial?"

Speaker Daniels: "Representative Zabrocki."

Zabrocki: "If I understand your question correctly, the state of Illinois could not license someone who was located in Missouri, to do business in Illinois?"

Speaker Daniels: "Representative Hoffman."

Hoffman: "Well, does this have any affect on, for instance, the Delaware Corporation, who makes consumer financial loans, to do business in Illinois? That's more or less my question, because from the way you explained it, you're saying that a consumer financial loan company from outside the state can't do business within the state and I think that could possible be problematic. I don't know if that's what you intend."

Speaker Daniels: "Representative Zabrocki."

Zabrocki: "If I understand your question correctly, is their going to do business in Illinois, they must have a Illinois license."

Speaker Daniels: "Representative Hoffman."

Hoffman: "So, explain to me what the first provision exactly does, as far as, does it prohibit for instance, an...a Delaware corporation, who makes financial loans from doing business in Illinois?"

Speaker Daniels: "Representative Zabrocki. Representative Hoffman."

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Hoffman: "That might be why I misunderstand you, what exactly does that first provision entail?"

Speaker Daniels: "Representative Zabrocki."

Zabrocki: "What it would prevent is a Delaware company getting an Illinois license and then doing business in Delaware."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Okay, well it would be my understanding that it would seem that we would still want to have that Delaware Corporation sell to get Delaware license to do business in Delaware anyway. Is there a specific instance we're trying to prohibit from occurring, that we need that provision?"

Speaker Daniels: "Representative Zabrocki."

Zabrocki: "The department has had requests for that. Not many, but they have and they want to make it part of the law."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Okay, I think that he has cleared up my questions regarding this matter."

Speaker Daniels: "The Gentleman Representative Zabrocki to close."

Zabrocki: "Ladies and Gentleman, this is a agency Bill and I think it should be passed and I ask for your support."

Speaker Daniels: "The Gentleman has moved for the passage of House Bill 2346. 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 104 'aye'; none voting 'no'; nine voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. House Bill 2308. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2308. A Bill for an Act concerning child abuse. Third Reading of this House Bill."

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Speaker Daniels: "Return the Bill to Second Reading. Under postponed consideration read House Bill 1486. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1486. A Bill for an Act in relation to aggregate mining operations on the order of postponed consideration."

Speaker Daniels: "The Gentleman from Cook, Representative Hassert."

Hassert: "Thank you, Mr. Speaker. Members of the House, 1486 was brought up before. It basically amends the Service Mineland Conservation Reclamation Act...authorizes Department of Mines and Minerals to establish rules governing blasting operations. I will be happy to answer any questions."

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

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

Speaker Daniels: "He indicates he will."

Deering: "Representative, this is licensing of rock quarries that use explosives, right?"

Speaker Daniels: "Representative Hassert."

Hassert: "Yes."

Speaker Daniels: "Representative Deering."

Deering: "Is there still a \$300 fee in this Bill?"

Speaker Daniels: "Representative Hassert."

Hassert: "Yes."

Speaker Daniels: "Representative Deering."

Deering: "Thank you."

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

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

Speaker Daniels: "He indicates he will."

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Granberg: "Representative Hassert, I believe this is the Bill we discussed a few weeks ago. It's currently on Postponed Consideration. Isn't this the Bill that created a new fee, \$350,000, a new fee...fees for a new regulation on an industry that had never been regulated in this instance previously?"

Speaker Daniels: "Representative Hassert."

Hassert: "This Bill creates a regulation process for the Mines and Minerals of the Aggregate industry that has been agreed to by the Aggregate industry. And yes it does establish rules and regulations to govern the mining operation of Aggregate industries."

Speaker Daniels: "Representative Granberg."

Granberg: "Thank you, Representative. I just wanted to make sure, because, when we discussed this Bill previously, we talked about this new fee increase and we talked about new regulations on this business and from that perspective it didn't make a lot of sense to me that we would be in the business now of having new regulations on the private sector and imposing new fees. So, I think on this side of the aisle, to the Bill, Mr. Speaker, on this side of the aisle we genuinely concerned about implementing new fees and new regulations on the private sector. And I believe I speak for most of our Members, that we intend to vote no, because we think there should not be further regulations in the private sector and certainly not further fee increases. So, thank you very much, Representative. And I would ask our Members on this side of the aisle to vote no and try to assist the private sector."

Speaker Daniels: "The Lady from Dupage, Representative Cowlshaw

Cowlshaw: "I move the previous question."

Speaker Daniels: "The Lady has moved the previous question. All

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those in favor signify by saying 'aye'; opposed 'no'. The 'ayes' have it. Representative Hassert to close."

Hassert: "I just ask for a favorable vote."

Speaker Daniels: "The Gentleman has moved for the passage of 1486. 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 61 'ayes'; 45 'noes'; 6 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. House Bill 21... Representative Granberg."

Granberg: "Thank you, Mr. Speaker. I'm joined my fellow Members, we request a verification."

Speaker Daniels: "Mr. Granberg, you are too late for that purpose. Representative Granberg."

Granberg: "Well, Mr. Speaker. We know why you dumped the Roll Call, when I made that request. You haven't preceded to another order of business yet, Sir. We would still process in our motion to..."

Speaker Daniels: "I did declare it passed though, Sir, before I recognized you. So, if you want to move for reconsideration, I'll recognize that, but then I will recognize a motion to table on the same point. But you can have another vote on it you want. Representative Granberg."

Granberg: "Mr. Speaker, you knew that there are people missing in this chamber and it is unfortunate that you would have to do this, but I understand your position and if you want to do that and you don't think you have the votes, I can understand that. Thank you."

Speaker Daniels: "Thank you. Alright, House Bill 2181. Read the Bill, Mr. Clerk. I think every Republican is here by the

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way, and I think most of your Members are here. They all look good too. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2181. A Bill for an Act that Amends the Illinois Municipal Code is on the order of Postponed Consideration."

Speaker Daniels: "The Gentleman, Representative Wait from Boone County."

Wait: "Thank you, Mr. Speaker. House Bill 2181 is a Bill that just deals in our area here. Basically, it just says the people of Boone County, should have a right not to have Rockford to come into Boone County unless they by referendum choose to invite them to come in and there was some confusion last time on this Bill. The people thought it applied throughout the state. It does not, it only applies locally, only applies to my district."

Speaker Daniels: "The Gentleman from Winnebago, Representative Scott."

Scott: "Thank you, Mr. Speaker. First, I would ask, joined by the requisite number of hands here, to take this off of Short Debate."

Speaker Daniels: "It's not on Short Debate, Sir. It may end up short, but its not on Short Debate."

Scott: "Well then, we don't need to worry about it. Thank you. Will the Sponsor yield, Mr. Speaker?"

Speaker Daniels: "He indicates he will."

Scott: "Now, Representative Wait, this is the same Bill we discussed a few weeks ago, correct?"

Speaker Daniels: "Representative Wait."

Wait: "Yes, it is."

Speaker Daniels: "Representative Scott."

Scott: "And it doesn't just affect your district, because it affects mine also, correct?"

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Speaker Daniels: "Representative Wait."

Wait: "I happen to represent this area in Winnebago County, in Rockford, which is affected by this."

Speaker Daniels: "Representative Wait. Representative Scott."

Scott: "So, you're saying that a Bill that limits the municipalities right to annex, doesn't affect the whole municipality?"

Speaker Daniels: "Representative Wait."

Wait: "Basically, what I'm saying is I represent both the East side of Rockford, which is basically what this deals with and like I say, the main thing is, we just believe in good government and think the people in Boone County should have a right to voice their opinion. The November Election said people have the right to voice their opinion rather than just being able to enact or forcible force somebody to do something without a referendum. That's all this...allows them to have a referendum."

Speaker Daniels: "Representative Scott."

Scott: "Now, I asked this before and I assume the answers are still the same. Are there any other counties and municipalities you can point to in the state where this particular provision that you're asking for? Is the law currently, or is this something that is brand new just for this particular jurisdiction?"

Speaker Daniels: "Representative Wait."

Wait: "This here would be making historic landmark legislation to give the voice to the people. It truly would be on the cutting edge of new progressive legislation. That's right."

Speaker Daniels: "Representative Scott."

Scott: "Well, assuming all of that is true, why wouldn't it be wonderful for all of the rest of the folks in this chamber

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to be able to join into this wonderful cutting edge legislation and pass it on to the rest of the state?"

Speaker Daniels: "Representative Wait."

Wait: "Well, if you would like to join us on this Bill, I would be happy to add you as a co-sponsor on this Bill."

Speaker Daniels: "Representative Scott."

Scott: "Well, that's not what I'm asking. I'm asking if this is such good, wonderful cutting edge legislation for Boone County, and Winnebago County, why also shouldn't it be cutting edge legislation for the two counties in which Elgin sits, the two counties in which Chicago sits, and the other municipalities that occupy two counties. Why is it just this particular one, where this is good cutting edge legislation?"

Speaker Daniels: "Representative Wait."

Wait: "Well, in that area basically, as the old saying on the farm goes, the cows out of the barn door, and it's to kind of stop it. In this area, it's truly rural, as opposed to urban area. I mean we still have horses, cows, and pigs out here. I don't think in a lot of the area of Chicago and Elgin, that we have this. So, this would, first of all, it would be kind of a pilot project, and if it works out good in this area, we could have it state wide."

Speaker Daniels: "Representative Scott."

Scott: "Now you say this is the will of the people in Boone County, but there has never been any referendum in Boone County, saying they would like to have this particular vote on this particular type of annexation, has there? I mean, this is your opinion of what the will of the people in Boone County is."

Speaker Daniels: "Representative Wait."

Wait: "I have been to a number of meetings, where the people have

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really expressed their view point, and let's face it, this would let the people know, you know maybe they want to invite Rockford into Boone County. This just will allow the people to have a voice."

Speaker Daniels: "Representative Scott."

Scott: "So, the answer to the question I asked is, no, there hasn't been any kind of scientific survey, there has never been a referendum on this issue. This is just your opinion of what you think the people in Boone County want."

Speaker Daniels: " Representative Wait."

Wait: "Well, I think I have a good pulse of the people out there and I have confidence in the people. Like I say, they might vote in favor to allow into annex to Rockford. But, right now...right now people don't have that choice. This one simply give them a right to voice their opinion. I mean, you aren't afraid to let the people vote by referendum are you?"

Speaker Daniels: "Representative Scott."

Scott: "No, I'm not afraid to let the people voice their opinion, I'm just wondering why you're singling out this particular district as opposed to legislation that we've been voting on all night, that pertains to the rest of the state. I would ask, Mr. Speaker, should this measure receive the requisite number of votes, that we have verification of the vote."

Speaker Daniels: "If the Bill receives a requisite number, we'll make sure that we show you that 64 Republicans are here. Further questions? The Gentleman from Cook, Representative Balthis."

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

Speaker Daniels: "He indicates he will."

Balthis: "Representative Wait, as I understand this Bill from the

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discussion in committee, you're simply trying to give the people of your district an opportunity to voice their opinion and as the previous speaker said, make a decision on what they would like to do rather than what you think they would like to do. Is that really what you're trying to do?"

Speaker Daniels: "Representative Wait."

Wait: "Yes, that is exactly what we we're doing. Find the pulse of the community and the best way to do that is to let them have a referendum."

Speaker Daniels: "Representative Balthis.Representative..."

Balthis: "As I understand it, this evening we've passed several pieces of legislation that were relative to Cook County only, relative to the counties down around St. Louis. So, this is not something unusual that we've done this evening in trying to pass legislation that would help in a particular district. Is that what you're trying to do?"

Speaker Daniels: "Representative Wait."

Wait: "Yes, it is."

Speaker Daniels: "Representative Balthis."

Balthis: "Mr. Speaker, Ladies and Gentleman, I rise in support of the Bill. I think the Gentleman is trying to do something that all of us would want to do in our districts and that is to simply let the people within our districts rise and give their voice to an issue that is important to their district, to their residents. And I think the Gentleman has a good idea and I think we all on our side especially, should support this Bill."

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

Mautino: "Thank you, Mr. Speaker. I wish to yield my time to Representative Lang."

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Speaker Daniels: "Representative Lang."

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

Speaker Daniels: "He indicates he will."

Lang: "Representative, if your Bill passes, what would happen to an individual homeowner in Boone County, that wanted to annex voluntarily to the City of Rockford, would that person be able to do that?"

Speaker Daniels: "Representative Wait."

Wait: "No, we would have an referendum...well, first of all, it's voluntary to see if Rockford would have to ask to annex and then we would have a referendum. So, it would be left up to the referendum."

Speaker Daniels: "Representative Lang."

Lang: "Well, you've said over and over again, Sir, how this is the will of the people, the will of the people, the will of the people. How about if one individual people wants to be part of the City of Rockford, who lives in Boone County and the City of Rockford wants that one people. Why should that one people be disenfranchised so to speak? Why can't that person, if you're so concerned about the will of the people, do that voluntarily?"

Speaker Daniels: "Representative Wait."

Wait: "Well, I happen to think that majority should rule and let's let them have a referendum. I know we did for tax caps in Cook County. They passed over whelmingly and I'm willing to go by the will of the people. If the will of the people would want to annex, they certainly could do that."

Speaker Daniels: "Representative Wait. Representative Lang."

Lang: "But, what about one individual person? That's...Everyone in that House wants to do it, the City of Rockford wants to let them do it. Why do all the other people of Boone

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County have to determine the rights of that particular homeowner and that particular hypothetical situation?"

Speaker Daniels: "Representative Wait."

Wait: "Well, we passed a lot of Bills dealing with zoning, as you know and zoning just because one person wants to change their zoning, it still is not permissible if the majority is against it."

Speaker Daniels: "Representative Wait. Representative Lang."

Lang: "Let me ask you this, Sir. You would admit that this legislation only involves Boone County and Rockford, your district. Is that correct?"

Speaker Daniels: "Representative Wait."

Wait: "Yes, it does. It only applies to Boone County and Winnebago County."

Speaker Daniels: "Representative Lang."

Lang: "Speaker, why have you not...if you're so concerned about the will of the people, what about the will of the people in all the state of Illinois? Why are we just concerned about your district? Is it so you can go back with a press release and tell the people in Boone County what a great job you've done protecting them from those evil folks in the City of Rockford?"

Speaker Daniels: "Representative Wait."

Wait: "Well, in campaigning, I was listening to the will of the people and yes, the will of the people are happy with their type of environment, the rural atmosphere, their type of comprehensive plan. They don't want high density zoning and high density buildings. So, this is just to determine, if this is truly what I was hearing out there."

Speaker Daniels: "Representative Lang."

Lang: "So, do you think that any legislator that wants to propose a specific nitch in their community of this type should be

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allowed to do that? Should we have 118 Bills to that?"

Speaker Daniels: "Representative Wait."

Wait: "We have this type of legislation all the time. I mean, there was a number of pieces just today that were introduced to address a particular unique situations to our respective district."

Speaker Daniels: "Representative Lang."

Lang: "So, wouldn't you then say, Sir, that since this was drafted just for you and just for your community and just for your specific district, wouldn't you say that this is a classic effort at special legislation in violation of the Constitution of the State of Illinois?"

Speaker Daniels: "Representative Wait."

Wait: "No, I wouldn't. This is just to give the people locally a voice in determining their own destiny, is what it's for."

Speaker Daniels: "Representative Lang, you are on your second five minutes, just so you know. Representative Wait. Representative Lang."

Lang: "Well, if you're so concerned about the people and their destiny, why have you opposed the motor voter plan so that people can register to vote to pursue their own destiny."

Speaker Daniels: "Representative Wait."

Wait: "That Bill has nothing to do with this Bill."

Speaker Daniels: "Representative Lang."

Lang: "Well, the issue is, your concern about the will of the people. The will of the people is to be able to vote when they want to. You have opposed their right to do that, but, let me go on. How can you say this is not special legislation, when it only effects your district, when it only effects your ability to run for re-election and when no one in the State of Illinois, no other legislator is affected by this legislation. No other legislative

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district is affected by this legislation."

Speaker Daniels: "Representative Wait."

Wait: "Well, like I say, you can look at this as kind of pilot legislation and if it works effectively here, to give the people locally a voice, then we could apply it throughout the state. If that is what the will of legislature is."

Speaker Daniels: "Representative Lang."

Lang: "How would you like to hold this legislation, and let every legislator that's got a similar annexation dilemma the opportunity to put an amendment on your Bill, so we may have 10 or 20 or 30 or 50 of these. Would that be alright with you, Sir? Maybe the will of the people in those districts is the same as the will of the people in your district."

Speaker Daniels: "Representative Wait."

Wait: "Well, if they want to address that problem, they can address that in the Senate. My only intent here is to address the particular problem that we have here, in my district, in the House."

Speaker Daniels: "Representative Lang."

Lang: "What people have come forward in your district, not by name, but...what people have come forward in your district to indicate to you that they believe that there is a problem that should be addressed by you this legislation?"

Speaker Daniels: "Representative Wait."

Wait: "They have had a number of forms, where people have come forward... all you had to do is read the local newspaper. And they've labeled it 'Border Wars', in fact, it is such a hot topic. And... like I say, going door to door talking with the people, I sense that they just want to have a right to voice their opinion on this particular very volatile issue."

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Speaker Daniels: "Representative Lang. Lang. Representative Lang."

Lang: "What witness slips were filed in opposition to this Bill in committee, Representative?"

Representative Wait: "Just Municipal League, I believe."

Speaker Daniels: "Representative Lang."

Lang: "You say, just the Municipal League, just the Municipal League. Representing all the municipalities in the state of Illinois. Just the Municipal League, thinks this is not a very good Bill, is that what you're telling me? Just the Municipal League, merely the Municipal League. Is that right?"

Speaker Daniels: "He said just the Municipal League. Other questions?"

Lang: "Well, Representative, don't you think that, that is a pretty strong voice in opposition to what you're attempting to do here? What did they say in opposition to the Bill? Why don't they like your Bill, Sir?"

Speaker Daniels: "Representative Wait."

Wait: "Well, they just filed a slip like they normally do. They did not even testify against the Bill."

Speaker Daniels: "Representative Lang."

Lang: "Did you endeavor to find out why an organization that represents all of the State of Illinois, all the municipalities, all the cities, all the... all these people? Did you endeavor to attempt to find out why they opposed your Bill, Sir?"

Speaker Daniels: "Representative Wait."

Wait: "Well, of course the municipals...the cities would like to be able to go where and when they wanted, to kinda , what we call 'cherry pickin''. Pick off the more valuable properties out there. So, of course they don't what

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anything that would interfere with their form...ability, which they have now. This just puts a little balance into the whole process. And like I say, within the county, this is not saying anything with the county. This just says if you cross county lines, that the people in the other county, that have a different philosophy, different comprehensive plan zoning should, have some say."

Speaker Daniels: "Representative Lang."

Lang: "Doesn't the Municipal League represent Boone County, the very county you're trying to protect here?"

Speaker Daniels: "Representative Wait."

Wait: "No, they don't represent the county. They represent the cities."

Speaker Daniels: "Representative Lang, you have three seconds. You're out of time. The Gentleman from Kendall, Representative Cross. Representative Cross."

Cross: "I move the previous question, Speaker."

Speaker Daniels: "The Gentleman's moved the previous question. All those in favor signify by saying 'aye'; opposed 'no'. The 'ayes' have it. Representative Wait to close."

Wait: "Thank you, Mr. Speaker. Ladies and Gentleman of the House, I would just ask for your support for this good historic landmark legislation to give a voice to the people."

Speaker Daniels: "The Gentleman moves for the passage of House Bill 2181. 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 63 'aye'; 51 'no'; 2 voting 'present'. The Gentleman from Winnebago, Representative Scott has asked for a verification of the Affirmative Roll. Read the Affirmative

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Roll, Mr. Clerk."

Clerk McLennand: "Those represented as voting in the Affirmative, Ackerman. Balthis. Biggert. Biggins. Black. Bost. 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. Parke. Pedersen. Persico. Poe. Roskam. Rutherford. Ryder. Salvi. Saviano. Skinner. Spangler. Stephens. Tenhouse. Turner, John. Wait. Weaver. Wennlund. Winkel. Wirsing. Wojcik. Zabrocki. Zickus and Mr. Speaker.

Speaker Daniels: "Question of the Affirmative Roll. Representative Ryder, has leave to be verified. Representative Scott."

Scott: "Representative Saviano?"

Speaker Daniels: "Representative Saviano. Representative Saviano. Is he in the Chambers?"

Scott: "Tom is there. He's in the back."

Speaker Daniels: "I don't see him. Remove him from the Roll. Further questions?"

Scott: "Representative Jim Meyer?"

Speaker Daniels: "Representative Jim Meyer? He's over here in the Chamber. Further questions? Further questions, Sir?"

Scott: "Nothing further. Thank you, Sir."

Speaker Daniels: "Nothing further. This issue 62 'yes'; 51 'no'; 2 voting 'present'. This issue having received...this issue having received a Constitutional Majority, is hereby declared passed. House Bill 2094. House Bills Third Reading, 2094. Read the Bill, Mr. Clerk."

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Clerk McLennand: "House Bill 2094. A Bill for an Act to amend Unified Code of Corrections. Third Reading of this House Bill."

Speaker Daniels: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker. House Bill 2094 repeals the section of the Illinois law that provides three, first class postage stamps to every inmate, every week in the Illinois Penal System. Department of Corrections Fiscal Note states that this legislation will save approximately \$600,000 per year. This figure only assumes that every inmate does not take the free stamps. As of March 24th of this year, there were over 37,000 inmates in the Illinois Correctional System. Should everyone of those inmates decide to take their free stamps, this could potentially cost the department almost \$2 million a year. Inmates are entitled to an unlimited number of collect phone calls. Inmates can purchase stamps using the money they receive in prison and by the way, prisoners earn between 10 and \$100 per month in correctional industries. This legislation, I believe, is good government, it's legislation to stop taxpayer dollars from being used to subsidize inmate benefits. The State of Illinois should not provide free things, such as stamps, or doesn't provide those to citizens, so I'm sure that my Members...our Members would join with me in agreeing that we shouldn't provide them to inmates. I would be glad to respond to any questions..."

Speaker Daniels: "The Gentleman..."

Stephens: "...and I move for passage of 2094."

Speaker Daniels: "The Gentleman from Saline, Representative Phelps."

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

Speaker Daniels: "Indicates he will."

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Phelps: "Representative Stephens, the privilege that you just described in relation to the postage that is available to the prison inmates. Was that legislation that passed that gave that privilege to the inmates?"

Speaker Daniels: "Representative Stephens."

Phelps: "Was the postage made available through legislation?"

Speaker Daniels: "Representative Stephens."

Stephens: "Mr. Speaker, in response to the question, the language that allows for this is part of the current statutes. I do not know the legislative history but since it is part of our statutes, I have to assume, that it was in the form of a Bill at one time and was passed by some General Assembly. I just hope that I wasn't part of it."

Speaker Daniels: "Representative Phelps."

Phelps: "I just want to be clear. You're saying that this Body made it law to allow specifically to have postage for these inmates, for use, in the terms in which you said three per week or whatever it was. That's specifically in the law?"

Speaker Daniels: "Representative Stephens."

Stephens: "Yes, it is specifically in the law."

Speaker Daniels: "Representative Phelps."

Phelps: "Is it specifically also in the law that the other privileges that people are outraged about, like the weights and all the other recreational facilities and resources they have. Is that also in the law? I know it's not pertaining exactly to this subject but what I'm getting at, are all these privileges actually spelled out in the law and this Body passed that?"

Speaker Daniels: "Representative Stephens."

Stephens: "I don't know that the statutes...I didn't see anywhere in the statutes...excuse me...I don't know anywhere in the statutes, as I reviewed them, that I saw that it provided,

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by statute, that we provide them with weight lifting equipment and things like that. But we do have to provide them with things such as a legal library and access to the phone and again, the postage stamps. I was offended when I saw this...and I hope you agree."

Speaker Daniels: "Representative Phelps."

Phelps: "Representative Stephens, do you how this Body arrived at the number of stamps that is allotted and evidently is spelled out in the statute? Why three or why not ten or why not one?"

Speaker Daniels: "Representative Stephens."

Stephens: "Representative, as I eluded earlier, I...all I know is what the statute says today. I do not know the legislative history but evidently, at some point in legislative history, some Representative or Senator decided that every inmate needed access to three United States first class postage stamps a week. I do not know what year or under what circumstances or by what method they determined the number and the frequency of distribution. I have no idea."

Speaker Daniels: "Representative Phelps."

Phelps: "I guess one of the reason I'm asking this question, it just seems puzzling that this Body would pass this type of legislation without some reason that made sense then and doesn't make sense now and if the Governor signed it, I guess...Are we looking at statutes that the Department of Corrections or some department that says these are the type of privileges that we should pass in order to keep peace in the penal institutions. Not to have riots or something on hand. Because I agree with your Bill and I'm eager to support it. I'm just wondering why we're reacting to undo a statute when there doesn't seem to be a reason why it was formulated to begin with. No one seems to know why a

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Governor would sign it or which Assembly, what year. Maybe we don't want to admit it but it would be interesting to know why."

Speaker Daniels: "Representative Stephens."

Stephens: "Representative, I'm getting a lot...a lot of advice over here as to what...what the possibilities could be. But I sincerely do not know the legislative history. I can only suspect that at sometime this Body and the Senate and some Governor must of thought it was a good idea. Perhaps, it was before the days when we allowed inmates to earn, as I mentioned in my opening remarks, the ten to \$100 and we thought that they needed access to the postal system and they had no other method of gaining any revenue. And if that's the case then that time has come and gone. All I know, Representative, is that in today's climate I believe that the taxpayers of Illinois would appreciate the fact that we are dealing with this by repealing this...these 13 words in the statutes. By that way, that's \$26,000 per word that we're saving, almost \$27,000. I think the taxpayers would appreciate it. Whatever the circumstances were before, I know not. But I know in today's atmosphere I believe that we want to proceed and pass House Bill 2094 and I hope that you'll support it."

Speaker Daniels: "Representative Phelps."

Phelps: "I agree with most of what you said and I do want to support it. I guess one last question is that, why did you choose the postage resource rather than including all the other things that we've talked about and our constituents have written us about what privileges and recreational resources. Why not put it all on one Bill and just vote whatever millions of dollars we're saving? Instead of just three postage stamps which I'm very much in favor of."

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Speaker Daniels: "Representative Stephens."

Stephens: "The direct answer to that is that, the postage issue was brought to me by one of our staff people who had read the statutes and pointed it out to me. When I read the statutes I saw it, it was very direct, singular language, 13 words that offended me and I decided that House Bill 2094 would be the appropriate vehicle to strike those 13 words from the statutes. I would be glad to consider along with you and other Members in this Assembly any other restrictions that we to place on inmates and to save the taxpayers money and to...and to do what is right in our corrections system. That notwithstanding, that shouldn't withhold us from taking action on 2094. I believe it's a common sense measure that the taxpayers and people of the State of Illinois that obey the law would support."

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

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

Speaker Daniels: "Indicates he will."

Davis, M.: "Did I...did I understand you to say that you would be saving \$27,000?"

Speaker Daniels: "Representative Stephens."

Stephens: "Per word that I was removing. But, the total savings, if we implemented this Bill last year would have been in excess of \$600,000. If every inmate in the system uses the privilege to the fullest then we can save as much as \$1.8 million this year. And with an ever growing population of inmates in the state penal system every year that we enact this legislation we save more and more dollars that we could possibly put into education."

Speaker Daniels: "Representative Davis."

Davis, M.: "Excuse me. Because a person is in prison serving his or her time, are you saying that the people they write to,

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their families, don't deserve to hear from them? Are you saying that the guard doesn't deserve to have a break while these people are writing letters? Are you saying that they shouldn't be able to correspond with their attorneys? You know, we haven't had a prison uprisings in Illinois for a very long time and part of the reason could be because of the humaneness of our laws. In reference to allowing them telephone calls, allowing them letter writing privileges. And to start to take these things away perhaps, will be more costly than you think. Because what will happen is, people will start to riot as they used to when so many unnecessary things were done. Now, I listen to your reasoning and I kept hoping I would hear something better than what you gave."

Speaker Daniels: "Representative Stephens."

Stephens: "Well, Mr. Speaker, every prisoner in the Illinois penal system, whether they work or not, gets a minimum of \$10 a month. Now, my calculations, with a recent increase in the postal rates, indicates that, that would leave them with at least 29 stamps a month, now that's almost a letter a day. Now if they're willing to write a letter a day and send it out, I don't believe that we are taking any benefits away. And by the way, if they choose to work, they can earn up to \$100 and they could send out 290 letters a month and they could pay for it themselves. And why shouldn't they pay for them themselves? Taxpayers in the State of Illinois are tired of supporting such ridiculous concepts as this."

Speaker Daniels: "Representative Davis. If you ask a question, you open the door. Why don't you address the Bill and not ask him anymore questions?"

Davis, M.: "Pardon me? Excuse me? Excuse me?"

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HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

42nd Legislative Day

April 18, 1995

Speaker Daniels: "If you ask a question..."

Davis, M.: "Excuse me, Representative, what did you say?"

Speaker Daniels: "Is there further discussion on this Bill? Do you care to address the Bill? Representative Davis?"

Davis, M.: "Yes, yes, yes."

Speaker Daniels: "Representative Davis."

Davis, M.: "Yes, yes. I would...first of all, I said I don't appreciate him making a speech on my time to ask him questions. Just answer the question."

Speaker Daniels: "If you ask him a question, he will answer it, you opened the door."

Davis, M.: "Well, it's useless. Let me just say that I think in the State of Illinois, I don't know what prisoners used \$10 for, I don't know if they have to buy soap, I don't know if they buy deodorant, I don't know if they buy cigarettes, I don't know if they buy paper to write home. They should not be denied the privilege of writing to their families. There are some people who are in prison unjustly, they have been accused, many of them are guilty but some of them actually are not. I believe that we don't have up risings...we don't have uprisings in the state because of the laws that pertain to prisoners. We give them certain privileges which reduces the level of frustration. Most of the prisons are located far, far, far away from those you imprison and they should certainly be given the right to write to their families. You know, we have prisons, what, down in Menard, down in a lot of places far, far, far away from where you get your prisoners and they should be given an opportunity to write home. And I know this is the, what they call it the mean spirited period in the State of Illinois, 1995. Evil, mean spirited, hit the oppress, hit the children, hit those who are truly defenseless."

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Speaker Daniels: "Representative Black, the Gentleman from Vermilion."

Black: "Yes, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. I don't know, some people are just never going to get it. You know, the issue here is very simple. The Sponsor has a very simple Bill. Now, if you think your tax money should be spent so that a person incarcerated in the Department of Corrections can get three first class stamps a week at your expense, then you vote 'no'. Don't vote for the Bill. If you're like 99% of the taxpayers in the State of Illinois that say, hey wait a minute, nobody gives me three postage stamps free every week. And you know, what the person...if the person who spoke awhile ago would ever read a Bill, God forbid. You know, these inmates have unlimited, unlimited access to collect calls. They call all over the State of Illinois at taxpayers expense. Isn't that nice? How many of you have that right? Now, you know, the hour grows the late, the hour grows late. Simple Bill, very simple Bill. All I want to see on this, Mr. Speaker, all I want to see is the Roll Call. That's all I want to see. It will get a 100 votes and then as soon as we take the Roll Call we can call an ambulance for that person over there."

Speaker Daniels: "The Lady from DuPage, Representative Pankau."

Pankau: "I move the previous question, Mr. Speaker."

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

Stephens: "Well, thank you, Mr. Speaker. There are just so many things that I could say right now that...but I choose not to, I move the passage..."

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Speaker Daniels: "The Gentleman moves for the passage of House Bill 2094. The question is, 'Shall House Bill 2094 pass?' 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 101 'ayes', 7 voting 'no'. This issue, having received a Constitutional Majority, is hereby declared passed. Representative Churchill now moves that the House stand adjourned, until Wednesday April 19, 1995 at the hour of 12:30 p.m.. All those in favor signify by saying 'aye'; opposed 'nay'. The 'ayes' have it. And allowing for perfunctory time for the Clerk, the House now stands adjourned until Wednesday April 19, 1995 at the hour of 12:30 p.m. We have some announcements for committees."

Clerk McLennand: "Rules Committee will meet on Wednesday at 8:00 a.m. in the Speakers conference room. Rules will meet at 8:00 a.m. tomorrow morning in the Speakers conference room. House perfunctory Session will be in order. Introduction of First Reading of Resolutions: House Joint Resolution #37 offered by Representative Mautino, House Joint Resolution #38 offered by Representative Weaver, sent to Rules Committee, House Resolution #31 offered by Representative Turner, and House Resolution #32 offered by Representative Madigan, sent to Rules Committee. No further business. The House Perfunctory Session stands adjourned. The House will reconvene on Wednesday April 19 at the hour of 12:30 p.m.

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